



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, November 28, 2005

1:30 PM

Room 301-B, City Hall

THE JUDICIARY AND LEGISLATION COMMITTEE may convene into closed session at 1:30 PM on Monday, November 28, 2005 in Room 301-B, City Hall, 200 E. Wells St., 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 to authorize settlement of alleged discrimination case based upon sex or gender and retaliation, filed in the Equal Rights Division, Department of Workforce Development, ERD Case No. CR200303860 and also filed with the United States Equal Employment Opportunity Commission, EEOC Case No. 26GA4000061 and item #2...Resolution approving settlement of a lawsuit to be filed by the State of Wisconsin relative to compliance with certain water pollution control laws and then will go into open session for the regular agenda.

2:00 P.M.

1. [050721](#) Resolution to authorize settlement of alleged discrimination case based upon sex or gender and retaliation, filed in the Equal Rights Division, Department of Workforce Development, ERD Case No. CR200303860 and also filed with the United States Equal Employment Opportunity Commission, EEOC Case No. 26GA4000061.
Sponsors: THE CHAIR
Attachments: [City Atty. Letter.DOC](#)
[Fiscal Note.DOC](#)
[Settlement.PDF](#)
[Communication from Ald. D'Amato](#)

2. [051025](#) Resolution approving settlement of a lawsuit to be filed by the State of Wisconsin relative to compliance with certain water pollution control laws.
Sponsors: THE CHAIR
Attachments: [Cover letter from City Attorney 11-22-05](#)
[Draft Settlement Stipulation](#)

3. [051048](#) Appointment of Jennifer Havas to the Administrative Review Appeals Board by the Mayor.
Sponsors: THE CHAIR
Attachments: [Appt. Letter.doc](#)
[Resume.PDF](#)

4. [051011](#) Resolution relative to various legislative bills.
Sponsors: THE CHAIR
Attachments: [Fiscal Note](#)
5. [050670](#) Substitute resolution authorizing the return of real estate located at 907 W. Atkinson Ave., in the 6th Aldermanic District of the City of Milwaukee 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. (Lincoln Creek Development, Inc. and KSB Construction Development, LLC)
Sponsors: THE CHAIR
Attachments: [Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[Treasurer Office](#)
[Health Dept letter 9-29-05](#)
[DNS LETTER](#)
[DCD Letter_1](#)
[Updated Treasurer's response](#)
[DNS Response - 11/2/05](#)
[Treasurer Office's Letter 11-18-05](#)

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

6. [051044](#) Resolution directing the Election Commission to place an advisory referendum on the withdrawal of American armed forces from Iraq on the Spring, 2006, ballot.
Sponsors: D'Amato, Bauman, Hamilton, McGee Jr. and Hines Jr.
Attachments: [Fiscal Note](#)
7. [050920](#) Communication from the Comptroller's Office transmitting a report relative to the creation of a City website to report potential fraud, waste and abuse within City government.
Sponsors: THE CHAIR
Attachments: [Report.PDF](#)

Items below will be heard no earlier than 3:00 P.M.:

8. [050797](#) Resolution relating to the appeal of Antonio Jones relative to a claim for property loss. (7th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [Appeal.PDF](#)
[City Atty. Letter.PDF](#)

---\$1,503.20 claim related to property stolen from a private garage as a result of an alleged inadequate search by the police. The loss of the property was not caused by negligence on the part of the police and therefore the city is not liable.
9. [050936](#) Resolution relating to a claim from Hercules Malone for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

Attachments: [City Atty. Letter.DOC](#)
[Claim.PDF](#)

---\$5,000 claim related to a search by the police department of a private residence. The police actions taken in this matter were necessary and appropriate.

10. [051020](#) Resolution relating to the appeal of Natalia Stanley relative to a claim for property damage. (14th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [Appeal.PDF](#)

---\$57 claim related to the provision of translation services. The police department has translators and the services were provided at the request of a citizen involved in an investigation.

11. [050886](#) Resolution relating to a claim from Beverly Bothe for loss of property.

Sponsors: THE CHAIR

Attachments: [City Atty. Letter.DOC](#)
[Claim.PDF](#)

---\$40,000 claim related to removal of private property. The city acted appropriately in the clean-up of a nuisance property.

12. [050950](#) Resolution relating to the appeal of Keith Sommers relative to a claim for property damage. (14th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [Appeal.PDF](#)
[City Atty. Letter.PDF](#)

---\$290 claim related to damage caused to a garage allegedly by city employees returning garbage carts to the storage site. The city employees do not recall damaging the garage and the claimant has no proof that they did so.

13. [050873](#) Resolution relating to a claim from Carolyn Northern for property damage.

Sponsors: THE CHAIR

Attachments: [City Atty. Letter.DOC](#)
[Claim.PDF](#)

---\$17,197 claim related to sewer backwater in a basement. The sewer is on a regular cleaning schedule and there was no prior notice of problems at this address, so the city cannot be held liable.

14. [050666](#) Resolution relating to a claim from Mark Zera for personal injuries.

Sponsors: THE CHAIR

Attachments: [City Atty. Letter.PDF](#)
[Claim.PDF](#)

---\$21,000 claim related to a fall on a public sidewalk. Prior to the incident, the city had no notice of the hazard and, therefore, cannot be held liable.

15. [050927](#) Resolution relating to the appeal of James Gradel relative to a claim for property damage.

Sponsors: THE CHAIR

Attachments: [Appeal.PDF](#)
[City Atty. Letter.PDF](#)

---\$215.43 claim related to damage sustained to a private vehicle. Prior to the incident, the city had no notice of the defect in the road and therefore cannot be held liable.

16. [050970](#) Resolution authorizing payment of the claim of Shrea Smith, C.I. File No. 04-L-80.

Sponsors: THE CHAIR

Attachments: [Fiscal Note.DOC](#)
[Settlement Draft Request.DOC](#)
[City Atty. Cover Letter.DOC](#)

This meeting will be webcast live at 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 or by calling 414-286-2238.