



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda

JUDICIARY & LEGISLATION COMMITTEE

ALD. MICHAEL S. D'AMATO, CHAIR

Ald. Ashanti Hamilton, Vice-Chair

Ald. Robert Bauman, Ald. Michael Murphy, Ald. James Bohl, Jr.

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Monday, December 3, 2007

1:30 PM

Room 301-B, City Hall

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, December 3, 2007 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 is rendering advice concerning strategy to be adopted by the City with respect to Item #1...Resolution to approve the settlement agreement in the matter of Ayman Khatib v. City of Milwaukee; Item #2...Resolution to approve the settlement agreement in the matter of Ganos Company, Inc. v. City of Milwaukee; and Item #3...Resolution authorizing the settlement of the claim of Fire Lieutenant Gregory A. Marris and then will go into open session for the regular agenda.

1. [071041](#) Resolution to approve the settlement agreement in the matter of Ayman Khatib v. City of Milwaukee.
Sponsors: THE CHAIR
2. [071116](#) Resolution to approve the settlement agreement in the matter of Ganos Company, Inc. v. City of Milwaukee.
Sponsors: THE CHAIR
3. [071044](#) Resolution authorizing settlement of the claim of Fire Lieutenant Gregory A. Marris.
Sponsors: THE CHAIR

2:00 P.M.

4. [070977](#) Substitute resolution authorizing and directing the City Attorney, on behalf of the City, to sign onto an amicus brief being coordinated by the Legal Community Against Violence in connection with the U.S. Supreme Court's anticipated review of District of Columbia v. Heller, relating to the District's laws banning most handgun possession by residents.
Sponsors: Ald. Hamilton And Ald. Davis
5. [070924](#) Resolution relative to various legislative bills.

Sponsors: THE CHAIR

* AB-580/SB-329 *Objecting to property tax assessments.*

* AB-581 *Prohibiting exercise of emergency powers to restrict activities related to firearms or ammunition.*

* SB-309/AB-569 *Prohibiting local ordinances, resolutions, and policies that prohibit immigration status inquiries and reports to the federal government about the presence of illegal aliens and authorizing a private right of action.*

SJR-27 Calling for changes to the state's public school funding formula to be enacted by July 1, 2009.

* *Update on 2007-08 Legislative Package*

* *For informational purposes only, an update may be provided on bills previously approved for City action.*

6. [071135](#) Resolution supporting introduction and passage of legislation by the Wisconsin Legislature authorizing adoption of municipal ordinances that permit the impoundment of vehicles operated in violation of cruising-related and other specified ordinances.

Sponsors: Ald. Donovan, Ald. Bohl, Ald. Zielinski And Ald. Bauman

7. [070890](#) Substitute resolution authorizing the return of real estate located at 2342 N. 2nd St., in the 6th Aldermanic District to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Fred Stein)

Sponsors: THE CHAIR

8. [071033](#) Substitute resolution authorizing the return of real estate located at 124 W. Hadley St., in the 6th Aldermanic District to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Akann Hinkle as personal representative of the heir of the estate of Earnestine Myers)

Sponsors: THE CHAIR

9. [070770](#) Substitute resolution authorizing the return of real estate located at 2767-2769 N. 13th St., in the 15th Aldermanic District to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Anthony McNeail)

Sponsors: THE CHAIR

10. [070888](#) Substitute resolution authorizing the return of real estate located at 3057 N. 6th St., in the 6th Aldermanic District to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Herman Presswood and Shirley Bergeron)

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11. [070886](#) Substitute resolution authorizing the return of real estate located at 3009 N. 29th St., in the 7th Aldermanic District to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all

costs as sustained by the City in foreclosing and managing said real estate. (Nadir Mustafa)

Sponsors: THE CHAIR

12. [071110](#) Resolution applying a refund for interest and penalty charges paid by John Moore related to the return of real estate located at 4216 N. Sherman Blvd., in the 7th Aldermanic District.

Sponsors: Ald. Wade

13. [071051](#) Substitute 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 \$664.98 with a six-year total of the deferred properties being \$8,980.27.

