



City of Milwaukee Common Council

Legislative File Number 070748 (version 0)

Title

Resolution reserving and appropriating up to \$10,000 from the Special Purpose Account - Outside Counsel/Expert Witness Fund for the purpose of retaining the law firm of Attorney David R. Halbrooks in nuisance property proceedings relating to parcels at 822, 832, and 845 N. 25th St. and 2408 W. Kilbourn Ave.

Body

Whereas, Records of the City show that properties located at 822 (Tax Key 389-1720-000), 832 (Tax Key 389-1719-000), and 845 N. 25th St. (Tax Key 389-1702-000). and 2408 W. Kilbourn Ave. (Tax Key 389-072-000) have been associated with numerous calls for service and complaints of building code and other violations under current ownership; and

Whereas, Each of these properties contain multi-unit residential buildings; and

Whereas, Records of the City show that Vitaliy Prodayko, Irina Prodayko, Yuri Shteynbuk and Viktoria Shteynbuk, in some cases doing business as Inter LLC, are the owners of each of the 4 properties, and do not appear able or willing to maintain these properties in a safe condition free of hazards to the health and safety of the public; and

Whereas, The 2007 Budget includes a footnote reserving \$40,000 of the amounts in the Outside Counsel/Expert Witness fund "...to assist the City Attorney, Common Council, and the Police Department in abating public nuisance activities. No expenditure of this \$40,000 shall occur without Common Council approval"; and

Whereas, None of the \$40,000 reserved in the Outside Counsel/Expert Witness Fund Special Purpose Account has been expended for these purposes; and

Whereas, The timely abatement of these nuisance properties requires assistance of experienced and knowledgeable counsel; and

Whereas; Attorney David R. Halbrooks was formerly an Assistant City Attorney with responsibilities for coordination of the Nuisance Abatement Team and enforcement of the building code, and with knowledge and experience in preservation of the City's housing stock and coordinating neighborhood efforts by working with residents and the Milwaukee Police Department to eliminate drug houses and other nuisance activity; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City Attorney is directed to retain the services of the law firm of David R. Halbrooks to assist in representing the City in seeking abatement of the nuisance properties identified herein;

and, be it

Further Resolved, That the sum of up to \$10,000 shall be reserved, appropriated and expended within the 2007 Special Purpose Account - Outside Counsel/Expert Witness Fund (006300-0001-9990-S118-2007) for retaining and engaging the law firm of Attorney David R. Halbrooks in the nuisance property abatement contemplated hereunder.

Drafter

LRB07471-1

RLW

9/4/2007

Analysis

This resolution reserves and appropriates up to \$10,000 from the Outside Counsel/Expert Witness Fund of the Office of the City Attorney for engaging the law firm of Attorney David R. Halbrooks to pursue nuisance property actions relating to parcels located at 822, 832, and 845 N. 25th St. and 2408 W. Kilbourn Ave.

The 2007 Budget includes a footnote reserving \$40,000 of the amounts in the Outside Counsel/Expert Witness Fund Special Purpose Account "...to assist the City Attorney, Common Council, and the Police Department in abating public nuisance activities. No expenditure of this \$40,000 shall occur without Common Council approval."

No funds from this reserved amount have been expended. Section 304-23 of the Code further requires Common Council approval prior to retaining any legal counsel outside the City Attorney's office.