



City of Milwaukee

Meeting Agenda

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.

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**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, June 27, 2005

1:30 PM

Room 301-B, City Hall

1:30 P.M.

- 1) [050304](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Communication from the Election Commission Task Force transmitting its official report.

2:00 P.M.

- 2) [050255](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Appointment of Susan Edman to serve as Executive Director of the Election Commission by the Mayor.
[Appt. Letter.PDF](#)
[Susan M. Edman Resume.pdf](#)

2:30 P.M.

- 3) [041707](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 4/12/2005
Resolution relative to various legislative bills.

3:00 P.M.

- 4) [050297](#) SPONSORED BY: ALD. ZIELINSKI INTRODUCED ON: 6/14/2005
Resolution relating to the removal of construction waste dumped on City-owned land located near the intersection of East Stewart Street and South

Marina Drive.

- 5) [050299](#) SPONSORED BY: ALD. D'AMATO INTRODUCED ON: 6/14/2005
Resolution relative to the delinquent property taxes for 2320 W. Burleigh Street.

- 6) [050252](#) SPONSORED BY: ALD. WITKOWIAK INTRODUCED ON: 6/14/2005
Resolution authorizing an agreement between the City of Milwaukee and Kaufmann LeSage, LLC for assignment under Wisconsin Statutes Section 75.106 of the City's right to an in-rem foreclosure judgment against 538 South 2nd Street, in the 12th Aldermanic District. (DCD)
[Fiscal Note.PDF](#)

- 7) [050231](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Resolution authorizing the City of Milwaukee to negotiate and enter into an agreement with JJSG, LLC for assignment under Wisconsin Statutes Section 75.106 of the City's right to an in-rem foreclosure judgment against 4161 South Howell Avenue, in the 13th Aldermanic District.
[Fiscal Note.PDF](#)

- 8) [050247](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Resolution authorizing Community Improvement In-Rem Foreclosure Actions on three tax-delinquent brownfields located at 632 East Center Street, 2200 North 32nd Street and 2206 North 32nd Street, in the 3rd and 15th Aldermanic Districts. (DCD)
[Fiscal Note.doc](#)

The following items will be heard no earlier than 3:30 P.M.

- 9) [050238](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Resolution relating to the appeal of Jack Lechler relative to a claim for loss of vehicle and expenses. (3rd Aldermanic District)
[Appeal.PDF](#)
[City Atty. Letter.PDF](#)
---\$2,706.25 claim related to loss of a stolen vehicle and expenses related to its recovery. The city acted properly in this matter and, as such, the city is not liable.

- 10) [050203](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Resolution relating to the appeal of Adrienne Bondes relative to a claim for property damage. (6th Aldermanic District)

[Appeal.PDF](#)

---\$4,500 claim related to damage as a result of a search of a private home by the Milwaukee Police Department. The police acted appropriately and took the necessary action within the sphere of their responsibilities.

- 11) [050237](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Resolution relating to the appeal of Manojlo Verzich relative to a claim for property damage. (12th Aldermanic District)
[Appeal.PDF](#)
[City Atty. Letter.PDF](#)
---\$305 claim related to police actions during a forced entry into a private home. The police department executed a lawful search warrant which necessitated the use of force, as authorized by the Wisconsin Statutes.
- 12) [050127](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 5/20/2005
Resolution relating to a claim from Aruna Gupta on behalf of A & L Enterprises for excessive assessment for the property located at 205 W. Vogel Avenue.
[City Atty. Letter.PDF](#)
[Claim.PDF](#)
---Claim related to an excessive assessment of \$175,000. The Board of Review found the assessment to be correct.
- 13) [050205](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Resolution relating to the appeal of Tami Williams relative to a claim for property damage. (3rd Aldermanic District)
[Appeal.PDF](#)
[City Atty. Letter.PDF](#)
---Claim related to damage allegedly sustained during the city's towing of a private vehicle. The department report notes scratches and dents all around the vehicle and the damage appears to have happened prior to the tow.
- 14) [050015](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 5/3/2005
Resolution relating to the appeal of Pamela Myers relative to a claim for property damage. (9th Aldermanic District)
[Appeal.PDF](#)
[City Atty. Letter.PDF](#)
---\$237.45 claim related to damage to a private vehicle which struck a pothole. Because the vehicle was on a county highway, the city cannot be held liable.
- 15) [050204](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
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](#)

which was neither properly barricaded nor covered. The city crews report that when they left the scene the area was properly barricaded, the excavation covered with plywood and "advance warning" signs in proper position.

