



# City of Milwaukee

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

## Meeting Agenda JUDICIARY & LEGISLATION COMMITTEE

**ALD. ASHANTI HAMILTON, CHAIR**  
**Ald. Terry Witkowski, Vice-Chair**  
**Ald. James Bohl, Jr., Ald. Joe Davis, Sr., and Ald. Robert**  
**Donovan**  
**Staff Assistant, Joanna Polanco, 286-2366**  
**Fax: 286-3456, [jpolan@milwaukee.gov](mailto:jpolan@milwaukee.gov)**  
**Legislative Liaison, Richard Withers, 286-8532,**  
**[rwith@milwaukee.gov](mailto:rwith@milwaukee.gov)**

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Tuesday, March 6, 2012

1:30 PM

Room 301-B, City Hall

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The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Tuesday, March 6th, 2012 in Room 301-B, City Hall, 200 E. Wells St., Milwaukee, Wisconsin, pursuant to s. 19.85(1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who will render oral or written advice with respect to litigation in which the city is or is likely to become involved and then will go into open session for the regular agenda.

1. [111471](#) Resolution authorizing settlement of the claims raised by plaintiff, Michael A. Ramos, in the lawsuit entitled Michael A. Ramos v. Roger T. Walker, Gregory A. Koesting and Pamela Holmes.  
**Sponsors:** THE CHAIR
  
2. [111501](#) Resolution authorizing payment of the claim of Dan and Deb Pollesch.  
**Sponsors:** THE CHAIR  
---\$11,707.50
  
3. [111502](#) Resolution authorizing payment of the claim of Gerald and Karen Holton.  
**Sponsors:** THE CHAIR  
---\$11,967.46
  
4. [111517](#) Resolution urging Governor Scott Walker to use the mortgage settlement funding for its intended purposes.  
**Sponsors:** Ald. Cogg
  
5. [111455](#) Substitute resolution authorizing the return of real estate located at 3019 W. Lincoln Ave, in the 8th Aldermanic District to its former owner. (Amelia Avila)  
**Sponsors:** THE CHAIR
  
6. [111454](#) Substitute resolution authorizing the return of real estate located at 3601 W. Clarke St, in the 15th Aldermanic District to its former owner. (Peter Butzer, Agent)

**Sponsors:** THE CHAIR

7. [111453](#) Substitute resolution authorizing the return of real estate located at 1738-1738 A N 33rd St, in the 15 Aldermanic District to its former owner. (Peter Butzer, Agent )

**Sponsors:** THE CHAIR

8. [111452](#) Substitute resolution authorizing the return of real estate located at 2526 N. 19th st., in the 15 Aldermanic District to its former owner. (Andre Hopson)

**Sponsors:** THE CHAIR

9. [111451](#) Substitute resolution authorizing the return of real estate located at 3235 W. St. Paul Ave., in the 4th Aldermanic District to its former owner. (Jesse Lee, Agent for the Freewill Church of God in Christ)

**Sponsors:** THE CHAIR

10. [111450](#) Substitute resolution authorizing the return of real estate located at 116-116A W. Keefe Ave., in the 6th Aldermanic District to its former owner. (Cheryl Pope)

**Sponsors:** THE CHAIR

11. [111449](#) Substitute resolution authorizing the return of real estate located at 3870 N. 24th St., in the 6th Aldermanic District to its former owner. (Funta Watson)

**Sponsors:** THE CHAIR

12. [111427](#) Resolution relating to an appeal from Viletta Redmond for personal injuries . (5th Aldermanic District)

**Sponsors:** THE CHAIR

---\$131.28

13. [111122](#) Resolution relating to an appeal from Mary Antoinette Robinson for property damage . (1st Aldermanic District)

**Sponsors:** THE CHAIR

---\$7,243.76

14. [110996](#) Resolution relating to an appeal from Charles Kowalski for property damage.

**Sponsors:** THE CHAIR

---\$539.78

15. [110033](#) Communication related to the 2011 annual report and activities of the Ethics Board.

**Sponsors:** THE CHAIR

16. [110912](#) Resolution relating to legislative bills.

**Sponsors:** THE CHAIR

--SB-308/ *Deposit placement programs of public depositories.*  
AB-510

--SB-482/ *Lodging establishments and restricting a local government's*  
-- AB-617 *ability to prohibit or restrict an individual from renting his or her*  
*home.*

--AB-618/ *Outdoor advertising signs that are relocated because of state highway*  
*projects.*  
-- SB-493

**This meeting will be webcast live at [www.milwaukee.gov/channel25](http://www.milwaukee.gov/channel25).**

**Common Council members who are not members of this committee may attend this meeting to participate or to gather information. This meeting may constitute a meeting of the Common Council or any of its standing committees although no formal action will be taken at this meeting.**

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

**Parking for persons attending City Hall meetings is available at reduced rates (5 hour limit) at the Milwaukee Center (southwest corner of E. Kilbourn Ave. and N. Water St.) Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.**

**Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code are required to register with the City Clerk's License Division. Lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at [www.milwaukee.gov/lobby](http://www.milwaukee.gov/lobby).**



Legislation Details (With Text)

**File #:** 111471      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/28/2012      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution authorizing settlement of the claims raised by plaintiff, Michael A. Ramos, in the lawsuit entitled Michael A. Ramos v. Roger T. Walker, Gregory A. Koestering and Pamela Holmes.

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS PAYMENT

**Attachments:** Memo to Joanna Polanco.pdf, Cover Letter, Fiscal Impact Statement Settlement.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/28/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number  
111471  
Version  
Original  
Reference

Sponsor  
THE CHAIR  
Title

Resolution authorizing settlement of the claims raised by plaintiff, Michael A. Ramos, in the lawsuit entitled *Michael A. Ramos v. Roger T. Walker, Gregory A. Koestering and Pamela Holmes*.

Analysis

This resolution authorizes settlement of the claims raised by the plaintiff, Michael A. Ramos, in the lawsuit entitled *Michael A. Ramos v. Roger T. Walker, Gregory A. Koestering and Pamela Holmes*, Case No. 10-C-0847, for the total amount of \$30,000.00.

Body

Whereas, Plaintiff Michael A. Ramos filed a civil rights lawsuit against the City of Milwaukee and certain employees of the City of Milwaukee, Case No. 10-C-0847; and

Whereas, Michael A. Ramos and the City of Milwaukee mediated the case and have entered into an agreement to settle the claims raised by Mr. Ramos in the above-referenced lawsuit for the total amount of \$30,000.00; and

Whereas, The City Attorney recommends that the City of Milwaukee settle this lawsuit; now, therefore, be it



Resolved, By the Common Council of the City of Milwaukee, that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$30,000.00, payable to the order of Michael A. Ramos and the Fox & Fox, S.C. Trust Account, as soon as practicable, in full and final settlement of this lawsuit, said amount to be charged to the Damages and Claims Fund, Account No. 0001-1490-S118-006300; and, be it

Further Resolved, That for and in consideration of the above-referenced payments, Mr. Ramos will provide to the City a release of any and all claims arising out of or in any way related to the subject incident, and a stipulation and proposed order for dismissal of the claims he raised in the pending court action.

Requestor

City Attorney

Drafter

SEL:tas

February 21, 2012

1032-2010-3248:178248



800 City Hall, 200 E. Wells St., Milwaukee, WI 53202, Telephone 414-286-2601, Fax 414-286-8550

## MEMORANDUM

**TO:** Joanna Polanco, Staff Assistant  
Judiciary & Legislative Committee  
City Hall, Room 205

**FROM:** SUSAN E. LAPPEN, Assistant City Attorney

**DATE:** February 21, 2012

**RE:** *Ramos v. Walker, et al.*  
Case No. 10-C-0847

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We respectfully request that this matter be heard in closed session by the Judiciary and Legislative Committee when it convenes on March 6, 2012 at 1:30 p.m. A representative of our office will be in attendance at that meeting, to discuss the various factors involved with our recommendation of the proposed settlement, if necessary.

SEL:tas

1032-2010-3248:178247

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys



**THOMAS O. GARTNER**  
**SUSAN D. BICKERT**  
**STUART S. MUKAMAL**  
**THOMAS J. BEAMISH**  
**MAURITA F. HOUREN**  
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**ROBIN A. PEDERSON**  
**CHRISTINE M. QUINN**  
**MARGARET C. DAUN**  
**JEREMY R. MCKENZIE**  
**MARY L. SCHANNING**  
**PETER J. BLOCK**  
Assistant City Attorneys

February 21, 2012

To the Honorable  
Common Council of the  
City of Milwaukee  
Room 205 – City Hall

**Re: *Ramos v. Walker, et al.***  
**Case No. 10-C-0847**

Dear Council Members:

Enclosed is a proposed resolution and fiscal note authorizing payment of a settlement amount regarding the claims raised by Mr. Ramos in the above-referenced matter. We request that the enclosed documents also be referred to the appropriate committee or committees for review.

This case stems from the arrest of Mr. Ramos, which occurred on February 13, 2005. Mr. Ramos asserted that his arresting officers used excessive force during the arrest process, and that a sergeant on scene failed to intervene in their unlawful use of force. The defendants maintain that the force used by one of the arresting officers, Officer Walker, was reasonable, and that Sergeant Holmes actions were also lawful. However, the other officer, former Officer Koesterling, was fired by the police chief for using unreasonable force in arresting Mr. Ramos.

Discovery has been completed, and the case was recently mediated before the Honorable Patricia Gorence, of the United States District Court for the Eastern District of Wisconsin. Because of the unpredictability of trial, and the City's risk of exposure to not only compensatory damages, but also to punitive damages and attorney's fees, a settlement amount was negotiated during mediation. That amount was \$30,000.00. We

To the Honorable  
Common Council of the  
City of Milwaukee  
February 21, 2012  
Page 2

recommend that this matter be settled for that amount. Consistent with our recommendation, we have enclosed an appropriate resolution for your consideration.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

SUSAN E. LAPPEN  
Assistant City Attorney

SEL:tas

Enclosures

1032-2010-3248:178246



# City of Milwaukee Fiscal Impact Statement

**A** **Date** 2/21/2012 **File Number** \_\_\_\_\_  **Original**  **Substitute**

**Subject** Resolution authorizing settlement of the claims raised by Michael A. Ramos in the lawsuit entitled Michael A. Ramos v. Roger T. Walker, Gregory A. Koestering and Pamela Holmes, U.S. District Court Case No. 10-C-0847

**B** **Submitted By (Name/Title/Dept./Ext.)** Susan E. Lappen, Assistant City Attorney, Ext. 2628

**C** **This File**

- Increases or decreases previously authorized expenditures.
- Suspends expenditure authority.
- Increases or decreases city services.
- Authorizes a department to administer a program affecting the city's fiscal liability.
- Increases or decreases revenue.
- Requests an amendment to the salary or positions ordinance.
- Authorizes borrowing and related debt service.
- Authorizes contingent borrowing (authority only).
- Authorizes the expenditure of funds not authorized in adopted City Budget.

**D** **Charge To**

- Department Account
- Capital Projects Fund
- Debt Service
- Other (Specify) \_\_\_\_\_
- Contingent Fund
- Special Purpose Accounts
- Grant & Aid Accounts

	Purpose	Specify Type/Use	Expenditure	Revenue	
<b>E</b>	Salaries/Wages		\$0.00	\$0.00	
			\$0.00	\$0.00	
	Supplies/Materials		\$0.00	\$0.00	
			\$0.00	\$0.00	
	Equipment		\$0.00	\$0.00	
			\$0.00	\$0.00	
	Services		\$0.00	\$0.00	
			\$0.00	\$0.00	
	Other	Settlement of the Claims Raised by Michael A. Ramos, in the lawsuit entitled Michael A. Ramos v. Roger T. Walker, et al. Damages & Claims SPA		\$30,000.00	\$0.00
				\$0.00	\$0.00
	<b>TOTALS</b>		<b>\$30,000.00</b>	<b>\$ 0.00</b>	

**F** Assumptions used in arriving at fiscal estimate. \_\_\_\_\_

**G** For expenditures and revenues which will occur on an annual basis over several years check the appropriate box below and then list each item and dollar amount separately.

<input type="checkbox"/> 1-3 Years	<input type="checkbox"/> 3-5 Years	_____
<input type="checkbox"/> 1-3 Years	<input type="checkbox"/> 3-5 Years	_____
<input type="checkbox"/> 1-3 Years	<input type="checkbox"/> 3-5 Years	_____

**H** List any costs not included in Sections D and E above. \_\_\_\_\_

**I** Additional information. \_\_\_\_\_

**J** This Note  Was requested by committee chair.





Legislation Details (With Text)

**File #:** 111501      **Version:** 0  
**Type:** Resolution      **Status:** In Committee  
**File created:** 2/28/2012      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**

**Title:** Resolution authorizing payment of the claim of Dan and Deb Pollesch.

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS PAYMENT

**Attachments:** City Attorney Letter, Fiscal Impact Statement.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/28/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number  
111501  
Version  
ORIGINAL  
Reference

Sponsor  
THE CHAIR

Title  
Resolution authorizing payment of the claim of Dan and Deb Pollesch.

Analysis  
This resolution authorizes payment of the claim of Dan and Deb Pollesch in the amount of \$11,707.50.

