



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

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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, April 4, 2005

9:00 AM

Room 301-B, City Hall

Amended 3/31/05

Meeting Convened: 9:13 A.M.

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

Members Excused: ALD. MURPHY

The JUDICIARY AND LEGISLATION COMMITTEE may convene into closed session at 9:00 A.M. on Monday, April 4, 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 Items # 1... Resolution relating to the claim of Edward Stenzel for the payment of certain benefits and #2... Resolution relating to the claim of Leslie Barber for the payment of certain benefits and for discussion regarding Alexander v. City of Milwaukee, et al, Case No. 03 C 0611 and related issues, and then will go into open session for Items #1 and #2 and the regular agenda.

Ald. Hamilton moved to go into closed session.

Ayes: Ald. Hamilton, Ald. Bauman, Ald. Bohl and Ald. D'Amato - 4

Excused: Ald. Murphy - 1

Individuals present:

Rudy Konrad - City Attorney's Office

Deputy Chief Joseph Whiten - Milwaukee Police Dept.

Kim Montgomery - Mayor's Office

Roll call taken at 9:24 A.M.

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

1) [041566](#)

Resolution relating to the claim of Edward Stenzel for the payment of certain benefits.

[City Atty. Letter.DOC](#)

[Fiscal Analysis.doc](#)

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

2) [041567](#)

Resolution relating to the claim of Leslie Barber for the payment of certain benefits.

[City Atty. Letter.DOC](#)

[Fiscal Analysis.doc](#)

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

9:30 A.M.

3) [041641](#)

Appointment of Patricia Hintz to the Ethics Board by the Mayor. (4th Aldermanic District) -- (replacing D. Michael Guerin)

[Letters 041352.rtf](#)

[Resume.PDF](#)

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

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

Noes: 0

4) [041637](#)

Substitute resolution expressing the City of Milwaukee's opposition to the "Strengthening America's Communities Initiative" proposed by President George W. Bush.

[Fiscal Note.rtf](#)

All members of the committee asked to be added as sponsors.

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

5) [041619](#)

Substitute resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation relating to prohibition of loud sounds emitting from radios and other electric sound amplification devices in motor vehicles.

[Fiscal Note.doc](#)

Ald. Bohl asked to be added as sponsor.

Speakers:

Ald. Robert Donovan

Jeff Osterman - Legislative Reference Bureau

Deputy Inspector Ray Sucik - Milwaukee Police Dept.

Martin Collins - Department of Neighborhood Services

The Committee will send a letter asking why the MPD form cannot be used and request that an opinion be provided prior to the next meeting.

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

6) [041635](#)

Resolution directing the Department of Administration -Intergovernmental Relations Division to seek introduction and passage of state legislation relating to the registration of firearms in Milwaukee County.

[Fiscal Note.doc](#)

[2005-2006 Legislature.PDF](#)

Held at the request of the sponsor.

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

[031503](#)

Substitute resolution relative to various legislative bills.

[Legislative Hearing Calendar.PDF](#)

[State Budget Discussion.PDF](#)

[Fiscal Note-substitute.rtf](#)

SB 83 - Ald. D'Amato moved for opposition. Withdrawn.

Ald. D'Amato moved to watch and report. Prevailed. 5-0

SB 148 - Held over

Sharon Cook - Intergovernmental Relations provided the committee with a document titled, "State Budget Discussion" dated April 4, 2005.

Ald. D'Amato noted that although the city is opposed to levy limits, among the many levy limits proposed, the city is the least opposed to the levy limits currently proposed in by the Alliance of Cities. Ald. Murphy concurred. The City prefers that the Intergovernmental Relations Division be involved in the state discussions related to levy limits.

Ms. Reavey will provide a memo for all aldermen related to the Real Estate Transfer fee from the County to the City.

Ald. Bauman moved that the Committee send a letter to the representatives and senators for the 5-county area supporting the Governor's Election Reform Package with the understanding that state funds will be provided for any items that have costs associated with them. Prevailed.

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

8) [041446](#)

Substitute resolution creating a task force to study the collection of delinquent taxes, forfeitures, judgments and fees owed to the City of Milwaukee.

[Fiscal Note.rtf](#)

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

9) [041545](#)

A substitute ordinance amending provisions relating to the regulation of lobbyists.

[Fiscal Note.rtf](#)

A motion was made by Ald. Bauman 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

10) [041575](#)

Resolution authorizing payment of the claim of Artemio Rodriquez, C.I. File No. 03-L-34. (City Attorney)

[Fiscal Note.DOC](#)

[City Atty. Letter.DOC](#)

[Settlement Draft Request.DOC](#)

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

Items below will be heard no earlier than 10:30 A.M.

11) [041571](#)

Resolution relating to the appeal of Shawne Bond relative to a claim for property damage. (9th Aldermanic District)

[Appeal.PDF](#)

[City Atty. Letter.PDF](#)

Held to the Call of the Chair as claimant unable to attend.

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

12) [041570](#)

Resolution relating to a claim from Schuyler Meredith for property damage.

[City Atty. Letter.DOC](#)
[Claim.PDF](#)

Held to the Call of the Chair as claimant unable to attend.

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

13) [041573](#)

Resolution relating to a claim from Tammy Christiansen, Claim Representative for Travelers Insurance, on behalf of Daryl Ferguson for property damage.

[Caim.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

14) [041568](#)

Resolution relating to the appeal of Debbie Griffiths, Manager for SBC Risk Management, relative to a claim for property damage. (4th Aldermanic District)

[Appeal.PDF](#)
[City Atty. Letter.PDF](#)

A motion was made by Ald. Bauman 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) [041572](#)

Resolution relating to the appeal of Heather Sarkes, Claim Representative for the Travelers Indemnity Co. on behalf of Michael and Zita Peavy, relative to a claim for property damage. (1st Aldermanic District)

[Appeal.PDF](#)
[City Atty. Letter.PDF](#)
[City Atty. Letter dated 5-9-02.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

16) [041574](#)

Resolution relating to a claim from Atty. Kenan Kersten on behalf of Bulah Brimmer for personal injuries.

[City Atty. Letter.DOC](#)

[Claim.PDF](#)

[Communication from Atty Kersten.PDF](#)

Held to the Call of the Chair as claimant unable to attend.

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

17) [041569](#)

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

[Claim for Bunker, Schabel, Balcerzak, Verhoeven and Gwinn.PDF](#)

[Claim for Cashaw.PDF](#)

[Claim for Colon.PDF](#)

[Claim for Fidler, Pratchett, Cooper and Tollefson.PDF](#)

[Claim for Fjeld.PDF](#)

[Claim for Lemke, Patrick and Polka.PDF](#)

[Claim for Matthews.PDF](#)

[Claim for Medina, Claszak, Lopez and Lopez.PDF](#)

[Claim for Tyshynsky.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

18) [041174](#)

Resolution appropriating funds from the 2005 Common Council Contingent Fund for remission of taxes.

[Budget Cover Letter.doc](#)

[Budget and Managment Letter.PDF](#)

A motion was made by Ald. Murphy 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

19) [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](#)

A motion was made by Vice Chair Hamilton 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

20) [041576](#)

Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2003 and 2004 tax rolls, plus interest applicable to date of repayment, if appropriate. (Assessor's Office)

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

[Fiscal Note.doc](#)

[Letters for Assessment Reductions.PDF](#)

[Table of Assessment Reductions.XLS](#)

A motion was made by Ald. Bauman 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

Meeting Adjourned: 12:10 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.