



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, Wi 53202

Meeting Minutes JUDICIARY & LEGISLATION COMMITTEE

ALD. MICHAEL S. D'AMATO, CHAIR

Ald. Donald F. Richards, Vice Chair

Ald. Marlene Johnson-Odom, Ald. Michael J. Murphy, Ald. Frederick G. Gordon

Staff Assistant, Kathleen Marquardt, 286-2231

Monday, September 18, 2000

9:00 AM

City Hall, Rm. 301-B
Room 301-B

Meeting Convened: 9:14 A.M.

Present 5 - D'Amato, Richards, Johnson-Odom, Murphy, Gordon

9:00 A.M.

- 1) [000706](#) Substitute resolution authorizing settlement of the lawsuit entitled Grow, et al. v. City of Milwaukee, Case No. 97-C-0572.

Sponsors: CHAIR

Ald. Murphy moved that a letter be sent to the Fire & Police Commission from the Judiciary and Legislation Committee requiring them to review the rule regarding drinking at home. Prevailed.

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 2) [000705](#) Substitute resolution authorizing cancellation of a portion of the City of Milwaukee's subrogation claim against Gary Marks, for payments made pursuant to the City's Basic Health Plan.

Sponsors: CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 3) [000720](#) Substitute resolution authorizing cancellation of a portion of the City of Milwaukee's subrogation claim against Kathleen Conrad, for payments made pursuant to the City's Basic Health Plan.

Sponsors: CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 4) [000498](#) Resolution authorizing payment of the claim of James A. Meyer, C.I. File No. 00-L-72. (City Attorney)

Sponsors: THE CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 5) [000620](#) Resolution authorizing payment of the claim of Charles Childs, C.I. File No. 97-L-195. (City Attorney)

Sponsors: CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

9:10 A.M.

- 6) [000525](#) Communication from the City Attorney's Office transmitting a communication from Sentry Insurance, on behalf of Linda Justmann and itself relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 7) [000499](#) Communication from the City Attorney's Office transmitting a communication from Harri Hoffman Co, Inc. relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 8) [000610](#) Communication from the City Attorney's Office transmitting a communication from Lawrence Thompson relative to claim for property damage.

Sponsors: CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 9) [000611](#) Communication from the City Attorney's Office transmitting a communication from Ohio Casualty Insurance Co. on behalf of Davey's on Milwaukee relative to claim for property damage.

Sponsors: CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 10) [000595](#) Communication from the City Attorney's Office transmitting a communication from

Thaddeus Derynda relative to claim for property damage.

Sponsors: CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

11) [000701](#)

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

Sponsors: CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

9:20 A.M.

12) [000500](#)

Communication from the City Attorney's Office transmitting a communication from Teen Challenge International relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

13) [000524](#)

Communication from the City Attorney's Office transmitting a communication from Linda Torres relative to claim for personal injuries.

Sponsors: THE CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

14) [000609](#)

Communication from the City Attorney's Office transmitting a communication from Washington Law Offices on behalf of Ruby Hanyard relative to claim for personal

injuries.

Sponsors: CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 15) [000522](#) Appeal of Dorothy Mikolaizyk relative to claim for property damage. (8th Aldermanic District)

Sponsors: THE CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 16) [000684](#) Appeal of Sherry Michaels relative to claim for property damage. (11th Aldermanic District)

Sponsors: CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

9:30 A.M.

- 17) [000596](#) Appeal of Roger Robbins relative to claim for property damage. (9th Aldermanic District)

Sponsors: CHAIR

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

Aye 3 - D'Amato, Johnson-Odom and Murphy

No 1 - Richards

Excused 1 - Gordon

- 18) [000594](#) Appeal of Byron Armstrong relative to claim for property damage. (2nd Aldermanic District)

Sponsors: CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

19) [000605](#) Substitute resolution to settle claim of Kathleen Hallett for property damage.

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

Aye 3 - D'Amato, Johnson-Odom and Murphy

No 1 - Richards

Excused 1 - Gordon

[000597](#) Appeal of Timothy Kushava relative to claim for property damage. (15th Aldermanic District)

Sponsors: CHAIR

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

21) [000604](#) Substitute resolution to settle claim of Kevin Rodgers for property damage.

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

Aye 3 - D'Amato, Richards and Johnson-Odom

No 1 - Murphy

Excused 1 - Gordon

22) [000606](#) Appeal of Mary Richardson relative to claim for property damage. (7th Aldermanic District)

Sponsors: CHAIR

A motion was made by Ald. Murphy that this matter be RECOMMEND TO

DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

23) [000685](#) Appeal of Dan Kallay relative to claim for property damage. (13th Aldermanic District)

Sponsors: CHAIR

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

24) [000521](#) Appeal of Gary Dobbs relative to claim for property damage. (16th Aldermanic District)

Sponsors: THE CHAIR

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

25) [000523](#) Appeal of Andrew Woods relative to claim for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

9:45 A.M.

26) [000726](#) Substitute resolution authorizing agreement among City of Milwaukee, its assessor, RACM, and the YMCA of Metropolitan Milwaukee, Inc. (the "Y"), concerning property tax exempt status of the Y's Grand Avenue site and other parcels in the City of Milwaukee and payments in lieu of taxes.

