



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Minutes JUDICIARY & LEGISLATION COMMITTEE

ALD. MICHAEL S. D'AMATO, CHAIR
Ald. Donald F. Richards, Vice Chair
Ald. Marlene E. Johnson-Odom, Ald. Michael J. Murphy,
Ald. Fredrick G. Gordon

Staff Assistant, Kathleen Marquardt, 286-2231,
Fax: (414) 286-3456, E-mail: kmarqu@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.*

Wednesday, May 29, 2002

9:00 AM

Room 301-B of City Hall

9:00 A.M.; Meeting Convened 9:08 A.M.

Present 5 - D'Amato, Richards, Johnson-Odom, Murphy, Gordon

ALD MURPHY moved that the Judiciary and Legislation Committee convene into closed session 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 relative to Item #1 - File Number 020204 - Resolution authorizing payment of the settlement amount agreed upon in the lawsuit entitled Estate of Clarence M. Thurman, III et al. v. City of Milwaukee, et al., Case No. 99-C-0877.

Roll Call:

Ayes: Ald. Murphy, Richards, D'Amato, Gordon and Johnson-Odom - 5.

Noes: 0.

Excused: 0.

ALD. GORDON moved that the Judiciary and Legislation Committee convene into open session.

The motion prevailed.

9:15 A.M.

- 1) [020204](#) Resolution authorizing payment of the settlement amount agreed upon in the lawsuit entitled Estate of Clarence M. Thurman, III, et al. v. City of Milwaukee, et al., Case No. 99-C-0877. (City Attorney)

A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 2) [020200](#) Reappointment of Daniel Lipski to the Board of Review by the Mayor. (5th Aldermanic District)
- A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR CONFIRMATION. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 3) [020209](#) Resolution authorizing an amendment to the contract between the City of Milwaukee and the Kohn Law Firm. (City Attorney)
- A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 4) [020208](#) Substitute resolution authorizing Release and Waiver of a subrogation lien against Julie A. Clarke in connection with the City's Basic Health Plan.
- A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 5) [020166](#) Resolution authorizing settlement of the claim for attorney's fees and costs in Deida v. City of Milwaukee, et al., Case No. 01-C-0324. (City Attorney)
- A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 6) [020165](#) Resolution authorizing settlement of the lawsuit entitled John M. Tries v. City of Milwaukee, et al., Case No. 99-C-1447. (City Attorney)
- A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**
- Aye** 4 - D'Amato, Richards, Johnson-Odom and Gordon
- No** 1 - Murphy
- 7) [020128](#) Resolution to settle claims of Attorney Kenneth Murray and Attorney Laurie Eggert for the defense of various police officers. (City attorney)
- A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 8) [020129](#) Resolution to settle claim of Attorney Kenneth Murray, Kenneth Murray Law Office, for defense of various Police Officers. (City Attorney)

A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 9) [020238](#) A substitute ordinance relating to revisions of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR PASSAGE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

9:30 A.M.

- 10) [020171](#) Communication from the City Attorney's Office transmitting a communication from Doretha Smith, Guardian on behalf of Diamond Little relative to claim for personal injuries.

A motion was made by Vice Chair Richards that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 11) [020134](#) Appeal of Matthew Long relative to claim for property damage. (10th Aldermanic District)

A motion was made by Vice Chair Richards that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 12) [020235](#) Appeal of Louisa Gilpin-Morgan relative to claim for property damage. (5th Aldermanic District)

A motion was made by Vice Chair Richards that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 13) [020132](#) Communication from the City Attorney's Office transmitting a communication from Carlotta Dick relative to claim for property damage.

A motion was made by Vice Chair Richards that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 14) [020113](#) Substitute resolution to settle claim of Linda Petersen for property damage.

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

9:45 A.M.

- 15) [020170](#) Substitute resolution to settle claim of Socrates Coats for property damage.

A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 16) [020130](#) Communication from the City Attorney's Office transmitting a communication from Kathleen Putnam relative to claim for property damage.

A motion was made by Vice Chair Richards that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 17) [020145](#) Communication from the City Attorney's Office transmitting a communication from American Family Insurance Group on behalf of Janice Henderson relative to claim for property damage.

Ald. Gordon moved for adoption of a substitute resolution.

Ayes: Ald. Gordon and Johnson-Odom - 2.

Noes: Ald. Richards, D'Amato and Murphy - 3.

The motion failed.

