



City of Milwaukee

Meeting Minutes

200 E. Wells Street
Milwaukee, Wisconsin
53202

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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File Specialist: Joanna Polanco, 286-3926, E-mail: jpolan@milwaukee.gov

**Italicized comments following the titles of Council files are explanatory only and not intended to limit the scope of the debate or any possible amendments.*

Monday, July 18, 2005

9:00 AM

Room 301-B, City Hall

Meeting convene: 9:17 A.M.

Members Present: ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN and ALD. BOHL

Members Excused: ALD. MURPHY

Ald. Hamilton moved that that Judiciary and Legislation Committee convene into closed session, 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 pending litigation in which the City is involved and then will go into open session for the regular agenda.

Ayes: Ald. Hamilton, Ald. Bauman, Ald. Bohl and Ald. D'Amato - 4

Excused: Ald. Murphy - 1

Individuals present:

Rudy Konrad, Jan Smokowitz and Stuart Mukamal - City Attorney's Office

Ald. Bohl moved that the committee reconvene in open session. Prevailed. 5-0

Roll call taken at 9:35 A.M.

Members Present: ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

9:30 A.M.

1) [050421](#)

Appointment of Annie Wacker to the Ethics Board by the Mayor. (9th Aldermanic District)

[Resume.PDF](#)

[Appt. Letter.PDF](#)

Ms. Wacker not present.

A motion was made by Vice Chair Hamilton that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

2) [050417](#)

Appointment of Robert Spindell, Jr., to the Election Commission by the Mayor. (3rd Aldermanic District)

[Appt. Letter.PDF](#)

[Resume.PDF](#)

A motion was made by Ald. Bauman that this matter be RECOMMENDED FOR CONFIRMATION. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

3) [050415](#)

Reappointment of Victoria Toliver to the Election Commission by the Mayor. (15th Aldermanic District)

[Appt. Letter.PDF](#)

[Attendance Records for Election Commission.PDF](#)

A motion was made by Vice Chair Hamilton that this matter be RECOMMENDED FOR CONFIRMATION. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

4) [050416](#)

Reappointment of Al Campos to the Election Commission by the Mayor. (14th Aldermanic District)

[Appt. Letter.PDF](#)

[Attendance Records of Election Commission.PDF](#)

A motion was made by Ald. Murphy that this matter be RECOMMENDED FOR CONFIRMATION. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL
Noes: 0

5) [050081](#)

Substitute resolution relative to various legislative bills.

[Legislative Hearing Calendar.PDF](#)

AB 388 - Ald. Bauman moves for support. Prevailed. 5-0

AB 483 - Ald. Murphy moves for opposition. Prevailed. 4 -0 (Ald. Bohl abstains)

AB 492 - Ald. Bohl moves for opposition. Prevailed. 5-0

AB 558 - Ald. Bauman moves for opposition. Prevailed. 5-0

A motion was made by Vice Chair Hamilton that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL
Noes: 0

Items below will be heard no earlier than 10:15 A.M.

6) [050328](#)

Resolution authorizing payment of attorneys' fees to Eggert & Cermele, S.C., and Fuchs, DeStefanis & Boyle, S.C. in MPA, et al. v. Hegerty, et al. (City Attorney)

[Fiscal Note.DOC](#)

[City Atty. Letter.DOC](#)

A motion was made by Vice Chair Hamilton that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL
Noes: 0

7) [050303](#)

Resolution relating to a claim of Matthew Quist.

[City Atty. Letter.DOC](#)

[Claim.PDF](#)

A motion was made by Ald. Bauman that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL
Noes: 0

8) [050330](#)

Resolution relating to the appeal of Johnnie Johnson, Jr. relative to a claim for loss of dog. (15th Aldermanic District)

[Appeal.PDF](#)

[City Atty. Letter.PDF](#)

A motion was made by Vice Chair Hamilton that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL
Noes: 0

9) [050333](#)

Resolution relating to a claim from Josephine Morris for property damage.

[City Atty. Letter.PDF](#)

[Appeal Part 1.PDF](#)

[Appeal Part 2.PDF](#)

[Appeal Part 3.PDF](#)

[Appeal Part 4.PDF](#)

[Appeal Part 5.PDF](#)

Item is held so that the value of the vehicle can be researched by the City Attorney's Office.

A motion was made by Ald. Murphy that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL
Noes: 0

10) [050331](#)

Resolution relating to the appeal of Andrew Frederick relative to a claim for property damage. (5th Aldermanic District)

[City Atty. Letter.PDF](#)

[Appeal.PDF](#)

The Department of Public Works only received notice this morning for the meeting.

A motion was made by Vice Chair Hamilton that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL
Noes: 0

11) [050332](#)

Resolution relating to the appeal of Mark Bolds relative to a claim for property damage. (15th Aldermanic District)

[Appeal.PDF](#)

[City Atty. Letter.PDF](#)

A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Ayes: 4 - ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

Excused: 1 - ALD. D'AMATO

12) [040935](#)

Communication from the City Attorney's Office transmitting a communication from Erma Mills relative to a claim for property damage.

[City Atty Letter.DOC](#)

[Claim.PDF](#)

A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Ayes: 4 - ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

Excused: 1 - ALD. D'AMATO

13) [050393](#)

Resolution relating to a claim from American Family Insurance on behalf of Beatrice Bratkowski for property damage.

[City Atty. Letter.DOC](#)

[Claim.PDF](#)

A motion was made by Ald. Bohl that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

14) [050204](#)

Resolution relating to the appeal of Kevin Peyton, Acuity Field Claim Representative, on behalf of Peter and Gladys Katzfey relative to a claim for property damage. (14th Aldermanic District)

[Appeal.PDF](#)

[City Atty. Letter.PDF](#)

A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

15) [050348](#)

Resolution relating to the appeal of Lizzie Henderson relative to a claim for property damage. (2nd Aldermanic District)

[Appeal.PDF](#)

[City Atty. Letter.PDF](#)

A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Ayes: 4 - ALD. D'AMATO, ALD. HAMILTON, ALD. MURPHY and ALD. BOHL

Noes: 1 - ALD. BAUMAN

16) [050202](#)

Resolution relating to the appeal of Johnny Bryant relative to a claim for personal injuries. (15th Aldermanic District)

[City Atty. Letter.PDF](#)

[Appeal.PDF](#)

A motion was made by Ald. Bohl that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

17) [050228](#)

Resolution relating to a claim from American Family Insurance on behalf of Alfredo Martinez for property damage.

[City Atty. Letter.DOC](#)

[Claim.PDF](#)

[Missed Mailing.PDF](#)

[Notice of Disallowance.PDF](#)

[Notice of Disallowance to American Fam Ins..PDF](#)

[Sent in Error \(AFI\) Notice of Disallowance.PDF](#)

[Sent in Error Notice of Disallowance.PDF](#)

A motion was made by Vice Chair Hamilton that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL
Noes: 0

18) [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)

[Fiscal Note.DOC](#)

[City Atty. Letter.DOC](#)

Ald. Murphy moves to hold. Withdrawn.

Item held to see if the settlement amount should be reduced.

A motion was made by Ald. Murphy that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL
Noes: 0

19) [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)

[City Atty. Letter.DOC](#)

[Fiscal Note.DOC](#)

A motion was made by Ald. Bauman that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL
Noes: 0

Meeting adjourned: 11:21 A.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.