



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

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Monday, May 12, 2008

9:00 AM

Room 301-B, City Hall

Amended 5/9/08

Meeting convened: 9:09 A.M.

Present 4 - Hamilton, Bohl, Davis, Donovan

Excused 1 - Witkowski

Roll call taken at 9:17 A.M.

Present 5 - Hamilton, Witkowski, Bohl, Davis, Donovan

1. [071544](#) Resolution authorizing settlement of the lawsuit entitled David Hollins, Jr. v. Demetrius Ritt, et al., in the amount of \$20,000.

Sponsors: THE CHAIR

Ald. Bohl moves 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 is rendering advice concerning strategy to be adopted by the City with respect to Item #1...Resolution authorizing settlement of the lawsuit entitled David Hollins, Jr. v. Demetrius Ritt, et al., in the amount of \$20,000 and then will go into open session for the regular agenda.

Roll Call:

Ayes: Ald. Davis, Ald. Bohl, Ald. Donovan and Ald. Hamilton - 4

Individuals present:

Sue Lappen - City Attorney's Office

Ald. Witkowski arrived during the closed session at 9:17 A.M.

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

Aye 3 - Witkowski, Bohl and Donovan

No 2 - Hamilton and Davis

9:15 A.M.

2. [071675](#) Substitute resolution relative to various legislative bills.

Sponsors: THE CHAIR

Individuals present:

*Paul Vornholt and Jennifer Gonda - Intergovernmental Relations
Ann Beier - Dept. of Administration/Office of Environmental Sustainability
Brenda Wood - Common Council/City Clerk's Office*

Ald. Bohl moves to watch and report on H.R. 980/S. 2123 (Public Safety Employer-Employee Cooperation Act of 2007). There were no objections.

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

3. [071703](#)

Resolution expressing City of Milwaukee support for efforts to end unrestricted busing of Milwaukee Public School ("MPS") students.

Sponsors: Ald. Zielinski, Ald. Wade, Ald. Bohl, Ald. Donovan, Ald. Bauman and Ald. Davis

Individuals present:

*Ald. Zielinski
Michael Bonds - Milwaukee Public Schools Board Member*

Accept Proposed Substitute A.

A motion was made by ALD. DAVIS that this Resolution be SUBSTITUTED. The motion PREVAILED by the following vote:

Aye 4 - Hamilton, Bohl, Davis and Donovan

No 1 - Witkowski

Withdrew acceptance of Proposed Substitute A.

A motion was made by ALD. DAVIS that this Resolution be AMENDED (WITHDRAWN). The motion PREVAILED by the following vote:

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

A motion was made by ALD. DAVIS that this Resolution be RECOMMENDED FOR ADOPTION. The motion PREVAILED by the following vote:

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

4. [070993](#)

Communication from the City Attorney relative to expenditures from the Outside

Counsel/Expert Witness Fund Special Purpose Account.

Sponsors: THE CHAIR

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

5. [080033](#)

Resolution approving and authorizing the settlement of judgment for delinquent taxes entered on behalf of the City of Milwaukee by the Kohn Law Firm against Keefe Richards LLC for the property located at 274 E. Keefe Ave.

Sponsors: THE CHAIR

*Individuals present: Jan Smokowicz - City Attorney's Office
Rob Potrzebowski - Kohn Law Firm*

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

6. [071676](#)

Substitute Resolution to settle claims of Cermele & Associates and Gimbel Reilly Guerin & Brown for defense of various police officers.

Sponsors: THE CHAIR

Proposed Substitute A accepted.

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

Items below will be heard no earlier than 9:30 A.M.:

7. [071662](#)

Resolution authorizing payment of the claim of Tim and Cathy Spath.

Sponsors: THE CHAIR

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

8. [080007](#)

Resolution relating to an appeal from Richard Wang, Agent for The Park Terrace, for property damage. (2nd Aldermanic District)

Sponsors: THE CHAIR

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

Aye 3 - Hamilton, Witkowski and Davis

No 1 - Bohl

Excused 1 - Donovan

Ald. Donovan excused from the rest of the meeting at 11:00 A.M.

Present 4 - Hamilton, Witkowski, Bohl, Davis

Excused 1 - Donovan

9. [071666](#)

Substitute resolution relating to an appeal from Earl Equitz for property damage.

Sponsors: THE CHAIR

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

Aye 2 - Witkowski and Davis

No 2 - Hamilton and Bohl

Excused 1 - Donovan

Grant in the amount of \$500.

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

Aye 3 - Hamilton, Bohl and Davis

No 1 - Witkowski

Excused 1 - Donovan

Grant in the amount of \$500.

