



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, November 17, 2008

1:30 PM

Room 301-B, City Hall

Meeting convened: 1:36 P.M.

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

1. [080869](#) Substitute resolution authorizing settlement of the lawsuit entitled Estate of Justin Fields v. Nawotka, et al., Case No. 03-C-1450.
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 4 - Hamilton, Witkowski, Bohl and Davis
No 1 - Donovan
2. [080949](#) Resolution to authorize up to \$1.6 million dollars of contingent borrowing to fund the settlement of the lawsuit entitled Estate of Justin Fields v. Nawotka, et. al.
Sponsors: THE CHAIR
A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION AND ASSIGNED TO the FINANCE & PERSONNEL COMMITTEE . The motion PREVAILED by the following vote:
Aye 4 - Hamilton, Witkowski, Bohl and Davis
No 1 - Donovan
3. [080792](#) Resolution authorizing payment of the claim of Michael Wilkerson, in the amount of \$12,000.
Sponsors: THE CHAIR
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

4. [080954](#) Resolution canceling a City invoice against Advance Boiler & Tank Co.

Sponsors: THE CHAIR

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

5. [080953](#) Resolution canceling a City invoice against It's Game Time, LLC.

Sponsors: THE CHAIR

Individuals present:

Tom Gartner - City Attorney's Office

Cindy Angelos - Dept. of Public Works

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

Aye 4 - Hamilton, Witkowski, Bohl and Donovan

No 1 - Davis

6. [080720](#) Substitute resolution authorizing the return of real estate located at 2727 N. 8th St., in the 15th Aldermanic District to its former owner. (Citifinancial Mortgage Company, Mortgagee)

Sponsors: THE CHAIR

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

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

No 0

7. [080711](#) Substitute resolution authorizing the return of real estate located at 319-321 E. Center St., in the 6th Aldermanic District to its former owner. (Jerome Holmes)

Sponsors: THE CHAIR

Former owner must pay \$158.31 prior to noon on November 24th or this matter will be placed on file at the Common Council meeting.

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

8. [080255](#) Resolution relative to various legislative bills.

Sponsors: THE CHAIR

There were no items for discussion.

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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

9. [080963](#)

Substitute resolution endorsing the proposed 2009-2010 City of Milwaukee Legislative Package.

Sponsors: THE CHAIR

Individuals present:

Paul Vornholt and Jennifer Gonda - Intergovernmental Relations

Brenda Wood - Common Council/City Clerk's Office

To include the following:

on page 4, of the legislative priorities, to better define water based economic development and to include light rail borrowing.

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

Aye 4 - Hamilton, Witkowski, Davis and Donovan

No 1 - Bohl

[080963](#)

Substitute resolution endorsing the proposed 2009-2010 City of Milwaukee Legislative Package.

Sponsors: THE CHAIR

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

1:45 P.M.

10. [080642](#)

Communication from the Comptroller's Office relating to a report titled Audit of Election Commission Absentee Ballot Processing.

Sponsors: THE CHAIR

Held at the request of the Comptroller's Office

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

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

No 0

2:15 P.M.

11. [080694](#) Resolution relating to an appeal from Josephine Simpson for property damage. (4th Aldermanic District)
- Sponsors:** THE CHAIR
- Claimant not present.*
- A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the following vote:**
- Aye** 5 - Hamilton, Witkowski, Bohl, Davis and Donovan
- No** 0
12. [080695](#) Resolution relating to an appeal from Sharon Grove for property damage and personal injuries. (15th 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** 5 - Hamilton, Witkowski, Bohl, Davis and Donovan
- No** 0
13. [080692](#) Resolution relating to an appeal from James Groh for property damage.
- 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** 5 - Hamilton, Witkowski, Bohl, Davis and Donovan
- No** 0
14. [080575](#) Resolution relating to the claim of Shanita Catherine for property damage. (8th 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** 5 - Hamilton, Witkowski, Bohl, Davis and Donovan
- No** 0
15. [080802](#) Resolution relating to an appeal from Atty. Theodore Kafkas for property damage.
-

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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

16. [080693](#)

Resolution relating to an appeal from Andrew Plier for property damage. (3rd 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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

17. [080898](#)

Resolution relating to the claim of Janice Estes for personal injuries. (5th 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 4 - Hamilton, Witkowski, Davis and Donovan

No 1 - Bohl

18. [080930](#)

Resolution relating to an appeal from Enrique Gomez for property damage. (12th 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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

19. [080896](#)

Resolution relating to the claim of CJD Moving Systems, Inc. for property damage.