Sponsors: THE CHAIR

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 27) [000724](#) Resolution authorizing the placement of special charges on the property tax bill for current municipal services for properties in the City of Milwaukee. (City Attorney)
- Sponsors:** THE CHAIR
- A motion was made by Ald. Gordon that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 28) [000526](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 1998 and 1999 tax rolls, plus interest applicable to date of repayment, if appropriate. (Assessor's Office)
- Sponsors:** THE CHAIR
- A motion was made by Ald. Johnson-Odom that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 29) [000433](#) Resolution relating to the introduction and passage of state legislation relating to state motor vehicle title forms and notice to the state about used motor vehicle sales.
- Sponsors:** Ald. Nardelli and Ald. Murphy
- A motion was made by Ald. Murphy that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 31) [000623](#) An ordinance relating to appeals for vision setback line violations.
- Sponsors:** Ald. Murphy
- This ordinance allows appeals of violations of the code's vision setback regulations to be made to the administrative review appeals board.*
- A motion was made by Ald. Murphy that this matter be RECOMMENDED FOR PASSAGE. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 32) [000686](#) An ordinance relating to the terms of office of municipal court commissioners.
- Sponsors:** CHAIR
- This ordinance changes the dates on which the terms of office for municipal court commissioners begin and end. These terms presently run from January 1 through*

December 31. Under this ordinance, commencing with commissioners appointed on or after May 1, 2001, these terms will run from May 1 through April 30, coinciding with the terms of reserve judges.

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 33) [000717](#) Substitute resolution relative to receipt of monies due to settlement of a federal lawsuit with Baker & Taylor, Inc.

Sponsors: CHAIR

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 34) [000630](#) Resolution authorizing cancellation of Department of Public Works Invoice No. 71717 in the amount of \$7,095.47 billed to James Cape & Sons. (City Attorney)

Sponsors: CHAIR

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 35) [000683](#) Substitute resolution authorizing the return of real estate located at 2029 North 41st Street, in the 17th 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.

Sponsors: CHAIR

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 36) [991562](#) Resolution canceling the delinquent real property taxes on a property contaminated by hazardous substances located at 4924 West Roosevelt Drive.

Sponsors: Ald. Butler and Ald. Murphy

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 37) [991890](#) Substitute resolution in support of 1999 Assembly Bill 735, a bill to create single-factor taxation in the State of Wisconsin.

Sponsors: Ald. Henningsen

A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR PLACING ON FILE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

10:15 A.M.

- 38) [960779](#) Substitute resolution affirming the City's stand against domestic terrorism in the form of violence against health-care providers, especially those providing family planning services.

Sponsors: Ald. D'Amato, Ald. Henningsen, Ald. Johnson-Odom, Ald. Gordon and Ald. Richards

Ald. Murphy moved to amend File No. 991471 by inserting the following immediately before the final "Further Resolved" clause:

"Further Resolved, That the City of Milwaukee's public safety employees are nonetheless directed to act in a manner that demonstrates full regard for the right of citizens to assemble, demonstrate and protest peaceably in accordance with their First Amendment constitutional rights; and, be it"

and by deleting the following paragraph:

Whereas, There are no abortion providers in 93% of the counties in Wisconsin, largely due to domestic terrorism by anti-abortion proponents; and"

The motion prevailed.

Ald. Gordon asked that Mr. Eric Reep's fax be made a part of the record.

Ald. Murphy asked that the documents from Ms. Schmidt and Robert Braun, and the testimony of Kewana Akhalu be made part of the record.

Ald. Johnson-Odom asked that the two photos from Lois Knight along with the letter from Fr. Edward J. Griesemer be made part of the record.

Speakers in support of the resolution: Ald. Henningsen, Dr. Seth Foldy, Turns to the East, Jennifer Lenchek, Ann Olson and Jeanette James.

Speakers opposed: Nick Eusch, Laurie Swan, Nancy Franszczak, Dan Guenzel, Karl Bolter, Joan Tatarski, Kristy Szydel, Kathryn Droste, Ken Kipinski, John G. Brown, Alfred Avila, Eric Reep, Ann Marie Niec, Maura Heiss, S. Kent Steffke, William Darrow, Donald M. Bean, Linda Schmidt, Stephen Gaenslen, Robert Braun, Colin Hudson, Jury Peers Vocals, Mike Kofrath, William Schilling Jr., Dan Holman, Ken Niec, Pastor Matt Trewhella, Mary hanson, Judy Porte, Pastor Ralph Ovadal, Gene Malone, Lois Knight, Mike J. Foht, Carol Robbins, May Newbauer, Russell Newbauer,

Fr. Edward Griesemer, Lynn Reidr, David Balint, Martha Hardison, Lori Strickland, Jim Schills, Pastor Ted W. Groves, Pastor David Liebherr, Pastor Terry Hardison, Gary Dotson, Mark Gabriel, Jim Soderna ,Rebecca Jest, Ron Wallenfang, Warren Lister, Jerry Grochowski, Mr. and Mrs. Gerard and Debbie Carroll.

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

MARY A. LANDOWSKI, Staff Assistant

Meeting Adjourned: 1:12 P.M.