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

Aye 3 - Hamilton, Bohl and Davis

No 1 - Witkowski

Excused 1 - Donovan

10. [071665](#) Resolution relating to an appeal from Albert Taylor for damages and lost wages. (1st Aldermanic District)

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

11. [071707](#) Resolution relating to the claim of Karter Stank for personal injuries and property damage. (2nd Aldermanic District)

Sponsors: THE CHAIR

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

Aye 2 - Hamilton and Davis

No 1 - Witkowski

Excused 2 - Bohl and Donovan

12. [071628](#) Resolution relating to the claim of Hayden Headley for property damage. (15th Aldermanic District)

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

13. [071664](#) Resolution relating to an appeal from Sylvia Jones for property damage. (2nd Aldermanic District)

Sponsors: THE CHAIR

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

Aye 3 - Hamilton, Witkowski and Davis

No 0

Excused 2 - Bohl and Donovan

14. [071663](#) Resolution relating to an appeal from Cleo Theresa Simmons for property damage and loss of property. (1st Aldermanic District)

Sponsors: THE CHAIR

Held at the request of the claimant.

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

Aye 3 - Hamilton, Witkowski and Davis

No 0

Excused 2 - Bohl and Donovan

15. [071633](#) Resolution relating to the claim of Benjamin Wager of Habush, Habush & Rottier, SC on behalf of John and Amy Sanheim for personal injuries. (2nd Aldermanic District)

Sponsors: THE CHAIR

Claimant not present.

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

Aye 3 - Hamilton, Witkowski and Davis

No 0

Excused 2 - Bohl and Donovan

16. [080035](#) Reappointment of Dwight Ellis to the Ethics Board by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. DAVIS that this Appointment be RECOMMENDED FOR CONFIRMATION. The motion PREVAILED by the following vote:

Aye 3 - Hamilton, Witkowski and Davis

No 0

Excused 2 - Bohl and Donovan

17. [080036](#) Reappointment of Patricia Hintz to the Ethics Board by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. DAVIS that this Appointment be RECOMMENDED FOR CONFIRMATION. The motion PREVAILED by the following vote:

Aye 3 - Hamilton, Witkowski and Davis

No 0

Excused 2 - Bohl and Donovan

The following items may be placed on file as no longer needed:

18. [991438](#) Resolution to settle claim of Attorney Steven R. Kohn, Steven R. Kohn Law Office, for defense of Police Officer Lamont Hodnett. (City Attorney)
- Sponsors:** THE CHAIR
- A motion was made by ALD. DAVIS that this Resolution be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:**
- Aye** 3 - Hamilton, Witkowski and Davis
- No** 0
- Excused 2 - Bohl and Donovan
19. [031025](#) A substitute ordinance relating to the provisions of the code of ethics.
- Sponsors:** Ald. Pratt
- A motion was made by ALD. DAVIS that this Ordinance be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:**
- Aye** 3 - Hamilton, Witkowski and Davis
- No** 0
- Excused 2 - Bohl and Donovan
20. [040132](#) An ordinance relating to the reporting of gifts to city officials.
- Sponsors:** Ald. Bohl
- A motion was made by ALD. WITKOWSKI that this Ordinance be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:**
- Aye** 4 - Hamilton, Witkowski, Bohl and Davis
- No** 0
- Excused 1 - Donovan
21. [040512](#) Resolution directing the Intergovernmental Relations Division - Department of Administration to seek introduction and passage of state legislation relating to hours of operation for sale of alcohol beverages for certain premises licensed as Class "B" taverns.
- Sponsors:** Ald. Zielinski
- A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:**

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

22. [040706](#) Communication from the City Attorney's Office transmitting a communication from Timothy Brophy, Jr. relative to a claim for property damage.

Sponsors: THE CHAIR

A motion was made by ALD. BOHL that this Communication be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

23. [050630](#) An ordinance implementing certain recommendations of the election task force.

Sponsors: Ald. D'Amato

A motion was made by ALD. DAVIS that this Ordinance be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

24. [051033](#) Resolution relating to establishment of an amnesty parking program.

Sponsors: Ald. McGee Jr.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

25. [051043](#) An ordinance relating to establishment of an amnesty parking program.

Sponsors: Ald. McGee Jr.

A motion was made by ALD. BOHL that this Ordinance be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

26. [051629](#) Resolution relating to penalties provided in state law for homicides committed under certain circumstances.

Sponsors: Ald. McGee Jr.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

27. [060081](#) Communication from the Wisconsin Sentencing Commission concerning the Commission's study on race as the basis of imposing sentences in criminal cases, state-wide sentencing practices, pending and on-going reports, and other related information.

Sponsors: Ald. McGee Jr.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

28. [060464](#) An ordinance relating to use of city and Milwaukee Public Schools' facilities for community special events.

Sponsors: Ald. McGee Jr.

A motion was made by ALD. DAVIS that this Ordinance be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

29. [061579](#) Communication relating to Milwaukee Election Commission procedures for absentee voting.

Sponsors: Ald. McGee Jr.

A motion was made by ALD. BOHL that this Communication be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

30. [070747](#)

Resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation relating to the manner in which election officials and trainees may be compensated.

Sponsors: Ald. D'Amato

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

31. [071543](#)

Resolution relating to an appeal from Attorney Lawrence Knauf on behalf of Brian Loffredo for property damage. (4th Aldermanic District)

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

Meeting adjourned: 12:20 P.M.

Linda M. Elmer

Staff Assistant

This meeting can be viewed in its entirety in the web-casting archives found at www.milwaukee.gov/channel25.