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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

20. [080800](#)

Resolution relating to an appeal from Hopeton Blair for property damage. (2nd Aldermanic District)

Sponsors: THE CHAIR

Claimant was in the second floor lobby; this matter was held so he could appear. This matter was taken up out of order at 3:15 P.M.

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

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

No 0

21. [080801](#)

Resolution relating to an appeal from Louise Lenno for property damage. (14th 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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

22. [080672](#)

Resolution relating to an appeal from Ann O'Keefe for property damage. (4th 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 4 - Witkowski, Bohl, Davis and Donovan

No 1 - Hamilton

23. [080785](#)

Resolution relating to the claim of State Farm Insurance Co.on their behalf and the behalf of their insured, Marande Buck for property damage. (3rd Aldermanic District)

Sponsors: THE CHAIR

Claimant not present.

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

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

No 0

24. [080647](#)

Resolution relating to an appeal from Mike Heinen for property damage. (11th 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

25. [080887](#)

Resolution relating to the claim of Bridget Magar, Representative for Progressive Insurance on behalf of Janel Hawkins for property damage. (9th 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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

26. [080889](#)

Resolution relating to the claim of Patrick Noll for personal injuries.

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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

27. [080671](#)

Resolution relating to an appeal from Cynthia Rampacek for property damage. (8th Aldermanic District)

Sponsors: THE CHAIR

Grant in the amount of \$200.

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

Aye 2 - Hamilton and Donovan

No 3 - Witkowski, Bohl and Davis

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 1 - Donovan

28. [080683](#)

Resolution relating to the claim of Atty. John Yentz on behalf of Cam Ranh Bay Oriental Super Market, LLC for property damage. (10th 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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

29. [080684](#)

Resolution relating to the claim of Doris Hantke, Agent for AP Properties, LLC, for property damage. (7th 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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

30. [080897](#)

Resolution relating to the claim of Stili Klikizos for property damage. (2nd Aldermanic District)

Sponsors: THE CHAIR

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

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

No 0

31. [080786](#)

Resolution relating to the claim of Shirley Gladney for property damage. (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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

32. [080899](#)

Resolution relating to the claim of Paoge & Jou Xiong for property damage. (2nd 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

33. [080891](#)

Resolution relating to the claim of Howi Kok & All Flood for property damage. (13th Aldermanic District)

Sponsors: THE CHAIR

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

Aye 3 - Hamilton, Davis and Donovan

No 2 - Witkowski and Bohl

34. [080890](#)

Resolution relating to the claim of Bobbie J. Lathan for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

Held so that it can be scheduled with the other 200 claims for this area.

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

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

No 0

35. [080888](#)

Resolution relating to the claim of Matthew Okruszynski for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

Claimant not present.

A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR

DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the following vote:

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

No 0

36. [080977](#) Reappointment of Beechie Brooks to the Board of Assessment by the Mayor. (6th Aldermanic District)

Sponsors: THE CHAIR

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

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

No 0

37. [080978](#) Reappointment of Mark Wagner to the Board of Assessment by the Mayor. (11th 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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

The Judiciary and Legislation Committee may convene into closed session at 2:15 P.M. on Monday, November 17, 2008 in Room 301-B, City Hall, 200 E. Wells St., Milwaukee, Wisconsin, 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 litigation in which it is or is likely to become involved with respect to Item #38....Communication from the City Attorney's Office related to the ordinance requiring employers within the City of Milwaukee to provide paid sick leave to employees.

Ald. Witkowski moved 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 litigation in which it is or is likely to become involved with respect to Item #38....Communication from the City Attorney's Office related to the ordinance requiring employers within the City of Milwaukee to provide paid sick leave to employees.

Roll call:

Ayes - Ald. Davis, Ald. Bohl, Ald. Donovan, Ald. Witkowski and Ald. Hamilton - 5

Individuals present:

Grant Langley, Linda Burke and Tom Miller - City Attorney's Office

Ald. Kovac and Ald. Bauman

Leslie Silletti - Mayor's Office

Barry Zalben and Marianne Walsh - Legislative Reference Bureau

38. [081021](#)

Communication from the City Attorney's Office related to the ordinance requiring employers within the City of Milwaukee to provide paid sick leave to employees.

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

Meeting adjourned: 5:02 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.