



# 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.**

**Staff Assistant, Linda Elmer, (414)-286-2232**

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Monday, September 19, 2005

9:00 AM

Room 301-B, City Hall

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#### AMENDED 9/16/05

9:00 A.M.

*The JUDICIARY AND LEGISLATION COMMITTEE may convene into closed session at 9:00 A.M. on Monday, September 19, 2005, in Room 301-B, City Hall, 200 East Wells Street, Milwaukee, Wisconsin, pursuant to Section 19.85 (1)(g), Wisconsin Statutes, 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 authorizing settlement of the lawsuit entitled Phil Tolkan Leasing Co., Inc. v. City of Milwaukee, Milwaukee County Circuit Court Case No. 04CV007572, Item #2...Resolution authorizing settlement of the lawsuit entitled Tower Automotive Products Co., Inc. v. City of Milwaukee, Milwaukee County Circuit Court Case No. 04CV004983, Item #8...Resolution approving and authorizing compromise of in personam judgment against Theresa Slyman for in personam liability for 1992-2004 taxes for the property located at 4132 North Holton Street, Milwaukee, Wisconsin, Item #9...Resolution approving and authorizing the settlement of in personam judgment against Stout Bros. Public House LLC for in personam liability for personal property taxes, in the amount of \$25,109.64 for tax year 2001 and \$33,555.72 for tax year 2002 in exchange for the lesser amount of \$13,935.10, and to confer with legal counsel who will render oral advice concerning strategy to be adopted by the City with regard to a claim against the City by the State of Wisconsin and then will go into open session for the regular agenda.*

#### 9:30 A.M.

1. [050327](#) Resolution authorizing settlement of the lawsuit entitled Phil Tolkan Leasing Co., Inc. v. City of Milwaukee, Milwaukee County Circuit Court Case No. 04CV007572. (City Attorney)  
**Sponsors:** THE CHAIR
2. [050329](#) Resolution authorizing settlement of the lawsuit entitled Tower Automotive Products Co., Inc. v. City of Milwaukee, Milwaukee County Circuit Court Case No. 04CV004983. (City Attorney)

- Sponsors:** THE CHAIR
3. [050421](#) Appointment of Annie Wacker to the Ethics Board by the Mayor. (9th Aldermanic District)  
**Sponsors:** THE CHAIR
4. [050460](#) Resolution relative to various legislative bills.  
**Sponsors:** THE CHAIR
5. [050534](#) Resolution canceling various City invoices.  
**Sponsors:** THE CHAIR
6. [050555](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2001 and 2004 tax rolls, plus interest applicable to date of repayment, if appropriate.  
**Sponsors:** THE CHAIR
7. [050556](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2004 tax roll, plus interest applicable to date of repayment, if appropriate.  
**Sponsors:** THE CHAIR
8. [050646](#) Resolution approving and authorizing compromise of in personam judgment against Theresa Slyman for in personam liability for 1992-2004 taxes for the property located at 4132 North Holton Street, Milwaukee, Wisconsin.  
**Sponsors:** THE CHAIR
9. [050647](#) Resolution approving and authorizing the settlement of in personam judgment against Stout Bros. Public House LLC for in personam liability for personal property taxes, in the amount of \$25,109.64 for tax year 2001 and \$33,555.72 for tax year 2002 in exchange for the lesser amount of \$13,935.10  
**Sponsors:** THE CHAIR
10. [050648](#) Resolution authorizing and approving the settlement agreement between the City of Milwaukee ("City") and Kmart Corporation for \$44,722.15 in exchange for the amount of \$31,305.51 as full settlement regarding personal property taxes, account numbers 8471-0009 and 8471-0040 for tax year 2001, pursuant to an Amended Order Disallowing and Expunging or Otherwise Reducing or Reclassifying Certain Claims Set Forth in the Nineteenth Omnibus entered on April 12, 2004, by the United States Bankruptcy Court, for the Northern District of Illinois, Case No. 02-02474, the Hon. Susan Pierson Sonderby, presiding.  
**Sponsors:** THE CHAIR
11. [050554](#) Resolution to cancel personal property taxes levied against 5 - 12 Group LTD dba Fivetwelve Group LTD, 1661 N. Water Street, Account No. 9303-0649, for the year 2004, plus interest applicable to date of repayment, if appropriate.  
**Sponsors:** THE CHAIR

10:00 A.M.