Body  
Whereas, The claimants, Dan and Deb Pollesch, C.I. File No. 11-L-92, have filed a claim against the City of Milwaukee in the amount of \$13,011.68, and

Whereas, The City has agreed to settle the claim in the amount of \$11,707.50, and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to pay this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$ 11,707.50 , payable to the order of Dan and Deb Pollesch , 2916 North 82<sup>nd</sup> Street, Milwaukee, WI 53222, in full and final payment



of this claim, upon receipt of a release of claims, approved as to form and execution by the City attorney; said amount to be charged to the Water Department Liability Account 006300 - Fund No. 0410 - Organization 6410 - Program 2631 - Sub Class R643.

Requestor

City Attorney

Drafter

JAS:ms

February 22, 2012

1029-2011-2747:178403

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys



**THOMAS O. GARTNER**  
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**MARGARET C. DAUN**  
**JEREMY R. MCKENZIE**  
**MARY L. SCHANNINS**  
**PETER J. BLOCK**  
Assistant City Attorneys

February 22, 2012

To the Honorable Common Council  
Of the City of Milwaukee  
Room 205 – City Hall

Re: Resolution Relating to the Claim of Dan and Deb Pollesch  
C.I. File No. 11-L-92

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

Claimants, Dan and Deb Pollesch, 2916 North 82<sup>nd</sup> Street, Milwaukee, WI 53222 allege that a fire hydrant had been improperly installed in the 2900 block of North 82<sup>nd</sup> Street, and that as a result, the City sewer line was clogged. After some rain on June 21, 2011, the sewer backed up into their basement. They claim damages in the amount of \$13,011.68.

Our investigation reveals that the Milwaukee Water Works (MWW) records indicate that on June 21, 2011 they were engaged in activity to replace a fire hydrant at 2940 North 82<sup>nd</sup> Street. During this process, their distribution crew backfilled the excavation site with crushed limestone chips. They later blacktopped the area with a temporary asphalt patch. Subsequently, the Department of Public Works – Sewer Maintenance received and responded to several backwater complaints in the 2900 block of North 82<sup>nd</sup> Street. They determined that the City sewer was working properly and that sewer laterals in the area were clogged with gravel. The MWW crew was unaware that, due to heavy rains, some of the limestone chips had entered and clogged the laterals. This caused the back up into the claimant's basement.

Subsequently, the claimant's basement was inspected by our independent appraiser and the damages were reviewed. He evaluated the damages to be \$11,707.50. The claimants have agreed to accept this amount in settlement of their claim.

Honorable Common Council  
February 22, 2012  
Page 2

Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend settlement of this claim in the amount of \$11,707.50 and have enclosed an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:ms  
Enclosure  
1029-2011-2747:178401



# City of Milwaukee Fiscal Impact Statement

## A

**Date** February 22, 2012 **File Number** 111501  
**Subject** Resolution authorizing payment of the claim of Dan and Deb Pollesch; C.I. File No. 11-L-92

## B

**Submitted By (Name/Title/Dept./Ext.)** Jan A. Smokowicz, Assistant City Attorney, ext. 2601

## C

- This File**
- Increases or decreases previously authorized expenditures.
  - Suspends expenditure authority.
  - Increases or decreases city services.
  - Authorizes a department to administer a program affecting the city's fiscal liability.
  - Increases or decreases revenue.
  - Requests an amendment to the salary or positions ordinance.
  - Authorizes borrowing and related debt service.
  - Authorizes contingent borrowing (authority only).
  - Authorizes the expenditure of funds not authorized in adopted City Budget.

## D

**This Note**  Was requested by committee chair.

## E

**Charge To**

- Department Account
- Capital Projects Fund
- Debt Service
- Other (Specify) (DA) 006300-0410-6410-2631-R643 (Water Dept. Liability Account)
- Contingent Fund
- Special Purpose Accounts
- Grant & Aid Accounts

## F

Assumptions used in arriving at fiscal estimate.

---

**G**

Purpose	Specify Type/Use	Expenditure	Revenue
Salaries/Wages			
Supplies/Materials			
Equipment			
Services			
Other		\$11,707.50	
<b>TOTALS</b>		\$11,707.50	

**H**

For expenditures and revenues which will occur on an annual basis over several years check the appropriate box below and then list each item and dollar amount separately.

- 1-3 Years     3-5 Years    \_\_\_\_\_
- 1-3 Years     3-5 Years    \_\_\_\_\_
- 1-3 Years     3-5 Years    \_\_\_\_\_

**I**

List any costs not included in Sections E and F above.

---

**J**

Additional information.

---

CITY OF MILWAUKEE  
RECEIVED

To: City of Milwaukee

From: Dan & Deb Pollesch  
2916 N. 82<sup>nd</sup> St.  
Milwaukee, WI 53222

2011 OCT 26 PM 2:46

OFFICE OF  
CITY ATTORNEY

Re: Basement flooding in June 2011 at above address.

To Whom It May Concern:

Our basement got flooded by backup of the sewer system on 82<sup>nd</sup> St. due to city workers plugging our sewer line due to careless work. As a result we had over a foot of polluted water in our basement. As a result we lost all our carpeting, furniture, wood paneling, insulation and many, many personal affects. We have electric base board heating that we have no idea if it will ever work again.

We have no idea how to get this claim paid so we will start by saying we would like a total sum of

This total sum is made up of the amount for the following items:

Professional cleanup from Custom Craft Environmental totaling	\$9,551.66
Cost to re-panel 1709 sq ft of walls	\$1079.40
Carpeting of the room 21 X 12 that had been carpeted (252 sq ft)	\$236.88
Replace of used sofa and recliner	\$200.00
Inspection of furnace	\$75.00
Insulation on outer back basement walls (42x8, 42x4 = 504 sq ft)	\$168.74
Wet bar hardwood rebuild	\$?????

Personal items like baseball card collection, old yearbooks, old children's school art projects, Christmas tree and decorations, older pressboard furniture like dressers, computer table, shelving units, older history books in numerous boxes, a built-in wall heater and three wooden doors. (I have no idea how to price all these items) \$?????  
(minimum) TOTAL \$11,311.68

We do not want to make a profit from this event, but it is so hard put a price on all these items? We pay a good amount for property taxes and other fees to live in Milwaukee and just want what is fair for an event that should never have happened. This doesn't count the labor and time we spent hauling out all the wet, gross destroyed items. Thank you.





CITY OF MILWAUKEE  
RECEIVED

2011 OCT 26 PM 2:46

**"We Clean What Never Should Be Seen"** OFFICE OF  
CITY ATTORNEY

11200 W Cleveland Ave Suite E-7  
Milwaukee, WI 53227  
262-305-7221  
customcraftenvironmental@yahoo.com  
[www.customcraftenvironmental.com](http://www.customcraftenvironmental.com)

Job Contact: Dan Pollesch  
Phone: 414-581-1161  
E-mail: [dan@aefinance.com](mailto:dan@aefinance.com)

Job # 1556  
Lock Box: No

Job Address: 2916 N. 82<sup>nd</sup> St.  
Milwaukee, WI

Job Description: Mold Remediation / Structure Drying (Basement)

Method: Normal remediation protocol under negative pressure state with full PPE

Job Detail: Set up /monitor and maintain 2 (two) negative air machines or air scrubbers. Two units placed in basement. One Basement unit set up as negative air machines directly vented outside placing basement in a negative pressure or vacuum. The other unit set up as an air scrubber. This will help prevent any further cross contamination of spores to unaffected areas of home, also serves to clean air in home of all allergens and spores. Set up monitor/ maintain 7 (seven) dehumidifiers and 35 (thirty-five) fans in basement. This will dry out framing, subfloor, floor joists and concrete floor/walls in basement. Set up temporary power panel.

\*Failure to completely dry out structure will only cause mold to reoccur. Current moisture readings are extremely high in concrete and block walls. First floor subfloor also showed elevated moisture readings. Both penetrating and non-penetrating moisture meters were used as well as a thermo-hygrometer to measure humidity and temperature.



**“We Clean What Never Should Be Seen”**

11200 W Cleveland Ave Suite E-7  
 Milwaukee, WI 53227  
 262-305-7221  
 customcraftenvironmental@yahoo.com  
[www.customcraftenvironmental.com](http://www.customcraftenvironmental.com)

**Basement:** Remove all personal items with mold type growth.  
 Remove all shelving, plastic totes, boxes etc.  
 Hepa-vacuum all wood framing, walls, floors, sub floors and all surfaces in basement to remove mold type growth and potential spores in affected areas.  
 Spray all walls and floors and surfaces with Shock Wave, or Microban. The anti-bacterial, anti fungal, mildewstat, quaternary disinfectant, and deodorizer that will be used in this project.  
 Scrub all floor joists, floor decking and all other wood framing.  
 Scrub all concrete block walls and floor.  
 Scrub all walls and floors and surfaces in affected area with abrasive brushes or green scrub sponges.  
 Re-spray all areas with Shock Wave.  
 When all areas have dried, hepa-vac all surfaces once again.

<b>Duct Cleaning:</b>	Clean all duct work treat with Sporicidon Sanitizer	\$ 625.00
<b>Rentals:</b>	Two negative air machines @\$ 85.00 p/day x four (5) days	\$ 850.00
	Seven LGR dehumidifiers @ \$ 75.00 p/day x three (3) days	\$ 1,575.00
	Thirty-five blower fans @ \$25.00 p/day x three (3) days	\$ 2,625.00
<b>Remediation:</b>	Includes labor and PPE for demolition / remediation	
	Basement:	\$ 2,879.00
<b>Material:</b>	Materials and disinfectant	\$ 457.00
<b>Micro-biologist:</b>	Surface sample testing/spore trap air clearance testing	\$ 575.00
<b>*OPTIONAL*</b>	<b>**NOT INCLUDED **</b>	

Total:	\$ 9,011.00
Tax:	\$ 540.66
<b>Job Total:</b>	<b>\$ 9,551.66</b>





**“We Clean What Never Should Be Seen”**

11200 W Cleveland Ave Suite E-7  
Milwaukee, WI 53227  
262-305-7221  
customcraftenvironmental@yahoo.com  
www.customcraftenvironmental.com

Job Term: One half of contracted amount due on acceptance. Balance due upon completion and passing post remediation surface and air sample testing.

We the undersigned have read, understand, and agree with all above terms, conditions, and prices listed above.

\_\_\_\_\_, 2011  
Owner/ Agent

\_\_\_\_\_, 2011  
Custom Craft Environmental

*Thank you, For letting us serve you !!*



# PICKING LIST - GUEST COPY

STORE # 3173 GMTN  
W186 N9754 Appleton Ave.  
Germantown, WI 53022

PHONE: (262) 502-1641  
FAX: (262) 502-7851

CASHIER - PRESS RECALL TRANS  
AND SCAN BARCODE ==>

GMTN 05263



CASHIER:

PLEASE STAPLE  
RECEIPT HERE.

PAGE 1 OF 1

SOLD BY: KRIS D.  
DATE: 10/24/11

GUEST NAME - ADDRESS - PHONE

Pollesch, Dan  
2916 N 82nd  
Milwaukee, WI 53222  
Ph: (262) 512-9100

QUANTITY	DESCRIPTION	SKU NUMBER	UNIT PRICE	EXTENDED PRICE
1 EACH	HONEY PINE DPI	505-2037	17.99	17.99
1 EACH	HONEY BIRCH #119 DPI OQ50	505-3000	12.99	12.99

*Each panel covers 32 sq ft.  
Basement wall area to replace paneling  
is 1709 sq ft. I will need at least  
54 sheets, but with cuts and waste I  
think 60 minimum would be needed.*

*Two separate quotes*

*60 x 17.99 = \$1079.40  
60 x 12.99 = \$779.40*

*I am putting down the larger  
number as the (1970s) paneling  
it will be replacing was better  
made than what we have today.*

### TO AVOID PRODUCT NOT BEING AVAILABLE ON A LATER DATE PLEASE PICK UP ALL MERCHANDISE TODAY. THANK YOU.

This is a quote valid today. Upon payment this quote becomes a yard picking list subject to the terms and conditions below. Quantities listed above may exceed quantities available for immediate pick-up. Product is not held for a specific guest, but instead is available to the buying public on a first come, first serve basis. Please pickup all purchases made on this picking list immediately. Failure to pick up products on this picking list today will result in additional charge to you if, on the day of pick up, the retail price of the products are higher than on the day purchased. Menards liability to you is limited to refunding your original purchase price for any product not picked up.

#### Guest Instructions:

1. Take this picking list to a cashier to pay for the merchandise.
2. Enter the outside yard to pick up your merchandise. (All vehicles are subject to inspection.)
3. Load your merchandise. (Menards Team Members will gladly help you load your materials but cannot be held liable for damage to your vehicle.)
4. When exiting the yard, present this list to the Gate Guard. (The Gate Guard will record the items you are taking with you.)
5. Sign the Gate Guard's signature pad verifying you've received the merchandise.

PRE-TAX TOTAL: 30.98

Our insurance does not allow us to tie down or secure your load, trunk lid, etc. For your convenience, we supply twine, but you will have to decide whether or not your load is secure and if the twine supplied is strong enough. If you do not believe the twine will suffice, stronger material can be purchased inside the store.

