



# City of Milwaukee

## Meeting Minutes

### 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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City Hall  
200 East Wells Street  
Milwaukee, WI 53202

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Monday, September 18, 2006

9:00 AM

Room 301-B, City Hall

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#### AMENDED 9/14/06

*Meeting convened: 9:14 A.M.*

**Present** D'Amato, Hamilton, Bauman, Murphy, Bohl

*Ald. Murphy moved that the Judiciary and Legislation Committee convene into closed session pursuant to s. 19.85(1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who is rendering advice concerning strategy to be adopted by the City with respect to Item #1: Resolution to authorize settlement of arrest record, race discrimination and retaliation claims in cases entitled Larry J. Murphy, Jr. v. City of Milwaukee; and Item #2: Resolution authorizing settlement of the lawsuit entitled Brimmer, Bulah M.; Palmetto Government Benefits Adm., Medicare Parts A&B v. City of Milwaukee and then will go into open session for the regular agenda.*

*Roll Call:*

*Ayes: Ald. Hamilton, Ald. Bauman, Ald. Bohl, Ald. Murphy and Ald. D'Amato - 5*

*Individuals present:*

*Miriam Hurwitz - City Attorney's Office*

*Patricia Fricker - City Attorney's Office*

**9:00 A.M.**

**060666**

Communication from the Executive Director of the Election Commission relating to the 2006 fall primary election.

**Sponsors:** Ald. D'Amato

*Individuals present:*

*Sue Edman - Election Commissioner*

*Neil Albrecht - Deputy Election Commissioner*

*Ald. Dudzik*

*Ms. Edman will provide committee members with an outline of the personnel and equipment needs to adequately meet the needs of the November election. This outline will be distributed to all Council members.*

**A motion was made by ALD. MURPHY that this Communication be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

No 0

9:15 A.M.

1. [060485](#) Resolution to authorize settlement of arrest record, race discrimination and retaliation claims in cases entitled Larry J. Murphy, Jr. v. City of Milwaukee.

**Sponsors:** THE CHAIR

**A motion was made by ALD. HAMILTON that this Resolution be RECOMMENDED FOR ADOPTION. The motion PREVAILED by the following vote:**

**Aye** 3 - D'Amato, Hamilton and Bauman

**No** 2 - Murphy and Bohl
2. [060649](#) Resolution authorizing settlement of the lawsuit entitled Brimmer, Bulan M.; Palmetto Government Benefits Adm., Medicare Parts A&B v. City of Milwaukee.

**Sponsors:** THE CHAIR

**A motion was made by ALD. BAUMAN that this Resolution be RECOMMENDED FOR ADOPTION. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0
3. [060013](#) Resolution relative to various legislative bills.

**Sponsors:** THE CHAIR

**A motion was made by ALD. HAMILTON that this Resolution be HELD TO CALL OF THE CHAIR. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0
4. [060460](#) Substitute resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state enabling legislation for the imposition of a cigarette tax by municipalities and counties.

**Sponsors:** Ald. Witkowski

*Held at the request of the sponsor.*

**A motion was made by ALD. MURPHY that this Resolution be HELD TO CALL OF THE CHAIR. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0
5. [060459](#) Substitute resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation to delete the provision exempting cemetery trust funds from open records regulations.

**Sponsors:** Ald. Murphy

**A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR ADOPTION. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

6. [060571](#) Resolution to cancel real estate taxes levied against a certain parcel identified by Tax Key No. 506-0021-110-X, 2701 S. Chase Avenue, Milwaukee, Wisconsin, on the 2005 tax roll, plus interest applicable to date of claim, if appropriate.

**Sponsors:** THE CHAIR

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR ADOPTION. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

7. [060496](#) Resolution to cancel real estate taxes levied against a certain parcel identified by Tax Key No. 466-0902-114-4, 2023 S. Kinnickinnic Av., Milwaukee, Wisconsin, on the 2005 tax roll, plus interest applicable to date of repayment, if appropriate.

**Sponsors:** THE CHAIR

**A motion was made by ALD. MURPHY that this Resolution be SUBSTITUTED. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

**Sponsors:** THE CHAIR

**A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR ADOPTION. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

8. [060650](#) Resolution authorizing settlement and cancellation of the City of Milwaukee's subrogation claim against Jennifer Oettinger for payments made pursuant to the City's Basic Health Plan.

**Sponsors:** THE CHAIR

**A motion was made by ALD. BAUMAN that this Resolution be RECOMMENDED FOR ADOPTION. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

9. [051004](#) Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

**Sponsors:** THE CHAIR

**This Communication was HELD TO CALL OF THE CHAIR**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

10. [060484](#) Communication from the City Attorney transmitting a semiannual report as to the determination and disposition of all claims closed through June 30, 2006 pursuant to Section 304-7, Milwaukee Code of Ordinances.

**Sponsors:** THE CHAIR

**A motion was made by ALD. HAMILTON that this Communication-Report be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

11. [060536](#) Resolution authorizing return of real estate located at 2823 W. Fond du Lac Avenue, in the 15th Aldermanic District of the City of Milwaukee, to Thomas Holman, Sr. 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.

