



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. Joe Davis, Sr., Ald. Robert Puente, and Ald. Robert
Donovan
Staff Assistant, Joanna Polanco, 286-2366
Fax: 286-3456, jpolan@milwaukee.gov
Legislative Liaison, Richard Withers, 286-8532,
rwithe@milwaukee.gov

Monday, January 13, 2014

1:30 PM

Room 301-B, 3rd Fl., City Hall

Meeting convened at 1:40 P.M.

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

Ald. witkowski moved the Judiciary and Legislation Committee convene into closed session 19.85(1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who will render oral or written advice with respect to litigation in which the City is or is likely to become involved and then will go into open session for the regular agenda.

Present:

Ald. Hamilton, Witkowski, Puente, Davis, Donovan

Also present:

*City Attorney, Grant Langley, Rudy Konrad, Miriam Horwitz, Ghassan Korban
Ald. Kovac, Murphy, Perez, Dudzik, Pat Fricker, Mark Nicolini, Martin Matson, Clifton Crump, Richard Withers, DPW - Infrastructure Services: Paul Fredrich & Ron Schoenck.*

At 2:18pm Ald. Puente moved the Judiciary and Legislation committee reconvened into open session.

1. [131295](#) Resolution to approve settlement of the City of Milwaukee's claims against Engberg Anderson, Inc., Simpson, Gumpertz & Heger, Inc., Lexington Insurance Company a Chartis Inc. Company, Bloom Companies, LLC and Endurance American Specialty Insurance Company in the matter of City of Milwaukee v. Simpson, Gumpertz & Heger, Inc., et al.

Sponsors: THE CHAIR

Appearing:

*Asst City Atty. Miriam Horwitz
Budget Office - Mark Nicolini*

A motion was made by ALD. WITKOWSKI that this Resolution be

RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Puente and Donovan

No 1 - Davis

2. [131245](#)

Resolution providing for continuance of deferred payment of assessments for worthy indigent resident property owners and appropriating funds for this purpose with the City cost to be \$625.32 with a six-year total of the deferred properties being \$9,960.32.

Sponsors: THE CHAIR

Appearing:

Mary Dziewiatkowski - DPW

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

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

No 0

3. [131259](#)

Resolution to cancel real estate taxes levied against certain parcels identified by Tax Key No. Tax Key No. 426-0133-000-2, 320-338 S Emmer Lane, Milwaukee, (Emmpack Foods Inc), on the 2012 manufacturing tax roll, plus interest applicable to date of repayment, if appropriate.

Sponsors: THE CHAIR

Appearing:

Mary Reavey - Assessment Commissioner

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

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

No 0

4. [131258](#)

Resolution authorizing settlement of the lawsuit entitled Pierce Milwaukee, LLC v. Wisconsin Department of Revenue, to cancel real estate taxes levied against certain parcels identified by Tax Key No. 355-0431-116-1, 2202 N. Bartlett Avenue, and Tax Key No. 356-0312-111-0, 2121 N Farwell Avenue, Milwaukee, (Pierce Milwaukee LLC), on the 2010 and 2011.

Sponsors: THE CHAIR

Appearing:

Mary Reavey - Assessment Commissioner

A motion was made by ALD. DONOVAN that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following

vote:

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

No 0

5. [131260](#) Resolution cancelling real estate taxes levied against certain parcels bearing various key numbers on the 2007, 2010, 2011 and 2012 tax rolls, plus interest applicable to date of repayment, if appropriate.

Sponsors: THE CHAIR

Appearing:

Mary Reavey - Assessment Commissioner

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

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

No 0

6. [131261](#) Resolution to authorize partial refund of personal property taxes levied against Johnson Controls Inc., Hangar-Citation Way, 300 Citation Way, Account No. 9302-0754 for the years 2008, 2009, 2010, and 2011 tax rolls, plus interest applicable to date of repayment, if appropriate.

Sponsors: THE CHAIR

Appearing:

Mary Reavey - Assessment Commissioner

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

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

No 0

7. [131189](#) Resolution relating to the appeal of Tashyra Young for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Patricia Fricker - Assistant City Attorney

nancy Alvarado - DPW Sewer

Ms. Tashyra Young - appellant

Based on the City Attorney and sewer Department testimony, Ald. Davis moved denial of this claim.