**READ THE TERMS AND CONDITIONS CAREFULLY.** All returns are subject to Menards' posted return policy. In consideration for Menards low prices you agree that if any merchandise purchased by you is defective, Menards will agree to exchange the merchandise or refund the purchase price based on the form of original payment. You agree that there shall be no other remedy available to you. If there is a warranty provided by the manufacturer, that warranty shall govern your rights and Menards shall be selling the product "AS IS." Oral statements do not constitute warranties, and are not a part of this contract. The guest agrees to inspect all merchandise prior to installing or using it. **UNDER NO CIRCUMSTANCES SHALL MENARDS BE LIABLE FOR ANY SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES.** MENARDS MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE MERCHANDISE. Any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration administered by the American Arbitration Association under its applicable Consumer or Commercial Arbitration Rules, and judgments on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. The guest agrees to these terms and conditions through purchase of merchandise contained on this document.

**THIS IS NOT A RECEIPT**

**GATE GUARD - SCAN HERE ==>**





# PICKING LIST - GUEST COPY

STORE # 3173 GMTN      PHONE: (262) 502-1641  
W186 N9754 Appleton Ave.      FAX: (262) 502-7851  
Germantown, WI 53022

**CASHIER - PRESS RECALL TRANS  
AND SCAN BARCODE ==>**

GMTN 05269



**CASHIER:**

**PLEASE STAPLE  
RECEIPT HERE.**

**PAGE 1 OF 1**

GUEST NAME - ADDRESS - PHONE

pollesch, dan  
2916 north 82  
Milwaukee, WI 53222  
  
Ph: (414) 259-7860

SOLD BY: Willie P.  
DATE: 10/24/11

QUANTITY	DESCRIPTION	SKU NUMBER	UNIT PRICE	EXTENDED PRICE
8 CTN	QUICK FLOOR 18X18 CARPET TILE GREY 36	765-1804	21.24*	169.92
252 SQFT	PODIUM 12FT WOVEN CARPET PORCUPINE #3996	780-5200	0.94*	236.88

*Carpeting to cover  
252 sq ft.  
Two separate quotes*

**TO AVOID PRODUCT NOT BEING AVAILABLE ON A LATER DATE  
PLEASE PICK UP ALL MERCHANDISE TODAY. THANK YOU.**

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**Guest Instructions:**

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3. Load your merchandise. (Menards Team Members will gladly help you load your materials but cannot be held liable for damage to your vehicle.)
4. When exiting the yard, present this list to the Gate Guard. (The Gate Guard will record the items you are taking with you.)
5. Sign the Gate Guard's signature pad verifying you've received the merchandise.

**PRE-TAX TOTAL: 406.80**

Our insurance does not allow us to tie down or secure your load, trunk lid, etc. For your convenience, we supply twine, but you will have to decide whether or not your load is secure and if the twine supplied is strong enough. If you do not believe the twine will suffice, stronger material can be purchased inside the store.

**READ THE TERMS AND CONDITIONS CAREFULLY.** All returns are subject to Menards' posted return policy. In consideration for Menards low prices you agree that if any merchandise purchased by you is defective, Menards will agree to exchange the merchandise or refund the purchase price based on the form of original payment. You agree that there shall be no other remedy available to you. If there is a warranty provided by the manufacturer, that warranty shall govern your rights and Menards shall be selling the product "AS IS." Oral statements do not constitute warranties, and are not a part of this contract. The guest agrees to inspect all merchandise prior to installing or using it. **UNDER NO CIRCUMSTANCES SHALL MENARDS BE LIABLE FOR ANY SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES.** MENARDS MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE MERCHANDISE. Any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration administered by the American Arbitration Association under its applicable Consumer or Commercial Arbitration Rules, and judgments on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. The guest agrees to these terms and conditions through purchase of merchandise contained on this document.

**THIS IS NOT A RECEIPT**

**GATE GUARD - SCAN HERE ==>**





# PICKING LIST - GUEST COPY

STORE # 3173 GMTN      PHONE: (262) 502-1641  
W186 N9754 Appleton Ave.      FAX: (262) 502-7851  
Germantown, WI 53022

**CASHIER - PRESS RECALL TRANS  
AND SCAN BARCODE ==>**

GMTN 05275



PAGE 1 OF 1

**CASHIER:**

**PLEASE STAPLE  
RECEIPT HERE.**

SOLD BY: BILL A.  
DATE: 10/24/11

GUEST NAME - ADDRESS - PHONE  
pollesch, dan  
2916 north 82  
Milwaukee, WI 53222  
  
Ph: (414) 259-7860

QUANTITY	DESCRIPTION	SKU NUMBER	UNIT PRICE	EXTENDED PRICE
9 EACH	R13 3.5X23X32' KFT 91057361.33 SQ FT	161-7513	17.98*	161.82
13 EACH	R13 3.5X15.25X32' DRYRGHT40.7SF 900684	161-7540	12.98*	168.74

*Insulation needs  
to cover 504 sq. ft.*

*Two separate quotes*

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3. Load your merchandise. (Menards Team Members will gladly help you load your materials but cannot be held liable for damage to your vehicle.)
4. When exiting the yard, present this list to the Gate Guard. (The Gate Guard will record the items you are taking with you.)
5. Sign the Gate Guard's signature pad verifying you've received the merchandise.

PRE-TAX TOTAL: 330.56

Our insurance does not allow us to tie down or secure your load, trunk lid, etc. For your convenience, we supply twine, but you will have to decide whether or not your load is secure and if the twine supplied is strong enough. If you do not believe the twine will suffice, stronger material can be purchased inside the store.

**READ THE TERMS AND CONDITIONS CAREFULLY.** All returns are subject to Menards' posted return policy. In consideration for Menards low prices you agree that if any merchandise purchased by you is defective, Menards will agree to exchange the merchandise or refund the purchase price based on the form of original payment. You agree that there shall be no other remedy available to you. If there is a warranty provided by the manufacturer, that warranty shall govern your rights and Menards shall be selling the product "AS IS." Oral statements do not constitute warranties, and are not a part of this contract. The guest agrees to inspect all merchandise prior to installing or using it. **UNDER NO CIRCUMSTANCES SHALL MENARDS BE LIABLE FOR ANY SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES. MENARDS MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE MERCHANDISE.** Any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration administered by the American Arbitration Association under its applicable Consumer or Commercial Arbitration Rules, and judgments on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. The guest agrees to these terms and conditions through purchase of merchandise contained on this document.

**THIS IS NOT A RECEIPT**

**GATE GUARD - SCAN HERE ==>**



**Peterson, Todd**

---

**From:** Bohl, James  
**Sent:** Tuesday, June 28, 2011 2:46 PM  
**To:** Peterson, Todd  
**Subject:** FW: 2900 N. 82nd St. Flooding

Please forward a hard copy of this email to all of our constituents on 82<sup>nd</sup> St who reported a flooding incident last week. They should include this with their claim made to the city. I will still have the discussion with Water Works to see if they might be willing to handle this without the claims process, but am uncertain if this is legal/possible. Folk's should still file the claim within 120 days of the incident. Thanks, jb

---

**From:** Daniels, Laura  
**Sent:** Tuesday, June 28, 2011 2:14 PM  
**To:** Bohl, James  
**Cc:** Brooks, Robert  
**Subject:** RE: 2900 N. 82nd St. Flooding

Alderman,  
I am getting back to regarding your emails of today. I am working with Bob Brooks of Sewers about the ongoing sewer back up investigation in the 2900 block of N 82<sup>nd</sup> St.

What I can tell you thus far is that is that the Water Works did replace the hydrant at 2940 N 82<sup>nd</sup> Street on June 21, 2011. The hydrant which was originally installed with the water main in 1928, apparently had a 2" drain to the sewer. Not all hydrants of this vintage had drains and if they did, not all were connected to the sewer. However, when discovered these drains are to be disconnected and abandoned. The drain at this location was not visible or evident during the course of our excavating activities.

With that being said, Sewers is still investigating with dye tests and cameras to locate the possible cause of sewer backups in this area especially since they were reported to be ongoing annually since the 1990's.

Bob Brooks and I will keep you updated as soon as we know more.

Laura

---

**From:** Bohl, James  
**Sent:** Tuesday, June 28, 2011 8:46 AM  
**To:** Daniels, Laura  
**Cc:** Peterson, Todd  
**Subject:** 2900 N. 82nd St. Flooding

Laura,

Have you any update for me on the basement flooding investigation that I requested regarding the alleged back-ups on this street due to fill from a fire hydrant installation getting into the sanitary sewer? I'd appreciate your sharing anything you find here. Thanks, jb

6/28/2011

**COMMITTEES**

- Licenses, Chair
- Judiciary & Legislation
- Steering & Rules

**BOARD MEMBER**

- Milwaukee Survive Allve, Vice President
- VISIT Milwaukee

**JAMES A. BOHL, JR.**

Alderman, 5th District

July 22, 2011

Dear 5<sup>th</sup> District Resident:

I am writing to inform you that since the June 21st heavy rain and sewer back-up on North 82<sup>nd</sup> Street, I have been working closely with the Department of Public Works Infrastructure Services Division and the Milwaukee Water Works Department to ensure that your sewer is clean and in proper working order. Your street and the immediate area have borne the brunt of a number of flooding and sewer back-up issues over the past 3 years in particular. This most recent event was due to pea gravel coming thru an old hydrant drain, which happened as a result of City repair work. City crews have contacted multiple operations to ensure that the sewer is now free flowing and free of any impediments that would cause future problems.

Most recently, I spoke with Ms. Laura Daniels of Milwaukee Water Works who was responding to my call for an investigation into the incident. She has informed me the Water Works has corroborated the City's responsibility in this and will work to ensure any residents who damages incurred are reasonable compensated. In order to assess fair compensation for damages, the Water Works has asked that all residents file a claim against the City. Ms. Daniels has stated that the City attorney's office will process claims in an expeditious manner.

Enclosed you will find the instructions for filing a claim. Please submit your written statement, along with any information you have regarding the damages that may have incurred. Please include all photographs, estimates for repair and bills that you may have incurred. Please note in subsection (a) that you have 120 days to file a claim.

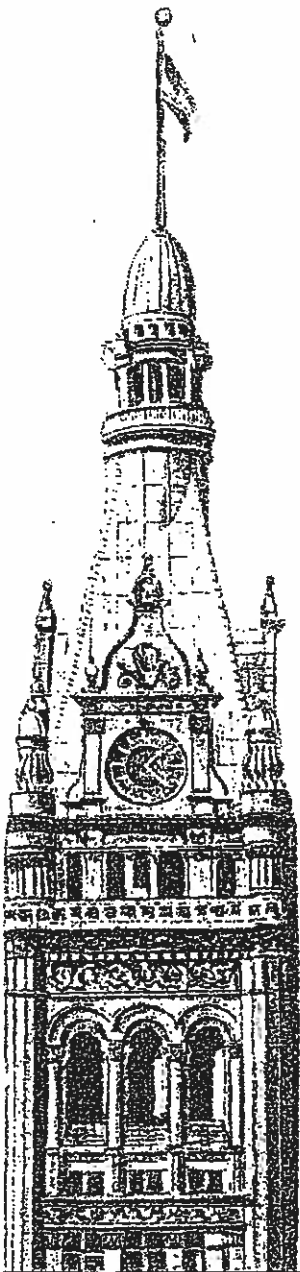
Should you have any additional questions, please feel free to contact me at 414-286-3870. It is a pleasure to serve you.

Sincerely,

A handwritten signature in black ink that reads 'Jim Bohl'.

Jim Bohl  
Alderman, 5th District

Enclosure







Legislation Details (With Text)

**File #:** 111502      **Version:** 0  
**Type:** Resolution      **Status:** In Committee  
**File created:** 2/28/2012      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**

**Title:** Resolution authorizing payment of the claim of Gerald and Karen Holton.

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS PAYMENT

**Attachments:** City Attorney Letter.pdf, Fiscal Impact Statement.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/28/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number  
111502  
Version  
ORIGINAL  
Reference

Sponsor  
THE CHAIR

Title  
Resolution authorizing payment of the claim of Gerald and Karen Holton.

Analysis  
This resolution authorizes payment of the claim of Gerald and Karen Holton in the amount of \$11,967.46.

Body  
Whereas, The claimants, Gerald and Karen Holton, C.I. File No. 11-L-86, have filed a claim against the City of Milwaukee in the amount of \$14,123.58, and

Whereas, The City has agreed to settle the claim in the amount of \$11,967.46, and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to pay this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$ 11,967.46 , payable to the order of Gerald and Karen Holton , W277 N865 Woodside Drive, Waukesha, WI 53188, in full and final



payment of this claim, upon receipt of a release of claims, approved as to form and execution by the City attorney; said amount to be charged to the Water Department Liability Account 006300 - Fund No. 0410 - Organization 6410 - Program 2631 - Sub Class R643.

