



# 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*  
*Fax: (414) 286-3456, E-mail: lelmer@milwaukee.gov*  
*File Specialist: Marian Hartner, 286-3926, E-mail: mhartn@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.*

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Monday, March 7, 2005

1:30 PM

Room 301-B, City Hall

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**1:30 P.M.**

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

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**Meeting Convened: 1:40 PM**

*The committee may convene into closed session at 1:30 P.M. on Monday, March 7, 2005, in Room 301-B, City Hall, 200 East Wells Street, Milwaukee, Wisconsin, 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 relative to Item # 1... Resolution to authorize settlement of race and gender discrimination litigation entitled Nelson, et al v. City of Milwaukee, et al, United States District Court, Eastern District of Wisconsin, case number 03-C-0984, and Alexander v. City of Milwaukee, US District Court case number 03 C 0611 and then will go into open session for the regular agenda.*

*Ald. Hamilton moved to go into closed session.*

*Roll Call:*

*Ayes: Ald. Hamilton, Ald. Bauman, Ald. Bohl, Ald. Murphy and Ald. D'Amato*

*- 5*

*Individuals present:*

*David Heard - Fire and Police Commission*

*Rudy Konrad - City Attorney's Office*

**2:00 P.M.**

1) [041533](#)

Resolution to authorize settlement of race and gender discrimination litigation entitled Nelson, et al v. City of Milwaukee, et al, United States District Court, Eastern District of Wisconsin, case number 03-C-0984. (City Attorney)

[Agreement.DOC](#)

[Fiscal Note.DOC](#)

[City Atty. Cover Letter.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

2) [031502](#)

Substitute resolution relative to various legislative bills.

[Legislative Hearing Calendar.PDF](#)

[Communication from DOA.PDF](#)

[Fiscal Note-substitute.rtf](#)

*A-89 - Ald. Bauman moves for support. Prevailed. 5-0*

*A-90 - Ald. Murphy moves for support. Prevailed. 5-0*

*A-91 - Ald. Bohl moves for support. Prevailed. 5-0*

*A-12 - Ald. Hamilton moves for opposition. Prevailed. 5-0*

*A-35 - Ald. Hamilton moves for support. 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

3) [041527](#)

Resolution directing the Department of Administration -Intergovernmental Relations Division to seek introduction and passage of state legislation to amend state law to allow cities of the first class to enact regulations pertaining to firearms.

[2005-2006 Legislature.PDF](#)

*Speakers:*

*Michael Miller - DOA-Intergovernmental Relations*

*Mothers Against Firearms Violence:*

*Beverly Anderson - mother of Carl Hall*

*Deborah Feifer - her son was killed along with Mr. Hall*

*Linda Wotesky - mother of Sean Wotesky*

*Marla Winbush - mother of DeShawn Winbush*  
*Theresa Matthews - mother of Ishmal Matthews*  
*Ronald Leonhardt - City Clerk*  
*Jim Owczarski - Council Records Manager*  
*Ray Sucik - Milwaukee Police Department*

*Ald. Hamilton moves to add "LRB-0056/3" to the title of the resolution and committee support of the introduction and passage of this bill. Withdrawn.*

**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

4) [041437](#)

Substitute resolution directing the Intergovernmental Relations Division - Department of Administration to seek introduction and passage of state legislation relating to the enforcement of safety belt regulations.

[Fiscal Note.doc](#)

*Speaker: Ernie Steppenfeld - Vice President of American Automobile Association Wisconsin*  
*Florence Dukes - Safety Commission*  
*Raymond Sucik - Milwaukee Police Department*

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

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

Noes: 0

**2:30 P.M.**

5) [041456](#)

Communication from the Comptroller's Office transmitting the Audit of the City Residential Real Estate Assessment Process.

[Audit.PDF](#)

[Communication from Assessor's Office.PDF](#)

*Speakers:*

*Mike Daun and Dennis Smith - Comptroller's Office*  
*Mary Reavey and Peter Weissenfluh - Assessor's Office*

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

Ayes: 4 - ALD. D'AMATO, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL  
Noes: 0  
Excused: 1 - ALD. HAMILTON

6) [041516](#)

Substitute resolution authorizing Community Improvement In-Rem Foreclosure Action on ten tax-delinquent brownfields located at 5190 North Hopkins Street, 3717-19 West Fond du Lac Avenue, 1200-04 West Washington Street, 1431 West Becher Street, 1218 West Layton Avenue, 2211 North 31st Street, 2227 North 31st Street, 2154 North 31st Street, 2501 West Fond du Lac Avenue and 6143 North 60th Street in various aldermanic districts.

[Fiscal Note.doc](#)

[Fiscal Note-substitute.doc](#)

**A motion was made by Ald. Murphy 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) [041443](#)

A substitute ordinance relating to the city's code of ethics and the disclosure of economic interests.