Prevailed 5-0

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

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

No 0

8. [131015](#) Substitute resolution authorizing the return of real estate located at 1442 N Farwell Ave, in the 3rd Aldermanic District to its former owner. (James C Stephens)

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Emily Pines - DNS

Kerry Urban - Treasurer

CRE Venture 2011-1, LLC C/o Atty Russell S. Long

DNS charges

Reinspection fees \$50.70

Elevator Inspection Invoice \$190.00

Total of \$240.70 FEES WERE PAID ON 12/18/13 RIGHT AFTER CC 12/17/13

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

Aye 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

9. [131068](#) Substitute resolution authorizing the return of real estate located at 4578 N 65th Street, in the 2nd Aldermanic District to its former owner. (Debra Eaton)

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Emily Pines - DNS

Kerry Urban - Treasurer

2010-2013 delinquent taxes

if paid in Jan \$10,882.72

if paid by Feb 21, 2014 \$13,210.18

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

Aye 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

10. [131039](#) Substitute resolution authorizing the return of real estate located at

3454 S 1st Place, in the 14th Aldermanic District to its former owner.
(Jorge A. Vargas & Juana Cecilia Vargas)

Sponsors: THE CHAIR

Appearing:
Karen Taylor - DCD
Lynn Steffen - DNS
Emily Pines - DNS
Kerry Urban - Treasurer
Jorge Vargas

2010-2013 delinquent taxes

if paid in Jan \$13,441.63

if paid by Feb 21, 2014 \$16,012.45

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

Aye 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

11. [131033](#)

An ordinance authorizing the return of real estate located at 1801 W. Keefe Avenue, 3075-77 N. 14th Street and 3299 N. 11th Street, to former owner Cache Investments, LLC, Caston Love.

Sponsors: Ald. Coggs

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

Aye 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

12. [131069](#)

Substitute resolution authorizing the return of real estate located at 6628 N 60th street, in the 9th Aldermanic District to its former owner. (Timothy Day on behalf of Great Day Real Estate Investment, LLC)

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

13. [131173](#) Resolution authorizing the return of real estate located at 1971-1977 W. Capitol Drive in the 6th Aldermanic District to former owner, Perry Margoles, agent for 1971 West Capitol Drive Co.

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Emily Pines - DNS

Kerry Urban - Treasurer

Mr. Perry Margonles, agent for 1971 West Capitol Drive Co.

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

Aye 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

14. [131174](#) Resolution authorizing the return of real estate located at 1727 N. 23rd Street in the 15th Aldermanic District to former owner Annette Jackson. (Application made by Landmark Credit Union C/O Atty Michael Sosnay)

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Emily Pines - DNS

Kerry Urban - Treasurer

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

Aye 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

15. [131193](#) Resolution authorizing the return of real estate located at 3133 N. 6th Street in the 6th Aldermanic District to former owner Barbara Jean Sanders.

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

*Emily Pines - DNS
Kerry Urban - Treasurer
Ms. Barbara Jean Sanders*

2010-2013 Delinquent taxes

if paid in January \$3,039.01

if paid by Feb 21, 2014 \$3,951.00

Other properties owned by applicant:

3137-3139 N 6th St

2012-2013 OUTSTANDING

2012 bill totals \$3,424.66

2013

1st install \$233.77, total \$2,225.92

It was verified with the Kohn Law Firm that Ms. Sanders has set up an arrangement for these delinquent taxes for \$473.00 a month with her first payment due 1/27/2014, per Erika Martinez - Treasurer office.

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

Aye 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

16. [131195](#)

Resolution authorizing the return of real estate located at 5854 N. 81st Street in the 2nd Aldermanic District to former owners Henry L. Jones & Bobbie J. Jones.

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Emily Pines - DNS

Kerry Urban - Treasurer

Mr. Henry L Jones & Bobbie J. Jones

Agent Eva McCrossin

DNS fees and charges:

Reinspection fees of \$50.70

Vacant Building Registration \$507.00

Boardup \$304.75

Total charges \$862.45 paid by January 21, 2014 by noon otherwise item be sent back to committee

DNS also request that, if the Common council approves the return of the property, the applicant work to correct the code violations against the property in a timely manner.

2010-2013 delinquent taxes

if paid in Jan \$13,427.03

if paid by Feb 21, 2014 \$13,567.55

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

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

No 0

17. [131196](#)

Resolution authorizing the return of real estate located at 626 W. Melvina Street in the 6th Aldermanic District to former owner Robert I. Greer.

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Emily Pines - DNS

Kerry Urban - Treasurer

Mr. Robert I. Greer

DNS Charges:

Reinspection fees-Special Enforcement \$4,949.00

Vacant Building Inspection fees \$507.00

Vacant building NO Entry Fees \$100.70

Reinspection Fees \$ 4,750.00

Total charges \$10,306.70 Due by noon on 1/21/14 or item will be return back to committee.

Committee directed Mr. Greer to contact DNS to discuss DNS charges.

The building was placard as unfit for human habitation on June 20, 2011. Therefore, if the Common Council approves the return of this property, the building cannot be occupied until all of the violations have been corrected, the placard has been removed and the owner has been issued an Occupancy Certificate by DNS.