- 16) [050228](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Resolution relating to a claim from American Family Insurance on behalf of Alfredo Martinez for property damage.
[City Atty. Letter.DOC](#)
[Claim.PDF](#)
---\$8,114.42 claim related to a missing stop sign, which resulted in a traffic accident. City records note that the missing sign was reported following the accident, but had no knowledge of the missing sign prior to the accident, and, therefore, cannot be held liable.
- 17) [050274](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Resolution relating to the appeal of Gabriela Arndt relative to a claim for property damage. (4th Aldermanic District)
[Appeal.PDF](#)
[City Atty. Letter.PDF](#)
---\$1,817.31 claim related to damage to a private vehicle by debris that allegedly came from a city truck. The contents of the truck were secured and not missing and the driver denied leaving light bulbs outside of the vehicle, therefore the city cannot be held liable.
- 18) [050201](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Resolution relating to the appeal of Lynda Turenske relative to a claim for property damage. (6th Aldermanic District)
[Appeal.PDF](#)
---\$3,984.18 claim related to damage to a private vehicle when it was allegedly hit by a garbage truck. There is no evidence to support the claim, therefore the city cannot be held liable.
- 19) [050202](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Resolution relating to the appeal of Johnny Bryant relative to a claim for personal injuries. (15th Aldermanic District)
[City Atty. Letter.PDF](#)
[Appeal.PDF](#)
---\$2,950 claim related to injuries sustained by a fall on the ice in an alley. Since the city is not responsible for salting or plowing alleys, it cannot be held liable.
- 20) [050227](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Resolution authorizing payment of the claim of Ramiro Aguilar, C.I. File No. 02-L-85. (City Attorney)
[City Atty. Letter.DOC](#)
[Fiscal Note.DOC](#)
[Settlement Draft Request.DOC](#)

Items #21-33 may be placed on file as no longer needed:

- 21) [040292](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 7/7/2004
Communication from the City Attorney's Office transmitting a communication from Tracy Merriett relative to a claim for property damage.
[City Atty Letter.DOC](#)
[Claim.PDF](#)
- 22) [040293](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 7/7/2004
Communication from the City Attorney's Office transmitting a communication from Victoria McFarland-Spivey relative to a claim for property damage.
[City Atty Letter.DOC](#)
[Claim.PDF](#)
- 23) [040495](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 7/27/2004
Communication from the City Attorney's Office transmitting a communication from Jeanine Moore relative to a claim for property damage.
[City Atty Letter.PDF](#)
[Claim.PDF](#)
- 24) [040533](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Resolution relating to appeal of Napoleon White relative to a claim for property damage. (1st Aldermanic District)
[Appeal.PDF](#)
[City Atty Letter.PDF](#)
- 25) [040554](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Communication from the City Attorney's Office transmitting a communication from Chester Voss relative to property damage.
[Claim.pdf](#)
- 26) [040694](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/21/2004
Communication from the City Attorney's Office transmitting a communication from Cliff and Laura Van Beek relative to a claim for property damage.
[City Atty Letter.DOC](#)
[Claim.PDF](#)
- 27) [040695](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/21/2004
Communication from the City Attorney's Office transmitting a communication from Edward and Pamela Virgil relative to a claim for property damage.
[City Atty Letter.DOC](#)
[Claim.PDF](#)
- 28) [040831](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 10/11/2004

Communication from the City Attorney's Office transmitting a communication from Tijuana Conway-Bradley relative to a claim for property damage.