12. [050510](#) Resolution directing the Intergovernmental Relations Division - Department of Administration to seek introduction and passage of state legislation necessary to implement various recommendations of the Election Commission Task Force.  
**Sponsors:** THE CHAIR

13. [050630](#) An ordinance implementing certain recommendations of the election task force.  
**Sponsors:** D'Amato

10:30 A.M.

14. [050602](#) Resolution authorizing return of real estate located at 4485 N. 20th Street, in the 1st Aldermanic District of the City of Milwaukee, to Eustacia Gee upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR

15. [050525](#) Resolution authorizing return of real estate located at 4146 N. 25th Street, in the 1st Aldermanic District of the City of Milwaukee, to Irene Douglas and Austrilia Ragland upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR

16. [050608](#) Resolution authorizing return of real estate located at 5229-5231 N. 35th Street, in the 1st Aldermanic District of the City of Milwaukee, to Real Estate Resolutions LLC upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR

17. [050521](#) Resolution authorizing return of real estate located at 3423-25 N. 15th Street, in the 6th Aldermanic District of the City of Milwaukee, to Mary Jean Price upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR

18. [050524](#) Resolution authorizing return of real estate located at 939 W. Burleigh Street, in the 6th Aldermanic District of the City of Milwaukee, to Francis Johnson-Howell upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR

19. [050542](#) Resolution authorizing return of real estate located at 2562 N. Richards Street, in the 6th Aldermanic District of the City of Milwaukee, to Florita Quinones upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR
20. [050539](#) Resolution authorizing return of real estate located at 2911 N. 11th Street, in the 6th Aldermanic District of the City of Milwaukee, to Anthony and Dana McCalla upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR
21. [050538](#) Resolution authorizing return of real estate located at 2454-2456 W. Keefe Avenue, in the 6th Aldermanic District of the City of Milwaukee, to Florance Hess upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR
22. [050605](#) Resolution authorizing return of real estate located at 3136 N. 26th Street, in the 7th Aldermanic District of the City of Milwaukee, to Curtis and Ethel Brown upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR
23. [050519](#) Resolution authorizing return of real estate located at 3980 N. 29th Street, in the 7th Aldermanic District of the City of Milwaukee, to James Harrell upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR
24. [050601](#) Resolution authorizing return of real estate located at 2617-2619 N. 44th Street, in the 7th Aldermanic District of the City of Milwaukee, to Chatelah Brown upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR
25. [050540](#) Resolution authorizing return of real estate located at 2935-37 N. 35th Street, in the 7th Aldermanic District of the City of Milwaukee, to Katie Henry upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR

26. [050537](#) Resolution authorizing return of real estate located at 4936 N. 57th Street, in the 7th Aldermanic District of the City of Milwaukee, to Steven Campbell upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.
- Sponsors:** THE CHAIR
27. [050544](#) Resolution authorizing return of real estate located at 1545 S. 20th Street, in the 8th Aldermanic District of the City of Milwaukee, to Ericka Hinz upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.
- Sponsors:** THE CHAIR
28. [050546](#) Resolution authorizing return of real estate located at 2040 W. Vilter Lane, in the 8th Aldermanic District of the City of Milwaukee, to Lucille Hoeft upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.
- Sponsors:** THE CHAIR
29. [050523](#) Resolution authorizing return of real estate located at 4727 W. Custer Avenue, in the 9th Aldermanic District of the City of Milwaukee, to Daniel and Joanne Scott upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.
- Sponsors:** THE CHAIR
30. [050517](#) Resolution authorizing return of real estate located at 9050C N. 95th Street, in the 9th Aldermanic District of the City of Milwaukee, to Maria Obando upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.
- Sponsors:** THE CHAIR
31. [050606](#) Resolution authorizing return of real estate located at 5129-5133 W. North Avenue, in the 10th Aldermanic District of the City of Milwaukee, to Real Estate Resolutions LLC upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.
- Sponsors:** THE CHAIR
32. [050518](#) Resolution authorizing return of real estate located at 1339 S. 7th Street, in the 12th Aldermanic District of the City of Milwaukee, to Simon Ocampo upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.
- Sponsors:** THE CHAIR