Requestor

City Attorney

Drafter

JAS:ms

February 22, 2012

1029-2011-2684:178400

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys



**THOMAS O. GARTNER**  
**SUSAN D. BICKERT**  
**STUART S. MUKAMAL**  
**THOMAS J. BEAMISH**  
**MAURITA F. HOUREN**  
**JOHN J. HEINEN**  
**SUSAN E. LAPPEN**  
**JAN A. SMOKOWICZ**  
**PATRICIA A. FRICKER**  
**HEIDI WICK SPOERL**  
**KURT A. BEHLING**  
**GREGG C. HAGOPIAN**  
**ELLEN H. TANGEN**  
**MELANIE R. SWANK**  
**JAY A. UNORA**  
**DONALD L. SCHRIEFER**  
**EDWARD M. EHRlich**  
**LEONARD A. TOKUS**  
**MIRIAM R. HORWITZ**  
**MARYNELL REGAN**  
**G. O'SULLIVAN-CROWLEY**  
**KATHRYN Z. BLOCK**  
**ELOISA DE LEÓN**  
**ADAM B. STEPHENS**  
**KEVIN P. SULLIVAN**  
**BETH CONRADSON CLEARY**  
**THOMAS D. MILLER**  
**JARELY M. RUIZ**  
**ROBIN A. PEDERSON**  
**CHRISTINE M. QUINN**  
**MARGARET C. DAUN**  
**JEREMY R. MCKENZIE**  
**MARY L. SCHANNINS**  
**PETER J. BLOCK**  
Assistant City Attorneys

February 22, 2012

To the Honorable Common Council  
Of the City of Milwaukee  
Room 205 – City Hall

Re: Resolution Relating to the Claim of Gerald and Karen Holton  
C.I. File No. 11-L-86

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

Claimants, Gerald and Karen Holton, W277 N865 Woodside Drive, Waukesha, WI 53188 allege that a fire hydrant had been improperly installed in the 2900 block of North 82nd Street, and that as a result, the City sewer line was clogged. After some rain on June 21, 2011, the sewer backed up into the basement of their property located at 2935-37 North 82<sup>nd</sup> Street. They claim damages in the amount of \$14,123.58.

Our investigation reveals that the Milwaukee Water Works (MWW) records indicate that on June 21, 2011 they were engaged in activity to replace a fire hydrant at 2940 North 82<sup>nd</sup> Street. During this process, their distribution crew backfilled the excavation site with crushed limestone chips. They later blacktopped the area with a temporary asphalt patch. Subsequently, the Department of Public Works – Sewer Maintenance received and responded to several backwater complaints in the 2900 block of North 82<sup>nd</sup> Street. They determined that the City sewer was working properly and that sewer laterals in the area were clogged with gravel. The MWW crew was unaware that, due to heavy rains, some of the limestone chips had entered and clogged the laterals. This caused the back up into the claimant's basement.

Subsequently, the claimant's basement was inspected by our independent appraiser and the damages were reviewed. He evaluated the damages to be \$11,967.46. The claimants have agreed to accept this amount in settlement of their claim.

Honorable Common Council  
February 22, 2012  
Page 2

Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend settlement of this claim in the amount of \$11,967.46 and have enclosed an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:ms  
Enclosure  
1029-2011-2684:178399



# City of Milwaukee Fiscal Impact Statement

## A

**Date** February 22, 2012 **File Number** 111502  
**Subject** Resolution authorizing payment of the claim of Gerald and Karen Holton; C.I. File No. 11-L-86

## B

**Submitted By (Name/Title/Dept./Ext.)** Jan A. Smokowicz, Assistant City Attorney, ext. 2601

## C

- This File**
- Increases or decreases previously authorized expenditures.
  - Suspends expenditure authority.
  - Increases or decreases city services.
  - Authorizes a department to administer a program affecting the city's fiscal liability.
  - Increases or decreases revenue.
  - Requests an amendment to the salary or positions ordinance.
  - Authorizes borrowing and related debt service.
  - Authorizes contingent borrowing (authority only).
  - Authorizes the expenditure of funds not authorized in adopted City Budget.

## D

**This Note**  Was requested by committee chair.

## E

**Charge To**

- Department Account
- Capital Projects Fund
- Debt Service
- Other (Specify) (DA) 006300-0410-6410-2631-R643 (Water Dept. Liability Account)
- Contingent Fund
- Special Purpose Accounts
- Grant & Aid Accounts

## F

Assumptions used in arriving at fiscal estimate.

---

**G**

Purpose	Specify Type/Use	Expenditure	Revenue
Salaries/Wages			
Supplies/Materials			
Equipment			
Services			
Other		\$11,967.46	
<b>TOTALS</b>		\$11,967.46	

**H**

For expenditures and revenues which will occur on an annual basis over several years check the appropriate box below and then list each item and dollar amount separately.

- 1-3 Years     3-5 Years    \_\_\_\_\_
- 1-3 Years     3-5 Years    \_\_\_\_\_
- 1-3 Years     3-5 Years    \_\_\_\_\_

**I**

List any costs not included in Sections E and F above.

---

**J**

Additional information.

---

Gerard and Karen Holton  
W277 N865 Woodside Dr.  
Waukesha, WI 53188  
October 13, 2011

CITY OF MILWAUKEE  
2011 OCT 17 PM 12:49  
RONALD D. LEONHARDT  
CITY CLERK

City Clerk  
ATTN: CLAIMS  
City Of Milwaukee  
200 E. Wells St., Room 205  
Milwaukee, WI 53202

Dear City Clerk:

Please see the attached paperwork, including the pictures, about our claim against the city of Milwaukee per the instructions sent by the Alderman. This is in regards to the flooding of our property on June 21<sup>st</sup> 2011 (around 6:30pm) with the address 2935/2937 N. 82<sup>nd</sup> Street, due to an error in the installation of a city fire hydrant.

The nature of the situation is as follows: On June 21<sup>st</sup>, a heavy rain fall caused an excess amount of water into the city storm sewer system, which backed into our basement through the floor drain. After speaking to our Alderman, James A. Bohl, Jr., he informed us that it was due to pea gravel coming through an old hydrant drain, thus, clogging the sewer. An extensive amount of sewage flooded into the property basement, at an estimated height of 22-26 inches. (Please see attached pictures.) A sanitation company was immediately called to dry the space, sanitize, and cut out all dry-wall, doors, trim, etc... as shown in the invoice.

We are seeking reimbursement for the cost of cleaning/sanitizing, in addition to restoring the basement to the original condition prior to the flooding. As you can see from the estimate, the amount sought is \$12,823.59 Although the cleaning company was able to salvage our furnaces, we weren't able to find receipts for our tenants' washers and dryers as shown flooded (now ruined) in the pictures.

We appreciate you reviewing this claim, and are available for any further questions at 414-881-8436 (Gerard) or 608-792-9091 (Karen).

Sincerely,



Gerard I. Holton  
Property Owner  
414-881-8436

email: gerry.kid1@yahoo.com

OFFICE OF  
CITY ATTORNEY

2011 OCT 17 PM 3:58

CITY OF MILWAUKEE  
RECEIVED

# SIDELLO PROPERTY SERVICES

4864 South 10th Street  
 Milwaukee, WI 53221  
 (414) 482-7476 FAX (414) 482-7486

# INVOICE

DATE	INVOICE #
7/7/2011	11427

<b>BILL TO</b>
Gerry Holton W220 N865 Woodside Waukesha, WI 53188

<b>JOB NAME</b>
2937 N 82nd St. 2-Family House

<b>TERMS</b>
Due on receipt

QTY	DESCRIPTION	RATE	AMOUNT
	Mobilize, set up, and take down 1 large dehumidifier, 1 large HEPA air scrubber, and 2 air movers Remove all debris from basement per owner Remove all doors and jambs Remove drywall 24" from floor Wash floor and sanitize Clean and sanitize wood 2 x 4's 24" from floor		
	Labor 6/22/11 - 6/27/11	1,430.00	1,430.00T
	Materials:	47.50	47.50T
	Trucking, Dumping/landfill fee	260.00	260.00T
	Equipment Charges:		
6	Days - 2 air movers @ 25.61/mover	52.22	313.32T
6	Days - 1 HEPA Air Scrubber - Large	121.63	729.78T
	Add For HEPA Filter (Negative Air Exhaust Fan)	164.58	164.58T
6	Days - 1 Dehumidifier - Large	114.76	688.56T
	Clean and Decontamination of Equipment	148.00	148.00T
	Sales Tax	5.60%	211.78
<b>Total</b>			<b>\$3,993.52</b>



## Paul Davis Restoration & Remodeling

---

2000 S. 4th Street, Milwaukee, WI 53204  
PH: (414) 383-3131  
PH: (800) 954-2215  
Fax: (414) 383-3353  
Fed ID #39-1662830

**Insured:** Gerard Holton  
**Property:** 2935-37 N 82nd St  
Milwaukee, WI 53222

**Home:** (414) 881-8436  
**E-mail:** gerrykid1@yahoo.com

**Estimator:** Ben Stern  
**Business:** 2000 S 4th Street  
Milwaukee, WI 53204

**Business:** (414) 388-3665  
**E-mail:** bstern@pdr-usa.net

**Contractor:**  
**Company:** Paul Davis Restoration  
**Business:** 2000 S. 4th Street  
Milwaukee, WI 53204

**Business:** (414) 383-3131

**Claim Number:**

**Policy Number:**

**Type of Loss: Water Damage**

**Date Contacted:** 10/7/2011 3:00 PM

**Date of Loss:** 10/6/2011 11:00 AM

**Date Inspected:** 10/11/2011 4:00 PM

**Date Received:** 10/6/2011 12:00 PM

**Date Entered:** 10/12/2011 2:00 PM

**Price List:** WIMW7X\_OCT11  
Restoration/Service/Remodel

**Estimate:** 11990S





## **Paul Davis Restoration & Remodeling**

---

2000 S. 4th Street, Milwaukee, WI 53204  
PH: (414) 383-3131  
PH: (800) 954-2215  
Fax: (414) 383-3353  
Fed ID #39-1662830

### **Inspections**

The site was inspected on 10/11/11 as requested by the Property Owner, Gerard holton, to provide a causation report and a construction estimate for water damage.

### **Cause & Description**

The damage is due to a Sudden Occurrence. The City of Milwaukee's sewage main backed up on block of residence due to aggregate clog from road work.

### **Damage**

The resulting damage consists of but is not necessarily limited to: sewage contamination damage to finished basement including insulation, drywall, hardwood doors, casings, and baseboard, carpet and pad.

### **Estimate**

This estimate is intended to provide necessary repairs of the damages stated above. This estimate has been prepared using an industry recognized independent third-party pricing database which has proved reliable for the type of property repairs outlined.

### **Note**

The following estimate assumes that the affected building materials do not contain asbestos or lead. Samples may require testing prior to start of work. If asbestos or lead tests are positive, additional work will be required to complete work in compliance with environmental regulations and worker safety regulations.

### **Intention**

This document is intended to be the contract scope of work to be completed and will be part of and/or in addition to any signed contract between the Insured and PDR&R.

### **Business Hours**

This estimate is written with the assumption that the work will be performed during normal PDR&R business hours



# Paul Davis Restoration & Remodeling

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**11990S**  
**Main Level**

<b>Den</b>			<b>Height: 8'</b>
<b>Subroom 1: STAIRS</b>			<b>Height: Sloped</b>
<b>Missing Wall</b>	<b>2' 8" X 8'</b>	<b>Opens into DEN</b>	
<b>Missing Wall</b>	<b>2' 8" X 8'</b>	<b>Opens into STAIRS1</b>	
<b>Subroom 2: STAIRS1</b>			<b>Height: 17'</b>
<b>Missing Wall</b>	<b>2' 8" X 17'</b>	<b>Opens into STAIRS</b>	

DESCRIPTION	QNTY	UNIT COST	TOTAL
<b>Flooring</b>			
Carpet pad	241.00 SF @	0.53 =	127.73
Carpet	301.66 SF @	2.71 =	817.50
Step charge for "waterfall" carpet installation	13.00 EA @	3.83 =	49.79
Carpet - metal transition strip	6.00 LF @	2.86 =	17.16
<b>Walls</b>			
Batt insulation - 4" - R13	54.00 SF @	0.64 =	34.56
Drywall replacement per LF - up to 2' tall	83.77 LF @	5.37 =	449.84
Seal then paint the walls (2 coats) - 2 colors	649.71 SF @	0.62 =	402.82
<b>Moldings &amp; Doors</b>			
Interior door - solid oak - paneled - pre-hung unit	3.00 EA @	380.06 =	1,140.18
Casing - 2 1/4" stain grade	51.00 LF @	2.51 =	128.01
Stain & finish door slab only (per side)	6.00 EA @	32.64 =	195.84
Stain & finish casing	51.00 LF @	0.86 =	43.86
Door knob - interior	3.00 EA @	37.65 =	112.95

<b>Bedroom</b>			<b>Height: 8'</b>
<b>Subroom 1: CLOSET</b>			<b>Height: 8'</b>

DESCRIPTION	QNTY	UNIT COST	TOTAL
<b>Flooring</b>			
Carpet pad	144.30 SF @	0.53 =	76.48
Carpet	175.50 SF @	2.71 =	475.61
Carpet - metal transition strip	6.00 LF @	2.86 =	17.16
<b>Walls</b>			
Batt insulation - 4" - R13	51.50 SF @	0.64 =	32.96
Drywall replacement per LF - up to 2' tall	77.83 LF @	5.37 =	417.95
Seal then paint the walls (2 coats) - 2 colors	622.65 SF @	0.62 =	386.04
<b>Moldings &amp; Doors</b>			