[City Atty Letter.DOC](#)

[Claim.PDF](#)

29) [040931](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 11/3/2004

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

[City Atty Letter.PDF](#)

[Claim.PDF](#)

30) [040932](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 11/3/2004

Communication from the City Attorney's Office transmitting a communication from Bennie and Vera Meeks relative to a claim for property damage.

[City Atty Letter.DOC](#)

[Claim.PDF](#)

31) [040933](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 11/3/2004

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

[City Atty Letter.DOC](#)

[Claim.PDF](#)

32) [040934](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 11/3/2004

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

[Claim.PDF](#)

[City Atty Letter.DOC](#)

33) [040936](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 11/3/2004

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

[City Atty Letter.DOC](#)

[Claim.PDF](#)

3:45 P.M.

The JUDICIARY AND LEGISLATION COMMITTEE may convene into closed session at 3:45 P.M. on Monday, June 27, 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 litigation in which the City is involved regarding Alexander v. City of

Milwaukee, et al, Case No. 03 C 0611 and related issues and item #34...Communication related to the claims of Laurie Eggert for defense of various police officers and then will go into open session for the remaining agenda items.

- 34) [050213](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Communication related to the claims of Laurie Eggert for defense of various police officers.
[Comm. from Ald D'Amato.PDF](#)
- 35) [050130](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 5/20/2005
Resolution to settle claim of Attorney Laurie A. Eggert for defense of various police officers. (City Attorney)
[Claim for Campbell and Warren.PDF](#)
[Claim for Estacio,Patrick, Masarik, Curt, Polka, Cardenas and Meade.PDF](#)
[Claim for Glover.PDF](#)
[Claim for Gonzalez and Emmons.PDF](#)
[Claim for Hoffman and Braeger.PDF](#)
[Claim for Huck, Murphy, Lesniewski,Heaney, Boeck and Farney.PDF](#)
[Claim for Lemke and Kline.PDF](#)
[Claim for Lemke and Roberson.PDF](#)
[Claim for Nawotka and Brummond.PDF](#)
[Claim for Peavy.PDF](#)
[Fiscal Note.rtf](#)
[Communication from Ald. D'Amato.PDF](#)
- 36) [050199](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 6/14/2005
Resolution to settle claim of Attorney Laurie A. Eggert for defense of various police officers. (City Attorney)
[Claim for Ince and Masarik.PDF](#)
[Claim for Kane and Brady.PDF](#)
[Claim for Kohlhepp and Meade.PDF](#)
[Claim for Miller, Toeller, Dalland, Gajevic, Glidewell, Davila, Washington, Rehbein and Cooper.I](#)
[Claim for Moeller and Vento.PDF](#)
[Fiscal Note.doc](#)
- 37) [041127](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 12/21/2004
Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.
[2005 Expenditures through 3-1-05.PDF](#)
[2005 Expenditures through 1-14-05.pdf](#)
[2005 Expenditures through 5-31-05.pdf](#)
[Letter from ALD. D'Amato.pdf](#)
[2005 Expenditures through 4-19-05.PDF](#)
- 38) [050294](#) SPONSORED BY: ALD. BAUMAN INTRODUCED ON: 6/14/2005
Substitute resolution appropriating funds from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining outside

legal counsel in a case involving the Board of Zoning Appeals.

[Fiscal note.DOC](#)

This meeting will be web-cast live at www.milwaukee.gov/channel/25.

NOTE: a) Members of the Common Council, and members of its Standing Committees who are not members of this Committee, may attend this meeting to participate or to gather information. Therefore, notice is given that this meeting may constitute a meeting of the Common Council or any of its Standing Committees, and must be noticed as such, although they will not take any formal action at this meeting.

b) Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to the Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

c) Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

d) Effective July 1, 2005, persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code of Ordinances are required to register with the City Clerk's Office License Division. More information is available at www.milwaukee.gov/lobby or by calling 414-286-2238.