33. [050607](#) Resolution authorizing return of real estate located at 439 W. Harrison Avenue, in the 14th Aldermanic District of the City of Milwaukee, to Grand Life Real Estate LLC upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR
34. [050545](#) Resolution authorizing return of real estate located at 2062-64 N. 28th Street, in the 15th Aldermanic District of the City of Milwaukee, to Tony Brookens upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR
35. [050522](#) Resolution authorizing return of real estate located at 1324 W. Reservoir Avenue, in the 15th Aldermanic District of the City of Milwaukee, to John Clinton upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR
36. [050543](#) Resolution authorizing return of real estate located at 2751 N. 12th Street, in the 15th Aldermanic District of the City of Milwaukee, to George Jordon upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.  
**Sponsors:** THE CHAIR

10:45 A.M.

37. [050528](#) Communication from the City Attorney transmitting a semiannual report as to the determination and disposition of all claims filed from January 1, 2005 through June 30, 2005 pursuant to Section 304-7, Milwaukee Code of Ordinances.  
**Sponsors:** THE CHAIR
38. [041127](#) Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.  
**Sponsors:** THE CHAIR
39. [050663](#) Resolution authorizing an agreement between the City of Milwaukee and Milwaukee Public Schools (MPS) regarding the Mayor's Tutoring Partnership Program.  
**Sponsors:** Hamilton

The items below will be heard no earlier than 11:15 A.M.

40. [050333](#) Resolution relating to a claim from Josephine Morris for property damage.  
**Sponsors:** THE CHAIR  
*---\$72,231.23 claim related to destruction of a private vehicle. The city acted properly*

*and therefore cannot be held liable.*

41. [050330](#) Substitute resolution relating to the appeal of Johnnie Johnson, Jr. relative to a claim for loss of dog.  
**Sponsors:** THE CHAIR  
*---\$5,000 claim related to the killing of a dog by the Milwaukee police department. The officer acted within the scope and responsibilities of the job and therefore the city cannot be held liable.*
42. [050237](#) Resolution relating to the appeal of Manojlo Verzich relative to a claim for property damage. (12th Aldermanic District)  
**Sponsors:** THE CHAIR  
*---\$305 claim related to a forced entry at a private home. The use of force is authorized by state statutes, and therefore the city cannot be held liable.*
43. [050632](#) Resolution relating to the appeal of American Family Insurance, Jeff Lang, Casualty Claims Examiner, relative to a claim for property damage. (12th Aldermanic District)  
**Sponsors:** THE CHAIR  
*---\$10,548.47 claim related to a collision between a private motor vehicle and a police vehicle. The police were acting within the scope of their responsibilities when pursuing a fleeing vehicle.*
44. [050446](#) Resolution relating to the appeal of Joan Cobb relative to a claim for property damage. (6th Aldermanic District)  
**Sponsors:** THE CHAIR  
*---\$1,300 claim related to damage from a forced entry by the Milwaukee police department. The use of force is authorized by state statutes, and therefore the city cannot be held liable.*
45. [050526](#) Resolution relating to the appeal of 1225 Properties LLC relative to a claim for property damage. (12th Aldermanic District)  
**Sponsors:** THE CHAIR  
*---\$917.46 claim related to a water leak at a private residence. The city was unable to contact the owner and therefore acted appropriately in the matter.*
46. [050331](#) Resolution relating to the appeal of Andrew Frederick relative to a claim for property damage. (5th Aldermanic District)  
**Sponsors:** THE CHAIR  
*---\$451.97 claim related to alleged damage caused by a city street sweeper. The sweeper was not in the vicinity of the accident on the date and the claimant could not provide proof that the sweeper was involved, so the city is not liable.*
47. [050597](#) Substitute resolution relating to the appeal of Rosie Hamilton relative to a claim for property damage.  
**Sponsors:** THE CHAIR  
*---\$4,873.83 claim related to damage to private property from a falling tree limb. The limb fell solely as a result of high winds and the city cannot be held liable.*