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**CONTINUED - Bedroom**

DESCRIPTION	QNTY	UNIT COST	TOTAL
Interior door - solid oak - paneled - pre-hung unit	2.00 EA @	380.06 =	760.12
Casing - 2 1/4" stain grade	68.00 LF @	2.51 =	170.68
Stain & finish door slab only (per side)	5.00 EA @	32.64 =	163.20
Stain & finish casing	68.00 LF @	0.86 =	58.48
Door knob - interior	2.00 EA @	37.65 =	75.30

**General Conditions**

DESCRIPTION	QNTY	UNIT COST	TOTAL
Haul debris - per pickup truck load - including dump fees	1.00 EA @	103.65 =	103.65
Taxes, insurance, permits & fees (Bid item)	1.00 EA @		0.00
Final cleaning - construction - Residential	300.00 SF @	0.23 =	69.00

**Adjustments for Base Service Charges**

	Adjustment
Carpenter - Finish, Trim/Cabinet	117.30
Cleaning Technician	55.72
Drywall Installer/Finisher	234.60
Flooring Installer	100.36
Hardware Installer	107.12
Insulation Installer	117.18
Painter	84.56
<b>Total Adjustments for Base Service Charges:</b>	<b>816.84</b>
<b>Line Item Totals: 11990S</b>	<b>7,143.71</b>



## Paul Davis Restoration & Remodeling

---

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### Grand Total Areas:

1,953.69 SF Walls	679.29 SF Ceiling	2,632.98 SF Walls and Ceiling
691.00 SF Floor	76.78 SY Flooring	246.77 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	247.72 LF Ceil. Perimeter
691.00 Floor Area	730.44 Total Area	1,674.65 Interior Wall Area
948.00 Exterior Wall Area	105.33 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



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### Summary for Dwelling

Line Item Total				6,326.87
Total Adjustments for Base Service Charges				816.84
Material Sales Tax	@	5.600% x	3,708.73	207.69
				<hr/>
				7,351.40
Overhead	@	10.0% x	7,351.40	735.14
Profit	@	10.0% x	7,351.40	735.14
Service Sales Tax	@	5.600% x	149.66	8.38
				<hr/>
Replacement Cost Value				\$8,830.06
Net Claim				<u>\$8,830.06</u>

---

Ben Stern



## Handy Restoration & Remodeling

2000 S. 4th Street, Milwaukee, WI 53204

PH: (414) 387-0771

PH: (800) 954-2215

FAX: (414) 387-0771

PH: (414) 387-0771

### Recap by Category

O&P Items		Total	%
CLEANING		69.00	0.78%
GENERAL DEMOLITION		103.65	1.17%
DOORS		1,900.30	21.52%
DRYWALL		867.70	9.82%
FLOOR COVERING - CARPET		1,581.43	17.91%
FINISH CARPENTRY / TRIMWORK		298.69	3.38%
FINISH HARDWARE		188.25	2.13%
INSULATION		67.52	0.76%
PAINTING		1,250.24	14.16%
O&P Items Subtotal		6,326.87	71.65%
Base Service Charges		816.84	9.25%
Material Sales Tax	@ 5.600%	207.69	2.35%
Overhead	@ 10.0%	735.14	8.33%
Profit	@ 10.0%	735.14	8.33%
Service Sales Tax	@ 5.600%	8.38	0.09%
Total		8,830.06	100.00%

# SIDELLO

PROPERTY SERVICES

4864 South 10<sup>th</sup> Street  
Milwaukee, WI 53221-2412

Phone (414) 482-7476  
Fax (414) 482-7486

## PROPOSAL

TO: Gerry Holton  
W220 N 865 Woodside Dr  
Waukesha, WI 53188

DATE: July 27, 2011

PROPOSAL # JK07272011

PHONE # 414-482-7476  
FAX # 414-482-7486

<b>JOB NAME:</b> Single family home	<b>LOCATION:</b> 2937 N. 82nd Street
-------------------------------------	--------------------------------------

We hereby submit specifications and estimates for:

- Insulate all outside walls 24" from floor
- Drywall, tape and finish with spray 24" from floor
- Match texture as close as possible
- Install 5 new 6-panel doors with trim on both sides (Pre-finished)
- Install new wood base in finished basement
- Prime and paint new drywall
- Paint all block walls in basement to owners selected color
- Paint all stairs from basement to back door

Labor and Materials.....\$9,465.00

NOTE: Bid does not include carpet

**NOTE:** Please read over proposal carefully. Every attempt has been made to include all work that had been discussed between both parties. However, sometimes items may be left out or missed. Only items on the proposal are what is included with the proposal and the cost.

(All prices are subject to sales tax if applicable)

We propose hereby to furnish material and labor complete in accordance with these specifications, for the sum of: \_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_)

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature: \_\_\_\_\_

\*\*\*This proposal may be withdrawn by us if not accepted within 30 days\*\*\*

Payable upon completion

**Acceptance of proposal – The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**COMMITTEES**

- Licenses, Chair
- Judiciary & Legislation
- Steering & Rules

**BOARD MEMBER**

- Milwaukee Survive Alive, Vice President
- VISIT Milwaukee



**JAMES A. BOHL, JR.**  
Alderman, 5th District

July 22, 2011

Dear 5<sup>th</sup> District Resident:

I am writing to inform you that since the June 21st heavy rain and sewer back-up on North 82<sup>nd</sup> Street, I have been working closely with the Department of Public Works Infrastructure Services Division and the Milwaukee Water Works Department to ensure that your sewer is clean and in proper working order. Your street and the immediate area have borne the brunt of a number of flooding and sewer back-up issues over the past 3 years in particular. This most recent event was due to pea gravel coming thru an old hydrant drain, which happened as a result of City repair work. City crews have contacted multiple operations to ensure that the sewer is now free flowing and free of any impediments that would cause future problems.

Most recently, I spoke with Ms. Laura Daniels of Milwaukee Water Works who was responding to my call for an investigation into the incident. She has informed me the Water Works has corroborated the City's responsibility in this and will work to ensure any residents who damages incurred are reasonable compensated. In order to assess fair compensation for damages, the Water Works has asked that all residents file a claim against the City. Ms. Daniels has stated that the City attorney's office will process claims in an expeditious manner.

Enclosed you will find the instructions for filing a claim. Please submit your written statement, along with any information you have regarding the damages that may have incurred. Please include all photographs, estimates for repair and bills that you may have incurred. Please note in subsection (a) that you have 120 days to file a claim.

Should you have any additional questions, please feel free to contact me at 414-286-3870. It is a pleasure to serve you.

Sincerely,

A handwritten signature in black ink that reads "Jim Bohl".

Jim Bohl  
Alderman, 5th District

Enclosure





**Peterson, Todd**

---

**From:** Bohl, James  
**Sent:** Tuesday, June 28, 2011 2:46 PM  
**To:** Peterson, Todd  
**Subject:** FW: 2900 N. 82nd St. Flooding

Please forward a hard copy of this email to all of our constituents on 82<sup>nd</sup> St who reported a flooding incident last week. They should include this with their claim made to the city. I will still have the discussion with Water Works to see if they might be willing to handle this without the claims process, but am uncertain if this is legal/possible. Folk's should still file the claim within 120 days of the incident. Thanks, jb

---

**From:** Daniels, Laura  
**Sent:** Tuesday, June 28, 2011 2:14 PM  
**To:** Bohl, James  
**Cc:** Brocks, Robert  
**Subject:** RE: 2900 N. 82nd St. Flooding

Alderman,

I am getting back to regarding your emails of today. I am working with Bob Brooks of Sewers about the ongoing sewer back up investigation in the 2900 block of N 82<sup>nd</sup> St.

What I can tell you thus far is that is that the Water Works did replace the hydrant at 2940 N 82<sup>nd</sup> Street on June 21, 2011. The hydrant which was originally installed with the water main in 1928, apparently had a 2" drain to the sewer. Not all hydrants of this vintage had drains and if they did, not all were connected to the sewer. However, when discovered these drains are to be disconnected and abandoned. The drain at this location was not visible or evident during the course of our excavating activities.

With that being said, Sewers is still investigating with dye tests and cameras to locate the possible cause of sewer backups in this area especially since they were reported to be ongoing annually since the 1990's.

Bob Brooks and I will keep you updated as soon as we know more.

Laura

---

**From:** Bohl, James  
**Sent:** Tuesday, June 28, 2011 8:46 AM  
**To:** Daniels, Laura  
**Cc:** Peterson, Todd  
**Subject:** 2900 N. 82nd St. Flooding

Laura,

Have you any update for me on the basement flooding investigation that I requested regarding the alleged back-ups on this street due to fill from a fire hydrant installation getting into the sanitary sewer? I'd appreciate your sharing anything you find here. Thanks, jb

6/28/2011

**Peterson, Todd**

---

**From:** Bohl, James  
**Sent:** Wednesday, June 22, 2011 3:11 PM  
**To:** Lewis, Carrie; Daniels, Laura; Peterson, Todd  
**Subject:** FW: enough  
Carrie/Laura,

With what was shared with me it would appear that there may be some culpability on the part of the Water Works for a faulty installation of a hydrant that lead to several basement backwaters on the 2900 block of N. 82<sup>nd</sup> St. I would like to request your investigation of this matter, with the additional request that if found to be true that the Water Works compensate residents fairly for any damage or loss due to basement flooding.

I'd appreciate hearing back from you on any findings. Thanks much, jb

---

**From:** Brooks, Robert  
**Sent:** Wednesday, June 22, 2011 2:59 PM  
**To:** Goldapp, Dave  
**Cc:** Daniels, Laura; Bohl, James; Aquino, Martin; Thur, Timothy  
**Subject:** FW: enough

Laura/Dave,

Below are our findings after we televised the city's main sewer in the 2900 block of North 82nd Street.

Bob - 3241

---

**From:** Rosolek, Mark  
**Sent:** Wed 6/22/2011 1:45 PM  
**To:** Brooks, Robert; Stewart, Anthony  
**Subject:** 2836 N 82nd St

Bob,

We will bulkhead the 2" weep hole in the MH @ 2936 N 82nd St ASAP. The sewer was clogged on 6/21/11 due to pea gravel coming thru the old hydrant drain. We will also have someone take a look @ the inlet. Ben Glatzel from the Water Dept. reports that the curb box was sinking even before they began their work. There were several backwaters in this block due to pea gravel from a water department hydrant installation. There is no problem with the city's main sewer.

Thanks,

Mark Rosolek  
City of Milwaukee  
Mark.Rosolek@milwaukee.gov  
414-286-3786

---

**From:** Bohl, James  
**Sent:** Wed 6/22/2011 1:00 PM  
**To:** [REDACTED]

6/22/2011

They also handed all of us a sheet of paper asking us to fill it out and get it back to the City, along with photos of the mess. The crew stressed several times that it was the main sewer drain that was the issue. If so, that might explain why we have had yearly, and sometimes twice-yearly, basement backups. Since 1996 I and many neighbors on the block have had this problem *almost every year*.

What a horrible mess....but thanks for your note.

On Wed, Jun 22, 2011 at 8:41 AM, Bohl, James <[jbohl@milwaukee.gov](mailto:jbohl@milwaukee.gov)> wrote:  
Dan,

Sorry this happened to you.

The biggest problem is the laterals in the area homes that are now going on nearly 70 years old, are made of clay and have cracked significantly since the 50's where they were not cracked. The problem has been studied at numerous sites and has been confirmed that private properties with faulty laterals is the biggest single contributing factor. That is a fix that residents are required to make on their own dime, per code. Of course there are public main sources that are contributing as well.

I have been extremely active on this topic. I have pushed DPW for city mains being replaced in the larger area, including one on Locust where the work will be done this summer to improve flow for residents in the area. I also pushed for the city's one major demonstration pilot project to be in our area. I chaired the city's recently completed task force that will call for major city and MMSD assistance to homeowners to relieve the lateral problem and foundation drain problem (pre-1955 plumbing code for some dumb reason allowed foundation drains to drain into the sanitary sewer and this needs to be corrected as it also is allowing massive amounts of rainwater to overflow the sanitary sewer system). I've attached some articles that spell out part of the problem and some of my active roll on this issue.

In terms of get it done, this will take the active roll of the Mayor as well as my colleagues on the council. Task forces are advisory. Changes need the active leadership of the Mayor putting things in his budget along with the majority vote of the Council. My vote will be going in the proper places for proper fixes. I can only hope that others on the Council will join me.

Best, jb

<http://www.jsonline.com/news/opinion/103354104.html>

<http://city.milwaukee.gov/ImageLibrary/Groups/ccCouncil/2011-PDF/05-FloodingStudyTaskForcetoVot.pdf>

<http://city.milwaukee.gov/ImageLibrary/Groups/ccCouncil/2011-PDF/05-FloodingTaskForcercstocmte.pdf>

<http://www.jsonline.com/news/milwaukee/124167959.html>

---

**From:** [REDACTED]  
**Sent:** Tuesday, June 21, 2011 9:08 PM  
**To:** Bohl, James  
**Subject:** enough

Dear Jim:

Forgive me, Jim, but have had it with these floods in my basement.