**Sponsors:** THE CHAIR

*Mr. Holman must pay \$125 in pending reinspection fees and \$268 in pending litter fees prior to the September 26th Council meeting or the file will be returned to Committee.*

**A motion was made by ALD. HAMILTON that this Resolution be RECOMMENDED FOR ADOPTION. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

12. [060629](#) Resolution authorizing return of real estate located at 3421-23 N. 21st St., in the 6th Aldermanic District of the City of Milwaukee, to Earl & Loretta Murff 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.

**Sponsors:** THE CHAIR

*Att. Tearman Spencer, 3846 W. Wisconsin Ave. present representing the owners. Held so that the owners can work out payment for the outstanding neighborhood service charges.*

**This Resolution was HELD TO CALL OF THE CHAIR**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

13. [060630](#) Resolution authorizing return of real estate located at 3512 N. 20th St., in the 6th Aldermanic District of the City of Milwaukee, to Patricia Reed 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.

**Sponsors:** THE CHAIR

*Owner must record the property prior to the September 26th Council meeting.*

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR ADOPTION. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

14. [060520](#) A substitute ordinance relating to revision of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

**Sponsors:** THE CHAIR

**A motion was made by ALD. MURPHY that this Ordinance be RECOMMENDED FOR PASSAGE. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

**Items below will be heard no earlier than 9:30 A.M.:**

15. [060521](#) Resolution relating to an appeal from Frank Spain for property damage. (5th Aldermanic District)

**Sponsors:** THE CHAIR

*Claimant not present.*

**A motion was made by ALD. BAUMAN that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

16. [060487](#) Resolution relating to a claim from Neng Chue Xiong for property damage. (2nd Aldermanic District)

**Sponsors:** THE CHAIR

*Norman Kong - Hmong-American Friendship Association - translator*

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

17. [060544](#) Resolution relating to an appeal from Terry Grady for property loss. (6th Aldermanic

District)

**Sponsors:** THE CHAIR

*Held at the request of the claimant.*

**A motion was made by ALD. HAMILTON that this Resolution be HELD TO CALL OF THE CHAIR. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

18. [060556](#) Resolution relating to an appeal from Robert Wahlgren for property damage. (2nd Aldermanic District)

**Sponsors:** THE CHAIR

*Claimant not present.*

**A motion was made by ALD. BAUMAN that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

19. [060542](#) Resolution relating to an appeal from Ruth and Laverne Ward for property damage. (6th Aldermanic District)

**Sponsors:** THE CHAIR

*Held at the request of the claimant.*

**A motion was made by ALD. BAUMAN that this Resolution be HELD TO CALL OF THE CHAIR. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

20. [060483](#) Resolution relating to an appeal from Michael Parker for the Holy Redeemer Education Complex for property damage. (1st Aldermanic District)

**Sponsors:** THE CHAIR

*Held at the request of the claimant.*

**A motion was made by ALD. HAMILTON that this Resolution be HELD TO CALL OF THE CHAIR. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

21. [060546](#) Resolution relating to an appeal from Linda Shackelford for property damage. (7th Aldermanic District)

**Sponsors:** THE CHAIR

*Held at the request of the claimant.*

**A motion was made by ALD. BOHL that this Resolution be HELD TO CALL OF THE CHAIR. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

22. [060482](#)

Resolution relating to an appeal from Shereen Kressin for property damage. (2nd Aldermanic District)

**Sponsors:** THE CHAIR

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

23. [060543](#)

Resolution relating to an appeal from James Tickner for property damage. (10th Aldermanic District)

**Sponsors:** THE CHAIR

*Also present: Frances Tickner*

**A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

24. [060555](#)

Resolution relating to the claim of Debbie Griffiths, manager for AT&T, for property damage.

**Sponsors:** THE CHAIR

*Claimant not present.*

**A motion was made by ALD. HAMILTON that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

25. [060507](#)

Resolution relating to a claim from USAA Insurance on behalf of Lucas Knoke for property damage.

**Sponsors:** THE CHAIR

*Wife of Lucas Knoke present.*

**A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

26. [060570](#) Resolution relating to the claim of Midnight Haulers, Inc for property damage.

**Sponsors:** THE CHAIR

*Claimant not present.*

**A motion was made by ALD. HAMILTON that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

27. [060545](#) Resolution relating to the claim of Attorney Frank Pasternak on behalf of Larry Parks for personal injuries.

**Sponsors:** THE CHAIR

*Claimant not present.*

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

28. [060486](#) Resolution authorizing payment of the claim of WE Energies.

**Sponsors:** THE CHAIR

**A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR ADOPTION. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

29. [060495](#) Resolution to cancel personal property taxes levied against Lisbon Auto Plaza LLC, 5505 W. Lisbon Avenue, Account No. 9304-1222, for the year 2005, plus interest applicable to date of repayment, if appropriate.

**Sponsors:** THE CHAIR

**A motion was made by ALD. BAUMAN that this Resolution be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy and Bohl

**No** 0

*Meeting adjourned: 11:54 A.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](http://www.milwaukee.gov/channel25).*