48. [050551](#) Resolution relating to the appeal of Michael McCord relative to a claim for property damage. (13th Aldermanic District)  
**Sponsors:** THE CHAIR  
*---\$863.18 claim related to motor vehicle damage from a falling tree limb. City crews did not note any damage on the vehicle the day of the incident and the tree limb fell as a result of winds so the city was not negligent in this matter.*
49. [050598](#) Resolution relating to the appeal of Corey Kmichik relative to a claim for property damage. (4th Aldermanic District)  
**Sponsors:** THE CHAIR  
*---\$1,034.99 claim related to damage to a private vehicle which was towed to the Tow Lot. Tow Lot records do not show any damage to the vehicle at the time it was reclaimed by the owner.*
50. [050445](#) Resolution relating to the appeal of Jeff Baum relative to a claim for property damage.  
**Sponsors:** THE CHAIR  
*---\$885.15 claim related to damage to a private vehicle towed to the Tow Lot. The suspension damage would not be typical of damage as a result of towing or storage.*
51. [050444](#) Resolution relating to the appeal of Anthony York relative to a claim for property damage. (1st Aldermanic District)  
**Sponsors:** THE CHAIR  
*---\$3,106.73 claim related to damage to a private vehicle from a manhole. The city could not have anticipated or prevented the incident as therefore cannot be held liable.*
52. [050015](#) Resolution relating to the appeal of Pamela Myers relative to a claim for property damage. (9th Aldermanic District)  
**Sponsors:** THE CHAIR  
*---\$237.45 claim related to damage to a private vehicle from a pothole. The street is under the jurisdiction of the county, not the city.*
53. [050202](#) Resolution relating to the appeal of Johnny Bryant relative to a claim for personal injuries. (15th Aldermanic District)  
**Sponsors:** THE CHAIR  
*---\$2,950 claim related to personal injuries as a result of falling on ice in an alley. The city does not plow or salt the alleys and cannot be held liable.*
54. [050447](#) Resolution relating to a claim from attorneys Warshafsky, Rotter, Tarnoff, Reinhardt & Bloch, S.C. on behalf of Lottisha Williams for personal injuries.  
**Sponsors:** THE CHAIR  
*---\$6,883.16 claim related to personal injury as a result of an individual's leg getting stuck in a city sewer. Prior to this incident, the city had no notice of this hazard and, therefore, cannot be held liable.*
55. [050533](#) Resolution relating to the appeal of James Crouse relative to a claim for property damage. (11th Aldermanic District)



Sponsors: THE CHAIR

*---\$1,336.05 damage to a private vehicle when it was hit by barricades blown by the wind. The city was not negligent in this matter.*

56. [050631](#) Resolution relating to the appeal of Ida Smith relative to a claim for property damage. (2nd Aldermanic District)

Sponsors: THE CHAIR

*---\$250 claim related to damage to a private vehicle when it was hit by a rock. Prior to the incident, the city had no notice of the situation and therefore cannot be held liable.*

57. [050491](#) Resolution relating to a claim from Dennis Civers for personal injuries.

Sponsors: THE CHAIR

*---\$1,117,877.28 claim related to personal injury as a result of electrical shock. Per the state statutes, the exclusive remedy available to the claimant is through Worker's Compensation.*

58. [050571](#) Resolution authorizing payment of the claim of Matthew Seitz, C.I. File No. 04-L-9.

Sponsors: THE CHAIR

**This meeting can be viewed in its entirety in the web-casting archives found at [www.milwaukee.gov/channel25](http://www.milwaukee.gov/channel25).**

**NOTE: a) Members of the Common Council, and members of its Standing Committees who are not members of this Committee, may attend this meeting to participate or to gather information. Therefore, notice is given that this meeting may constitute a meeting of the Common Council or any of its Standing Committees, and must be noticed as such, although they will not take any formal action at this meeting.**

**b) 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.**

**c) 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.**

**d) Effective July 1, 2005, 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. More information is available at [www.milwaukee.gov/lobby](http://www.milwaukee.gov/lobby) or by calling 414-286-2238.**