6/22/2011





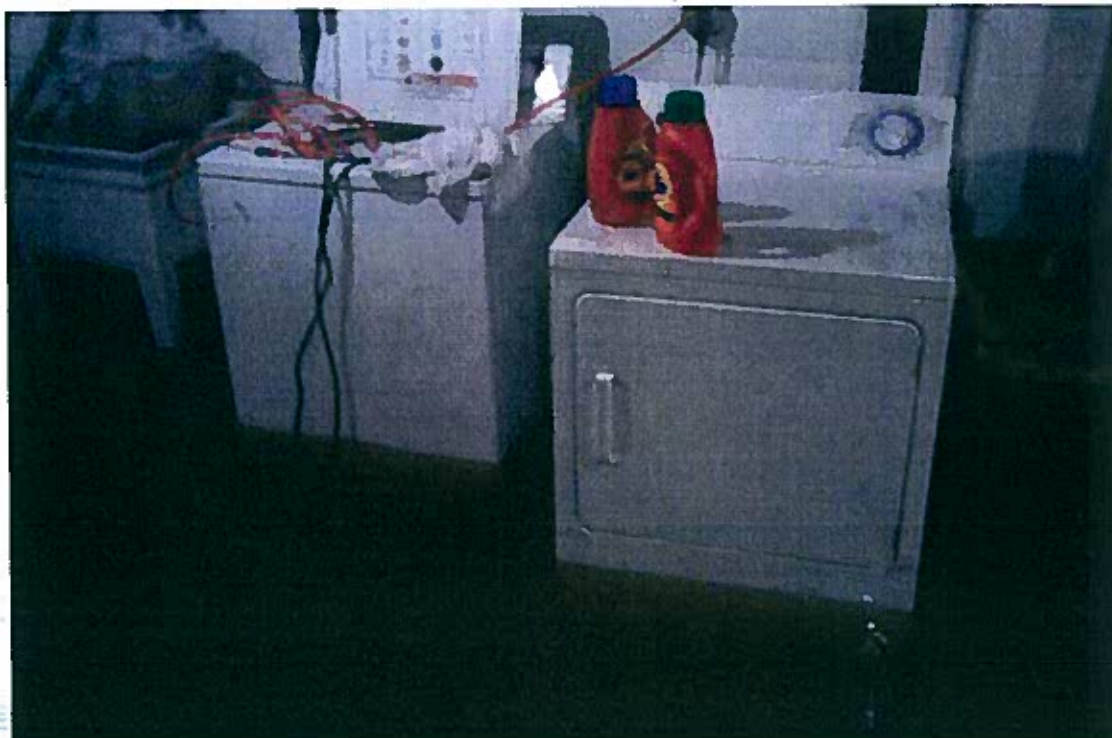
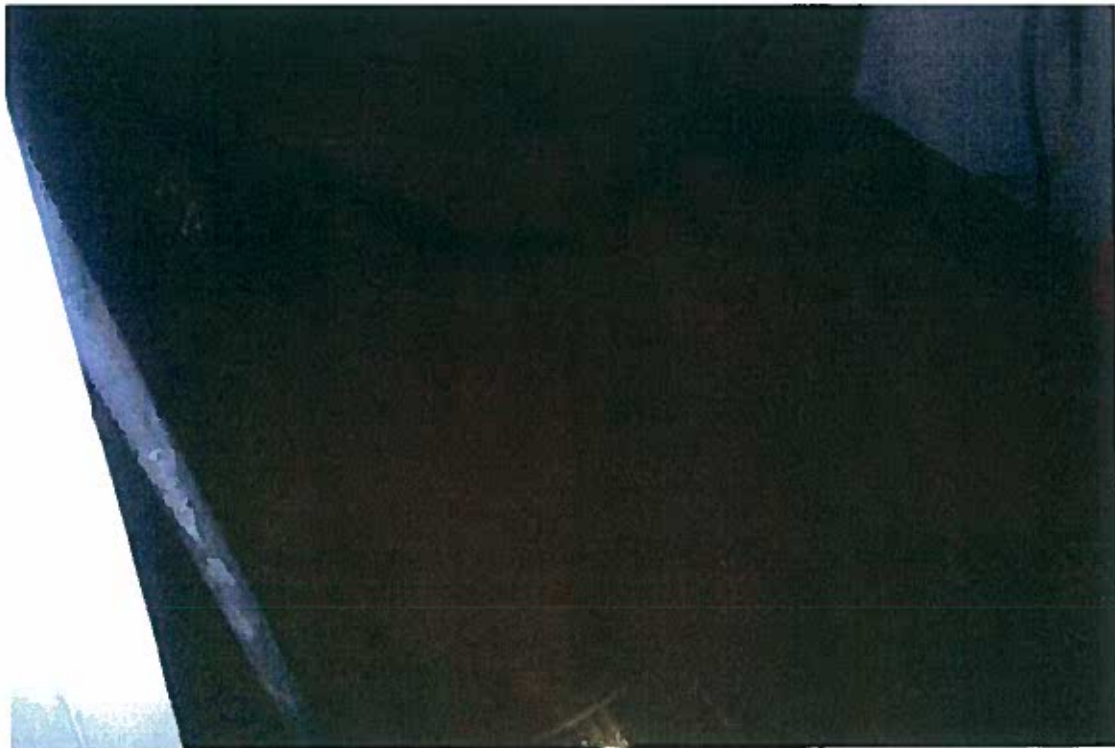




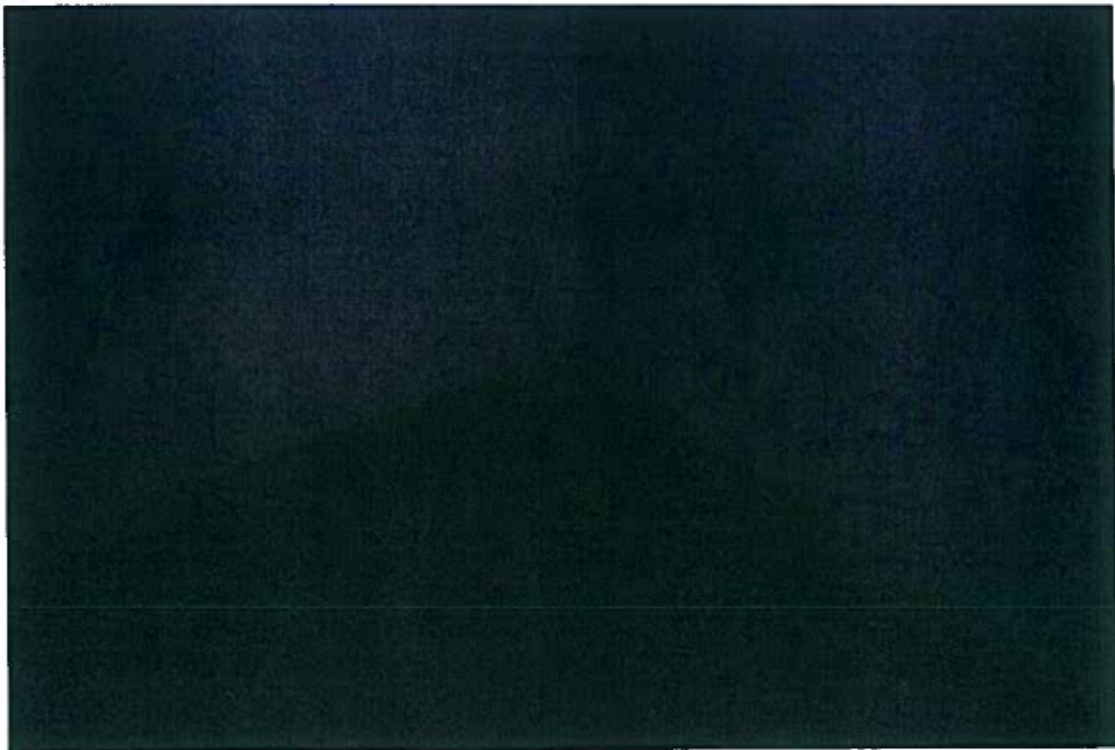




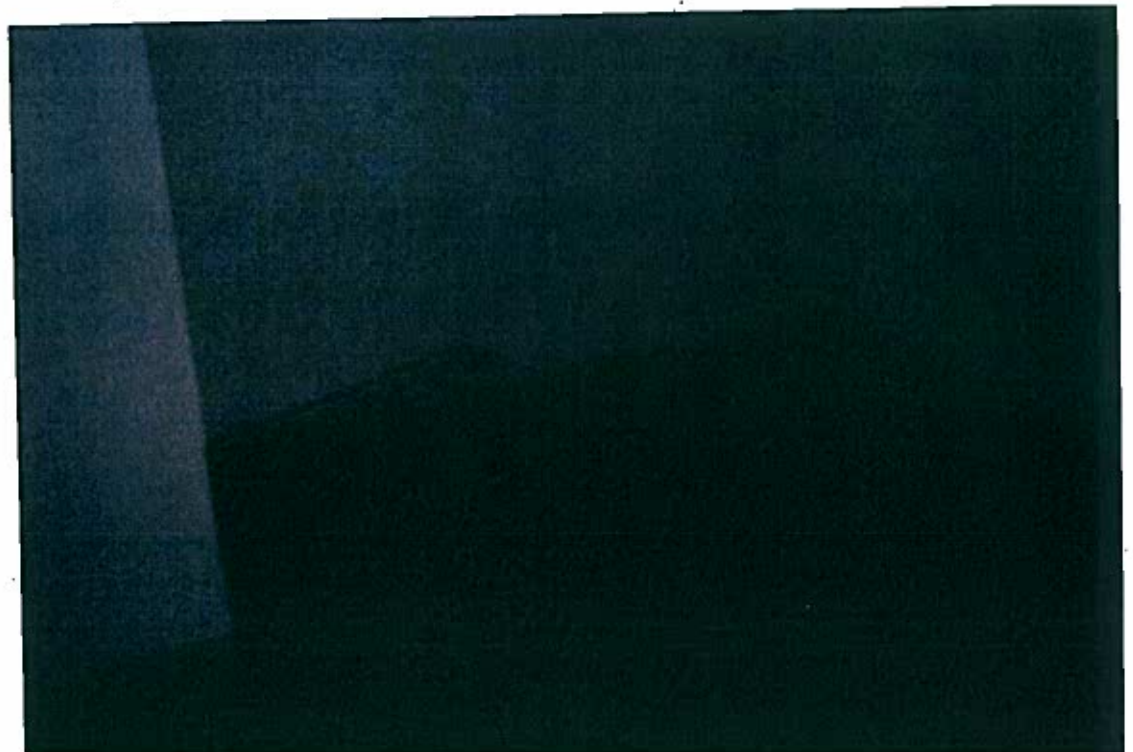
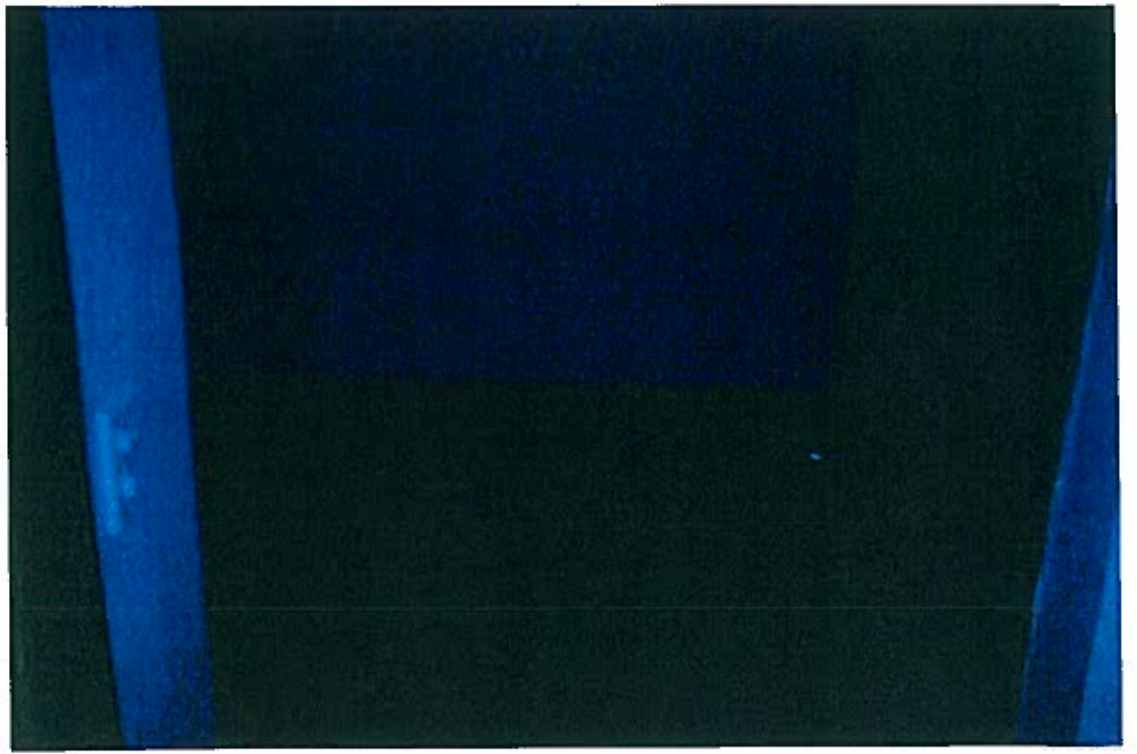




















Legislation Details (With Text)

**File #:** 111517      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/28/2012      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution urging Governor Scott Walker to use the mortgage settlement funding for its intended purposes.