Sponsors: THE CHAIR

14. [071052](#) Substitute resolution providing granting of deferred payments of the special assessment for Diane Moore, 5021 North 47th Street, in the 1st Aldermanic District, and appropriating funds for this purpose with the 2007 payment of \$187.12, with a six-year total of \$1,144.15.

Sponsors: THE CHAIR

15. [071017](#) Substitute Resolution to settle claim of Cermele & Associates for defense of various police officers.

Sponsors: THE CHAIR

*This file includes payment of legal fees for the following police officers:
Ron Villagomez, Rochell Gawin, Eric Neitman, Andrew Tischer, Derek Vernon, David Martinez, William Singleton, Trinidad Rodriguez, Michael Dederich, Jeff Grambow, Rafael Rivera, Thomas Hines, Jose Lopez III, Tom Harter, Tabatha Guajardo, Scott Beaver, Nicole Vele, Sean Lesnjak, Toby Golembiewski, James Morsovillo, Robert Wilkinson, Robert Glowinski, William Schroeder, William Michel, Malcolm McNeil, James Henry, Jaimie Arce, Richard Lopez, Talmer Wilson, Erwin Estacio, Jeffrey Waldorf, Donald Jackson, Lee Vedbratten, James Hernandez, Kenneth Lipinski, Phil Simmert, David Bublitz, Mark Sikora and Johnny Norred.*

16. [070885](#) Resolution authorizing the Office of the City Attorney to resolve various Municipal Court cases through permanent stay of the forfeiture or dismissal.

Sponsors: THE CHAIR

Items below will be heard no earlier than 2:30 P.M.:

17. [071113](#) Resolution relating to an appeal from Gina Juniel for property damage. (9th Aldermanic District)

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---\$400 claim related to damage to private property as a result of a forced entry by the police. The City Attorney's position is that the use of force was authorized and within the sphere of the department's responsibility.

18. [070778](#) Resolution relating to an appeal from Veronica Junior for property damage. (6th Aldermanic District)
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---\$943.42 claim related to damage to a private vehicle that collided with a hole. The City Attorney's position is that the city followed its standard procedures and was not negligent in this matter.
19. [070896](#) Resolution relating to an appeal from Robert Walters for property damage. (3rd Aldermanic District)
Sponsors: THE CHAIR
---\$666.32 claim related to damage to a private vehicle that collided with a hole in the street. The City Attorney's position is that the city had no notice of the hazard prior to the incident.
20. [071034](#) Resolution relating to an appeal from Ibrahim Hamad for the cutting of grass and weeds. (6th Aldermanic District)
Sponsors: THE CHAIR
---\$150 claim related to a weed and grass cutting charge as a result of the owner failing to receive a notice. The City Attorney's position is that the city did not receive the needed information to post the change in ownership.
21. [071029](#) Resolution relating to an appeal from Sharon McCoy-Hunt for loss of property. (1st Aldermanic District)
Sponsors: THE CHAIR
---\$3,789 claim related to property that was stolen from a private vehicle that was towed by the city. The City Attorney's position is that there is no proof that the property was stolen while it was at the city tow lot.
22. [070983](#) Resolution relating to the claim of Anthony and Shannon Duke on behalf of Cody Duke and Juan Cannizzaro for personal injuries and property damage.
Sponsors: THE CHAIR
---\$5,000 claim related to injuries and loss of personal property as a result of entering an area closed to traffic. The City Attorney's position is that the city followed standard barricading procedures and the claimants entered a closed construction area.
23. [071031](#) Resolution relating to the claim of Casey and Terri Bentley for property damage. (2nd Aldermanic District)
Sponsors: THE CHAIR
24. [071048](#) Resolution authorizing payment of the claim of Gregory Simerlein, in the amount of \$16,000.
Sponsors: THE CHAIR
25. [071049](#) Resolution authorizing payment of the claim of Scott McGrury, in the amount of \$25,000.00

Sponsors: THE CHAIR

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

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

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