A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 1 - Gordon

- 18) [020135](#) Appeal of LaDonna Fair relative to claim for property damage. (2nd Aldermanic District)

A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 19) [020131](#) Communication from the City Attorney's Office transmitting a communication from Atty. Pamela Resnick on behalf of Minette Wilson relative to claim for property damage.

A motion was made by Ald. Gordon that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 20) [020169](#) Communication from the City Attorney's Office transmitting a communication from Kenneth Niederkorn relative to claim for personal injuries.

A motion was made by Vice Chair Richards that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 21) [020172](#) Communication from the City Attorney's Office transmitting a communication from Rory and Megan Collins relative to claim for personal injuries.

A motion was made by Ald. Gordon that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

10:00 A.M.

- 22) [020143](#) Substitute resolution authorizing the return of real estate located at 4614 North 42nd Street, in the 1st Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Michael Irish)

A motion was made by Ald. Johnson-Odom that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 23) [020144](#) Substitute resolution authorizing the return of real estate located at 4260 North 30th Street, in the 1st Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and

managing said real estate. (Ervin Carson, Jr.)

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

24) [020177](#)

Substitute resolution authorizing the return of real estate located at 4362 North 15th Street, in the 1st Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Ruth Franklin)

A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

25) [020138](#)

Substitute resolution authorizing the return of real estate located at 3363 North 2nd Street, in the 6th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Charolette Smith)

A motion was made by Ald. Johnson-Odom that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

26) [020142](#)

Substitute resolution authorizing the return of real estate located at 2971 North 6th Street, in the 6th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Mary Griffin)

A motion was made by Ald. Johnson-Odom that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

27) [020174](#)

Substitute resolution authorizing the return of real estate located at 526 West Concordia Avenue, in the 6th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Richard Berger)

A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

28) [020173](#)

Substitute resolution authorizing the return of real estate located at 2462 West Brown Street, in the 7th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (George Davis)

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

29) [020137](#)

Substitute resolution authorizing the return of real estate located at 3514 West Silver Spring Drive, in the 9th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (JoAnn Johnson)

A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

30) [020139](#)

Substitute resolution authorizing the return of real estate located at 3533 North 24th Place, in the 10th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Deloise Mays)

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

31) [020140](#)

Substitute resolution authorizing the return of real estate located at 3024 North 30th Street, in the 10th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Walter Love)

---Claimant to submit a plan for correcting code violations and to properly record property prior to June 4, 2002.

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 32) [020141](#) Substitute resolution authorizing the return of real estate located at 1039 West Mineral Street, in the 12th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Michael Kopacz)

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 33) [020175](#) Substitute resolution authorizing the return of real estate located at 1562 South 23rd Street, in the 12th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Victoriano Botello)

---Return of property contingent upon payment of \$1,530 for reinspection fees prior to June 4, 2002.

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

Aye 4 - D'Amato, Johnson-Odom, Murphy and Gordon

No 1 - Richards

- 34) [011586](#) Substitute resolution authorizing the return of real estate located at 1805 West Monroe Street, in the 17th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Lowell Davis)

A motion was made by Ald. Johnson-Odom that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 4 - D'Amato, Richards, Johnson-Odom and Gordon

No 0

Excused 1 - Murphy

- 35) [020176](#) Resolution authorizing return of real estate located 2435 N. 18th Street, in the 17th Aldermanic District of the City of Milwaukee, to Kinney Lewis upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.

A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR PLACING ON FILE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 36) [020178](#) Resolution authorizing return of real estate located 1457 N. 38th Street, in the 17th Aldermanic District of the City of Milwaukee, to Ronald Henry upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.
- A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR PLACING ON FILE. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 37) [020179](#) Resolution authorizing return of real estate located 5129-33 West North Avenue, in the 17th Aldermanic District of the City of Milwaukee, to Elaine Abshire upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.
- A motion was made by Vice Chair Richards that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 38) [020180](#) Resolution authorizing return of real estate located 1959-61 N. 22nd Street, in the 17th Aldermanic District of the City of Milwaukee, to Franklin Thompson upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate.
- A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR PLACING ON FILE. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 39) [020242](#) 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.
- A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 40) [000536](#) Reappointment of Catherine Halloran to the Ethics Board by the Mayor. (3rd Aldermanic District)
- A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR CONFIRMATION. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

Meeting Adjourned: 12:38 P.M.

Kathleen M. Marquardt
Staff Assistant