2010-2013 delinquent taxes

if paid in Jan \$5,640.55

if paid by Feb 21, 2014 \$ 6,216.50

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

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

No 0

18. [131197](#) Resolution authorizing the return of real estate located at 1319-1321 N. 23rd Street in the 4th Aldermanic District to former owner Soukkaserm Sangkhom.

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Emily Pines - DNS

Kerry Urban - Treasurer

Ms. Soukkaserm Sangkhom

DNS charges:

Reinspection fess \$50.00 Due by noon on 1/21/14 or item will be sent back to committee.

2009-2013 delinquent taxes

if paid in Jan \$20,624.54

if paid by Feb 21, 2014 \$22,326.32

A motion was made by ALD. DONOVAN that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following

vote:

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

No 0

19. [131205](#)

Resolution authorizing the return of real estate located at 4056 N. 19th Street in the 1st Aldermanic District to former owner TYN Properties LLC. (Application made by the registered agent John Nelson)

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Emily Pines - DNS

Kerry Urban - Treasurer

TYN Properties LLC agent John Nelson

2010-2013 delinquent taxes

if paid in Jan \$9,604.99

if paid by Feb 21, 2014 \$11,619.45

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

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

No 0

20. [131206](#)

Resolution authorizing the return of real estate located at 3607 N. 21st Street in the 6th Aldermanic District to former owner Devon A. Matthews.

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Emily Pines - DNS

Kerry Urban - Treasurer

Mr. Devon A. Matthews

DNS charges

Litter Cleanup \$683.18

Boardup \$345.00

total \$1,028.18 Due by noon on 1/21/14 or item will be sent back to committee

2010-2013 delinquent taxes

if paid in Jan \$10,292.18

if paid by Feb 21, 2014 \$12,271.51

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

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

No 0

21. [131234](#)

Resolution authorizing the return of real estate located at 3278 N. 12th Street in the 6th Aldermanic District to former owner Jerry C. Smith.

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Emily Pines - DNS

Kerry Urban - Treasurer

Mr. Jerry C. Smith

DCD reports that is not suitable for use by a public agency or community based organization. The property is in the near North Side Planning Area but is not needed to implement the plan.

2011-2013 delinquent taxes

if paid in Jan \$3,233.29

if paid by Feb 21, 2014 \$5,344.55

OTHER PROPERTIES OWNED BY APPLICANT:

4342 N 61ST

2013 bill currently on installment

3949 N Sherman BLVD

2013 bill currently on installment

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

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

No 0

22. [121370](#)

Substitute resolution amending the 2013-2014 state legislative package relating to the procedures for creation of neighborhood improvement districts.

Sponsors: Ald. Murphy

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

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

No 0

23. [131274](#)

Resolution relative to legislative bills.

Sponsors: THE CHAIR

Appearing:

Brenda Wood - CC CC

Neil Albrecht - Executive Director of Election Commission

Kim Montgomery - IRD

SB 459/AB 603 Providing proof of residence when registering to vote.

Ald. Witkowski moved to opposed SB 459/AB 603

Prevailed 4-0

Ald. Donovan excused

LRB 2705 Providing proof of residence when registering to vote. Requiring racial impact statement for bills that create a new crime, modify an existing crime, or modify the penalty for an existing crime.

Ald. Puente moved to hold to the call of the Chair until item is introduced at the State level.

Prevailed 4-0

Ald. Donovan excused

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

Aye 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

[131274](#)

Substitute resolution relative to various legislative bills.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

[131069](#)

Substitute resolution authorizing the return of real estate located at 6628 N 60th street, in the 9th Aldermanic District to its former owner. (Timothy Day on behalf of Great Day Real Estate Investment, LLC)

Sponsors: THE CHAIR

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

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

No 0

THIS FILE WAS SCHEDULED ON DECEMBER 2013, DUE TO CHARGES NOT PAID BY DUE DATE STATED BY COMMITTEE, IT WAS RESCHEDULED TO BE PLACED ON FILE.

Appearing:

Kery Urban - Treasurer

Mr. Timothy Day on behalf of Great Day Real Estate investment, LLC

DNS charges:

Reinspection Fees \$3,164.20

Recording Enforcement \$907.35

Total \$4,071.55 Due by noon on 1/21/14 or item will be placed on file.

2010-2012 Delinquent taxes

if paid in Jan \$26,148.61

if paid by Feb 21, 2014 \$28,438.78

Other properties owned by applicant:

5324 N 66th ST

first installment 2013 \$297.14

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

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

No 0

Meeting adjourned at 3:45 p.m. P.M.

Joanna Polanco

Staff Assistant