[Fiscal Note.doc](#)

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

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

8) [041512](#)

Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2001, 2002 and 2003 tax rolls, plus interest applicable to date of repayment, if appropriate. (Assessor's Office)

[Assessment Reduction Table.XLS](#)

[Assessor's Cover Letter.DOC](#)

[Fiscal Note.doc](#)

[Assessment Reduction letters.PDF](#)

**A motion was made by Ald. Bohl 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

9) [041506](#)

Resolution canceling a City invoice.

[City Atty. Letter.DOC](#)

[Fiscal Note.PDF](#)

**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

10) [041465](#)

Resolution to settle claim of Attorney Laurie A. Eggert for defense of various police officers. (City Attorney)

[Claim for Aguilar, Rodriguez, Herenandez, Riestra and Scharnott.PDF](#)  
[Claim for Anderer, Sanchez, Korducki and Hernandez.PDF](#)  
[Claim for Campbell and Lough.PDF](#)  
[Claim for Campbell, Lough, Warren and Kaul.PDF](#)  
[Claim for Carloni and Pelter.PDF](#)  
[Claim for DeValkenaere and Schellhammer.PDF](#)  
[Claim for Estacio.PDF](#)  
[Claim for Gebhardt and Dineen.PDF](#)  
[Claim for Gebhardt, Clark and Dineen.PDF](#)  
[Claim for Gebhardt, Clark, Dineen, Bognar and Valovic.PDF](#)  
[Claim for Gollner.PDF](#)  
[Claim for Klemstein and Grauberger.PDF](#)  
[Claim for Lacina and Harms.PDF](#)  
[Claim for Lacy and Geniesse.PDF](#)  
[Claim for Lemke and Olmstead.PDF](#)  
[Claim for Lemke, Behlen, Anders, Devalkenaere and Brosseau.PDF](#)  
[Claim for Lopez.PDF](#)  
[Claim for McDermott and Martinez.PDF](#)  
[Claim for Mucha and Grant.PDF](#)  
[Claim for Neitman and Hanley.PDF](#)  
[Claim for Newport, Pendergast, Lacy and DeStefanis.PDF](#)  
[Claim for Obregon.PDF](#)  
[Claim for O'Brien, Prohaska and Beaster.PDF](#)  
[Claim for Pelnar and Gull.PDF](#)  
[Claim for Rodriguez, Garcia and Garcia.PDF](#)  
[Claim for Sanchez and Lockett.PDF](#)  
[Claim for Sandford, Decker and Strache.PDF](#)  
[Claim for Scanlan.PDF](#)  
[Claim for Spence and Jekanoski.PDF](#)  
[Claim for Tank and Boyak.PDF](#)  
[Claim for Timmerman.PDF](#)  
[Claim for Wenzel, Kelley, Finnegan and Martinez.PDF](#)  
[Claim for Rotramel and Wellens.PDF](#)  
[Claim for Kavanaugh, Ward and Pierce.PDF](#)  
[Claim for Stojsavljevic.PDF](#)  
[Claim for Vice Control Detective.PDF](#)  
[Claim for Witkowski.PDF](#)  
[Claim for Austin.PDF](#)  
[Claim for Xiong, Lough, McNair and Danes.PDF](#)  
[Fiscal Note.rtf](#)

**A motion was made by Ald. Bohl 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

11) [041464](#)

Resolution authorizing payment of the claim of Raena Melk, C.I. File No. 02-L-139. (City Attorney)

[City Atty. Letter.DOC](#)

[Fiscal Note.DOC](#)

[Settlement Draft Request.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

12) [041127](#)

Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

[2004 Expenditures as of 1-14-05.pdf](#)

[Communication from City Attorney.PDF](#)

**A motion was made by Ald. Bohl 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

**Items below will be heard no earlier than 3:00 P.M.**

13) [041459](#)

Resolution relating to a claim from Anita Cherry for damages.

[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) [041461](#)

Resolution relating to a claim from Atty. Mark Thomsen on behalf of Yvonne Johnson for personal injuries.

[Claim.PDF](#)

[City Atty. Letter.DOC](#)

**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) [041462](#)

Resolution relating to a claims appeal from Joseph Rosso for property damage. (6th Aldermanic District)  
[Appeal.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: 1 - ALD. D'AMATO

16) [041463](#)

Resolution relating to a claims appeal from Latoun Valtchev for towing charges. (11th Aldermanic District)  
[Appeal.PDF](#)  
[City Atty. Letter.PDF](#)

*His daughter, Krimena Valtchev - 1804A S. 6th St. - present and translating.*

**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) [041460](#)

Resolution relating to a claim from E. Hokanson for damages.  
[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

18) [041457](#)

Resolution relating to a claim from John Charles Heiser for damages when the City removed items from his property.  
[City Atty. Letter.DOC](#)  
[Claim.PDF](#)



**A motion was made by Ald. Bauman 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

*Meeting Adjourned: 4:26 PM*

*Linda M. Elmer*

*Staff Assistant*