**Sponsors:** ALD. COGGS

**Indexes:** STATE LEGISLATION

**Attachments:** Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/28/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

111517

**Version**

ORIGINAL

**Reference**

Sponsor

ALD. COGGS

**Title**

Resolution urging Governor Scott Walker to use the mortgage settlement funding for its intended purposes.

**Requestor**

Drafter

LRB137292-1

Rich Watt

2/28/2012



..Number

111517

..Version

SUBSTITUTE 1

..Reference

..Sponsor

ALD. COGGS

..Title

Substitute resolution urging Governor Scott Walker and Attorney General J.B. Van Hollen to use the foreclosure settlement funding for programs directly related to foreclosure issues.

..Analysis

As a result of a tentative \$25 billion settlement between the federal government, 49 states and the District of Columbia, and the nation's five largest mortgage servicers, Wisconsin is projected to receive an estimated \$141 million intended to provide direct relief for affected homeowners, refinancing benefits for eligible borrowers, and remediation programs and services. Rather than use all the funds for programs directly related to foreclosure issues, Governor Scott Walker and Attorney General J.B. Van Hollen announced their intent to direct \$25.6 million to help balance the state budget. The six zip code areas in the state which have been most affected by the foreclosure crisis are in the city of Milwaukee. This resolution urges the Attorney General and the Governor to use the foreclosure settlement monies for funding programs directly related to foreclosure issues in the most affected areas of the state.

..Body

Whereas, The federal government and 49 state attorneys general reached a \$25 billion settlement agreement with the five largest mortgage servicers to address mortgage loan servicing and foreclosure abuses; and

Whereas, The joint agreement is the largest federal-state civil settlement ever obtained and is the result of extensive investigations by federal agencies, including the Department of Justice, the Department of Housing and Urban Development (HUD) and the HUD Office of the Inspector General, and state attorneys general and state banking regulators across the country; and

Whereas, The partnership between the states and the federal agencies made it possible to achieve favorable terms and conditions that would have been difficult for the states or the federal government to achieve on their own; and

Whereas, The agreement requires servicers to implement comprehensive new mortgage loan servicing standards and to commit \$25 billion to resolve violations

of state and federal law, including servicers' use of "robo-signed" affidavits in foreclosure proceedings, deceptive practices in the offering of loan modifications, failures to offer non-foreclosure alternatives before foreclosing on borrowers with federally insured mortgages and filing improper documentation in federal bankruptcy court; and

Whereas, The servicers are required to collectively dedicate \$20 billion toward various forms of financial relief to borrowers, with \$10 billion for reducing the principal on loans for borrowers who are either delinquent or at imminent risk of default and owe more on their mortgages than their homes are worth, \$3 billion for refinancing loans for borrowers who are current on their mortgages but who owe more on their mortgages than their homes are worth, and \$7 billion for other forms of relief, including forbearance of principal for unemployed borrowers, anti-bligh programs, short sales and transitional assistance, benefits for service members who are forced to sell their homes at a loss as a result of a Permanent Change in Station order, and other programs; and

Whereas, In addition to the \$20 billion in financial relief for borrowers, the agreement requires the servicers to pay \$5 billion in cash to the federal and state governments to be used to fund housing counselors, legal aid and other public programs aimed to remediate the damages caused by the practices of the lenders; and

Whereas, The state will receive a \$141 million from the banks to help cities and people affected by the foreclosure crisis; and

Whereas, Of the \$141 million received by the state, Wisconsin Attorney General J.P. Van Hollen has sole authority to determine the use of \$31.6 million, and of that \$31.6 million, the governor and attorney general are proposing to use \$25.6 million as a one-time budget fix; and

Whereas, Between 2008 and 2010, almost 16,000 Milwaukee property owners defaulted on their mortgage payments, and another 6,000 homes in the city are in the foreclosure process; and

Whereas, The illegal practices of the lenders in this settlement have led to a large increase in abandoned buildings in the city, resulting in increased calls for police services, higher incidence of fires, both accidental and intentional, and decline and disinvestment in neighborhoods; and

Whereas, The city has approximately 4,800 vacant and abandoned properties that would cost about \$48 million to tear down or stabilize; and

Whereas, The monies received by the state could be utilized to stabilize some of the abandoned properties, saving housing stock in the hardest-hit areas and reducing the negative effect of the abandoned buildings; and

Whereas, The six zip code areas in the state which have been most affected by the foreclosure crisis are in the city of Milwaukee; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council urges Attorney General J.B. Van Hollen and Governor Scott Walker to use the foreclosure settlement funding for its intended purposes of remediating the effects of the foreclosure crisis in the areas affected most; and, be it

Further Resolved, That the City Clerk shall send copies of this resolution to Governor Scott Walker and Attorney General J.B. Van Hollen.

..Requestor

..Drafter  
LRB137292-2  
Rich Watt  
2/29/2012





Legislation Details (With Text)

**File #:** 111455      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 2/28/2012      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 3019 W. Lincoln Ave, in the 8th Aldermanic District to its former owner. (Amelia Avila)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Application, DCD letter, Treasurer Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/28/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number  
111455  
Version  
SUBSTITUTE 1  
Sponsor  
THE CHAIR  
Title

Substitute resolution authorizing the return of real estate located at 3019 W. Lincoln Ave, in the 8th Aldermanic District to its former owner. (Amelia Avila)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 3019 W. Lincoln Ave, previously owned by Amelia Avila, has delinquent taxes for 2009-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated January 30, 2012 111455; and

Whereas, Amelia Avila would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since January 30; and

Whereas, Amelia Avila has agreed to pay all related city charges up until the point that the property is returned,

as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3019 W. Lincoln Ave, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV-15030 known as the 2011-04 In Rem Parcel 239, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

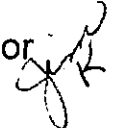
Drafter  
CC CC  
Jp3112



**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

February 13, 2012

To: Milwaukee Common Council  
City Hall, Room 205

From: James F. Klajbor   
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 495-0170-000-1  
Address: 3019 3019 W LINCOLN AV  
Owner Name: AMELIA E AVILA  
Applicant/Requester: AMELIA E AVILA  
2011-4 Inrem File  
Parcel: 239  
Case: 11CV-15030

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 1/30/2012.

JFK/ku

# REQUEST FOR VACATION OF IN REM JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

## APPLICANT INFORMATION:

A. PROPERTY ADDRESS 3019 W Lincoln Ave  
TAXKEY NUMBER 495 0170 - 1  
NAME OF APPLICANT Amelia Avila  
MAILING ADDRESS 3019 W Lincoln Ave 306-1511  
Milw WI 53215 414 736570  
CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES  NO

If no, describe interest in this property \_\_\_\_\_

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

No

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES  NO

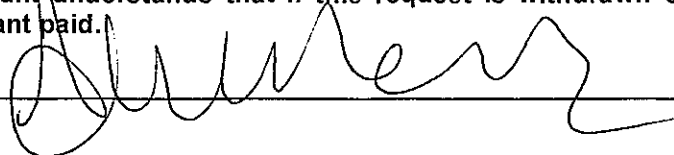
E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES  NO

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc, while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE



DATE

2-



Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>		<u>Dollar Amount</u>
1910		Delinquent Tax Collection	
	1911	City Treasurer Costs	220.00
	1912	DCD Costs	450.00
	1913	City Clerk Costs	200.00
	1914	City Attorney Costs	500.00
		Grand Total	<b>1,370.00</b>

Date 2/8/2012

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 4  
Taxkey Number: 495-0170-000 - 1  
Property Address: 3019 3019 W LINCOLN AV  
Owner Name AMELIA E AVILA

Applicant: AMELIA E AVILA

Parcel Number: 239  
CaseNumber: 11CV-15030



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

February 29, 2012

Ms. Joanna Polanco, Staff Assistant  
Judiciary & Legislation Committee  
Room 205, City Hall  
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 111455  
3019 West Lincoln Avenue

The Department of City Development reports that the tax foreclosed property located at 3019 West Lincoln Avenue, Tax Key No. 495-0170-000-1, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied. Administrative costs incurred by our Department total \$450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Clifton W. Crump  
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service  
K. Sullivan, City Attorney's Office



## **Office of the City Treasurer**

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

March 2, 2012

To: Milwaukee Common Council  
Room 205, City Hall

From: James F. Klajbor, City Treasurer  
Office of the City Treasurer

Re: 111455 Reopening and Vacating InRem Judgment  
Tax Key No.: 495-0170-000-1  
Address: 3019 W LINCOLN AV  
Owner Name: AMELIA E AVILA  
Applicant/Requester: AMELIA E AVILA  
2011-4 in rem, Parcel: 239  
Case: 11CV-15030, Acquired: 1/30/2012

---

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN MAR</b>	<b>IF PAID BY APR 19, 2012</b>
2009-2011	\$5,900.21	\$5,900.21
Interest	\$709.48	\$768.47
Penalty	\$354.73	\$384.24
<b>TOTAL*</b>	<b>\$6,964.42</b>	<b>\$7,052.92</b>

**\*The above figures may change prior to payment due to possible additional costs.**

JFK/slk



**Department of Neighborhood Services**  
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg  
Commissioner  
Thomas G. Mishefske  
Operations Manager

March 5, 2012

Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

Re: File No. 111455  
Address 3019 W Lincoln Av

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen  
Business Operations Manager





Legislation Details (With Text)

**File #:** 111454      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 2/28/2012      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 3601 W. Clarke St, in the 15th Aldermanic District to its former owner. (Peter Butzer, Agent)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Application, DCD letter, Treasurer Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/28/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number  
111454  
Version  
SUBSTITUTE 1  
Sponsor  
THE CHAIR

Title  
Substitute resolution authorizing the return of real estate located at 3601 W. Clarke St, in the 15th Aldermanic District to its former owner. (Peter Butzer, Agent)

Analysis  
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body  
Whereas, The property located at 3601 W. Clarke St, previously owned by Peer Butzer, Agent, has delinquent taxes for 2008-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated November 14, 2011 111454; and

Whereas, Peer Butzer, Agent would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since November 14; and

Whereas, Peer Butzer, Agent has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office,

as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3601 W. Clarke St, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV-11374 known as the 2011-3 In Rem Parcel 190, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

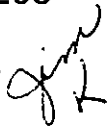
Jp3112



**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

February 13, 2012

To: Milwaukee Common Council  
City Hall, Room 205

From: James F. Klajbor   
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 327-1651-000-9  
Address: 3601 3601 W CLARKE ST  
Owner Name: 2573 N 36TH STREET 3601 W CL  
Applicant/Requester: 3601 W Clark St/2573 N 36th St LLC c/o  
Peter Butzer Reg. Agent  
2011-3 Inrem File  
Parcel: 190  
Case: 11CV-11374

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 11/14/2011.

JFK/ku



# REQUEST FOR VACATION OF IN REM JUDGMENT

## FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

## APPLICANT INFORMATION:

A. PROPERTY ADDRESS 3601 W. Clarke ST / 2573 N. 36th ST  
TAXKEY NUMBER 327 1651 9  
NAME OF APPLICANT 3601 W. Clarke ST / 2573 N. 36th ST LLC  
MAILING ADDRESS BUTZER PROPERTY MANAGEMENT LLC Peter Butzer RA  
7311 W. BURLEIGH ST. 414 445 9585  
MILWAUKEE, WI 53210  
CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES  NO

If no, describe interest in this property NONE

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

NONE

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES  NO

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES  NO

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved.** Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.

APPLICANT'S SIGNATURE

Peter Butzer RA

DATE 12-22-11

Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	<b>1,370.00</b>

Date 2/10/2012

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 3

Taxkey Number: 327-1651-000 - 9

Property Address: 3601 3601 W CLARKE ST

Owner Name 2573 N 36TH STREET 3601 W CL

Applicant: 3601 W Clark St/2573 N 36th St LLC c/o Peter  
Butzer Reg. Agent

Parcel Number: 190

CaseNumber: 11CV-11374



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

February 29, 2012

Ms. Joanna Polanco, Staff Assistant  
Judiciary & Legislation Committee  
Room 205, City Hall  
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 111454  
3601 West Clarke Street

The Department of City Development reports that the tax foreclosed property located at 3601 West Clarke Street, Tax Key No. 327-1651-000-9, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied. Administrative costs incurred by our Department total \$450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Clifton W. Crump  
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service  
K. Sullivan, City Attorney's Office



## **Office of the City Treasurer**

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

March 2, 2012

To: Milwaukee Common Council  
Room 205, City Hall

From: James F. Klajbor, City Treasurer  
Office of the City Treasurer

Re: 111454 Reopening and Vacating InRem Judgment  
Tax Key No.: 349-2407-000-7  
Address: 1738 1738 N 33RD ST  
Owner Name: 1738 1738A N 33RD STREET LLC  
Applicant/Requester: PETER BUTZER REG AGENT  
2011-3 in rem, Parcel: 205  
Case: 11CV-11374, Acquired: 11/14/2011

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Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN MAR</b>	<b>IF PAID BY APR 19, 2012</b>
2008-2011	\$5,699.82	\$5,699.82
Interest	\$893.12	\$948.78
Penalty	\$446.57	\$474.40
<b>TOTAL*</b>	<b>\$7,039.51</b>	<b>\$7,123.00</b>

**\*The above figures may change prior to payment due to possible additional costs.**

JFK/slk



**Department of Neighborhood Services**  
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg  
Commissioner  
Thomas G. Mishefske  
Operations Manager

March 5, 2012

Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

Re: File No.       111454  
      Address       3601 W Clarke St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen  
Business Operations Manager



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Legislation Details (With Text)

**File #:** 111453      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 2/28/2012      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 1738-1738A N 33rd St, in the 15 Aldermanic District to its former owner. (Peter Butzer, Agent )

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Application, DCD Letter, Treasurer Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/28/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number  
111453  
Version  
SUBSTITUTE 1  
Sponsor  
THE CHAIR

Title  
Substitute resolution authorizing the return of real estate located at 1738-1738A N 33rd St, in the 15 Aldermanic District to its former owner. (Peter Butzer, Agent )

Analysis  
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body  
Whereas, The property located at 1738-1738A N 33rd St, previously owned by Peter Butzer, Agent , has delinquent taxes for 2008-2001 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated November 14, 2011 111453; and

Whereas, Peter Butzer, Agent would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since November 14; and

Whereas, Peter Butzer, Agent has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office,



as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 1738-1738A N 33rd St, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV-11374 known as the 2011-3 In Rem Parcel 205, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC


Jp3112



**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

February 13, 2012

To: Milwaukee Common Council  
City Hall, Room 205

From: James F. Klajbor   
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 349-2407-000-7  
Address: 1738 1738 N 33RD ST  
Owner Name: 1738 1738A N 33RD STREET LLC  
Applicant/Requester: 1738/1738 A N 33rd St LLC  
c/o Peter Butzer, Reg. Agent  
2011-3 Inrem File  
Parcel: 205  
Case: 11CV-11374

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 11/14/2011.

JFK/ku

# REQUEST FOR VACATION OF IN REM JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

## APPLICANT INFORMATION:

A. PROPERTY ADDRESS 1738/1738A N. 33<sup>rd</sup> ST  
TAXKEY NUMBER 349 2407 7  
NAME OF APPLICANT 1738/1738A N. 33<sup>rd</sup> ST LLC  
MAILING ADDRESS ~~CITIZEN PROPERTY MANAGEMENT LLC~~ Peter Batzer P.A.  
7311 W. BURLEIGH ST. 414 445 9535  
MILWAUKEE, WI 53210  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_ TELEPHONE NUMBER \_\_\_\_\_

B. FORMER OWNER YES  NO

If no, describe interest in this property \_\_\_\_\_  
\_\_\_\_\_

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

None

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES  NO

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES  NO

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid**

APPLICANT'S SIGNATURE Peter L. Batzer DATE 12-22-11

Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	<b>1,370.00</b>

Date 2/13/2012

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 3  
Taxkey Number: 349-2407-000 - 7  
Property Address: 1738 1738 N 33RD ST  
Owner Name 1738 1738A N 33RD STREET LLC

Applicant: 1738/1738 A N 33rd St LLC c/o Peter Butzer, Reg. Agent

Parcel Number: 205  
CaseNumber: 11CV-11374



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

February 29, 2012

Ms. Joanna Polanco, Staff Assistant  
Judiciary & Legislation Committee  
Room 205, City Hall  
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 111453  
1738 North 33rd Street

The Department of City Development reports that the tax foreclosed property located at 1738 North 33rd Street, Tax Key No. 349-2407-000-7, is not suitable for use by a public agency or community based organization. The property is located in the 30<sup>th</sup> Street Corridor, but is not needed to implement the plan.

This residential structure is occupied. Administrative costs incurred by our Department total \$450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Clifton W. Crump  
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service  
K. Sullivan, City Attorney's Office



## **Office of the City Treasurer**

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

March 2, 2012

To: Milwaukee Common Council  
Room 205, City Hall

From: James F. Klajbor, City Treasurer  
Office of the City Treasurer

Re: 111453 Reopening and Vacating InRem Judgment  
Tax Key No.: 327-1651-000-9  
Address: 3601 3601 W CLARKE ST  
Owner Name: 2573 N 36TH STREET 3601 W CLARKE ST  
Applicant/Requester: PETER BUTZER REG AGENT  
2011-3 in rem, Parcel: 190  
Case: 11CV-11374, Acquired: 11/14/2011

---

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN MAR</b>	<b>IF PAID BY APR 19, 2012</b>
2008-2011	\$5,964.12	\$5,964.12
Interest	\$954.13	\$1,012.43
Penalty	\$477.07	\$506.20
<b>TOTAL*</b>	<b>\$7,395.32</b>	<b>\$7,482.75</b>

**\*The above figures may change prior to payment due to possible additional costs.**

JFK/slk



**Department of Neighborhood Services**  
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg  
Commissioner

Thomas G. Mishefske  
Operations Manager

March 5, 2012

Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

Re: File No. 111453  
Address 1738 N 33<sup>rd</sup> St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen  
Business Operations Manager





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Legislation Details (With Text)

**File #:** 111452      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 2/28/2012      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 2526 N. 19th st., in the 15 Aldermanic District to its former owner. (Andre Hopson)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Application, DCD letter, Treasurer Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/28/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

111452

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 2526 N. 19th st., in the 15 Aldermanic District to its former owner. (Andre Hopson)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 2526 N. 19th st., previously owned by Andre Hopson, has delinquent taxes for 2008-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated November 14, 2011 111452; and

Whereas, Andre Hopson would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since November 14; and

Whereas, Andre Hopson has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office,

as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2526 N. 19th st., a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV-11374 known as the 2011-3 In Rem Parcel 173, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC


Jp3112



**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

February 13, 2012

To: Milwaukee Common Council  
City Hall, Room 205

From: James F. Klajbor   
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 324-1013-000-8  
Address: 2526 2526 N 19TH ST  
Owner Name: ANDRE HOPSON LINDA SPENCER HOPSON  
Applicant/Requester: ANDRE HOPSON  
2011-3 Inrem File  
Parcel: 173  
Case: 11CV-11374

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 11/14/2011.

JFK/ku

REQUEST FOR VACATION OF IN REM JUDGMENT

Return by 2/13/12

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 2526 ~~15~~ 19<sup>th</sup> street  
 TAXKEY NUMBER 324-1013-000-8  
 NAME OF APPLICANT Andre Hopson  
 MAILING ADDRESS 2526 N. 19<sup>th</sup> street.  
Milwaukee WI 53206 414-372-3951  
 CITY STATE ZIP CODE TELEPHONE NUMBER

414-578-0986

B. FORMER OWNER YES X NO \_\_\_\_\_

If no, describe interest in this property \_\_\_\_\_

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

None

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASRUER'S OFFICE? (Documentation must be attached)

YES X NO \_\_\_\_\_

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES \_\_\_\_\_ NO X

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE Andre Hopson DATE 2/13/12

Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	<b>1,370.00</b>

Date 2/13/2012

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 3  
Taxkey Number: 324-1013-000 - 8  
Property Address: 2526 2526 N 19TH ST  
Owner Name ANDRE HOPSON  
LINDA SPENCER HOPSON  
Applicant: ANDRE HOPSON

Parcel Number: 173  
CaseNumber: 11CV-11374



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

February 29, 2012

Ms. Joanna Polanco, Staff Assistant  
Judiciary & Legislation Committee  
Room 205, City Hall  
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 111452  
2526 North 19th Street

The Department of City Development reports that the tax foreclosed property located at 2526 North 19th Street, Tax Key No. 324-1013-000-8, is not suitable for use by a public agency or community based organization. The property is located in the Fond du Lac and North Avenue planned project area, but is not needed to implement the plan.

This residential structure is occupied. Administrative costs incurred by our Department total \$463.50.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Clifton W. Crump  
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service  
K. Sullivan, City Attorney's Office



## **Office of the City Treasurer**

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

March 2, 2012

To: Milwaukee Common Council  
Room 205, City Hall

From: James F. Klajbor, City Treasurer  
Office of the City Treasurer

Re: 111452 Reopening and Vacating InRem Judgment  
Tax Key No.: 324-1013-000-8  
Address: 2526 N 19TH ST  
Owner Name: ANDRE HOPSON LINDA SPENCER HOPSON  
Applicant/Requester: ANDRE HOPSON  
2011-3 in rem, Parcel: 173  
Case: 11CV-11374, Acquired: 11/14/2011

---

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN MAR</b>	<b>IF PAID BY APR 19, 2012</b>
2008-2011	\$7,202.31	\$7,202.31
Interest	\$1,157.27	1,227.94
Penalty	\$578.62	\$613.97
<b>TOTAL*</b>	<b>\$8,938.20</b>	<b>\$9,044.22</b>

**\*The above figures may change prior to payment due to possible additional costs.**

JFK/slk





**Department of Neighborhood Services**  
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg  
Commissioner

Thomas G. Mishefske  
Operations Manager

March 5, 2012

Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

Re: File No. 111452  
Address 2526 N 19<sup>th</sup> St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen  
Business Operations Manager





Legislation Details (With Text)

**File #:** 111451      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 2/28/2012      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 3235 W. St. Paul Ave., in the 4th Aldermanic District to its former owner. (Jesse Lee, Agent for the Freewill Church of God in Christ)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Application, DCD Letter, Treasurer Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/28/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number  
111451  
Version  
SUBSTITUTE 1  
Sponsor  
THE CHAIR

Title  
Substitute resolution authorizing the return of real estate located at 3235 W. St. Paul Ave., in the 4th Aldermanic District to its former owner. (Jesse Lee, Agent for the Freewill Church of God in Christ)

Analysis  
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body  
Whereas, The property located at 3235 W. St. Paul Ave., previously owned by Jesse Lee, Agent for the Freewill Church of God in Christ, has delinquent taxes for 2008-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated November 14, 2011 111451; and

Whereas, Jesse Lee, Agent for the Freewill Church of God in Christ would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since November 14; and

Whereas, Jesse Lee, Agent for the Freewill Church of God in Christ has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the

letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3235 W. St. Paul Ave., a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV-11374 known as the 2011-3 In Rem Parcel 232, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter  
CC CC  
Jp3112



**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

February 14, 2012

To: Milwaukee Common Council  
City Hall, Room 205

From: James F. Klajbor *JFK for*  
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 401-0008-000-3  
Address: 3235 3235 W ST PAUL AV  
Owner Name: FREEWILL CHURCH OF GOD IN CHIRST  
Applicant/Requester: Rev. Jessie Lee  
2011-3 Inrem File  
Parcel: 232  
Case: 11CV-11374

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 11/14/2011.

JFK/ku

# REQUEST FOR VACATION OF IN REM JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

## APPLICANT INFORMATION:

A. PROPERTY ADDRESS 3235 W ST PAUL AVE  
TAXKEY NUMBER 401-0008-3  
NAME OF APPLICANT FREEWILL Church of God  
MAILING ADDRESS P.O. Box ~~4444~~ 25088 C/O Reverend  
Jesse  
Lee  
CITY MILWAUKEE STATE Wis ZIP CODE 53225 TELEPHONE NUMBER 414-931-1965

B. FORMER OWNER YES  NO

If no, describe interest in this property \_\_\_\_\_

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

9220 W Silver Spring 4047 N 87th  
5625 N 92nd St 3937 N 20th  
(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES  NO

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES  NO

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE Jessie Lee DATE 2/1/2012

Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	<b>1,370.00</b>

Date 2/14/2012

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 3  
Taxkey Number: 401-0008-000 - 3  
Property Address: 3235 3235 W ST PAUL AV  
Owner Name FREEWILL CHURCH OF GOD IN  
CHIRST  
Applicant: Rev. Jessie Lee

Parcel Number: 232  
CaseNumber: 11CV-11374



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

February 29, 2012

Ms. Joanna Polanco, Staff Assistant  
Judiciary & Legislation Committee  
Room 205, City Hall  
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 111451  
3235 West St. Paul Avenue

The Department of City Development reports that the tax foreclosed property located at 3235 West St. Paul Avenue, Tax Key No. 401-0008-000-3, is not suitable for use by a public agency or community based organization. The property is located in the Near Westside planned project area, but is not needed to implement the plan.

This residential structure is occupied. Administrative costs incurred by our Department total \$670.29.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,



Clifton W. Crump  
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service  
K. Sullivan, City Attorney's Office





## Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

March 2, 2012

To: Milwaukee Common Council  
Room 205, City Hall

From: James F. Klajbor, City Treasurer  
Office of the City Treasurer

Re: 111451 Reopening and Vacating InRem Judgment  
Tax Key No.: 401-0008-000-3  
Address: 3235 W ST PAUL AV  
Owner Name: FREEWILL CHURCH OF GOD IN CHIRST  
Applicant/Requester: REV. JESSIE LEE  
2011-3 in rem, Parcel: 232  
Case: 11CV-11374, Acquired: 11/14/2011

---

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN MAR</b>	<b>IF PAID BY APR 19, 2012</b>
2008-2011	\$9,451.31	\$9,451.31
Interest	\$1,494.85	\$1,588.01
Penalty	\$747.43	\$794.00
<b>TOTAL*</b>	<b>\$11,693.59</b>	<b>\$11,833.32</b>

The applicant also lists ownership interest in the following properties:  
9220 W Silver Spring Dr, Tax Key #178-0492-110-9 with delinquent 2011 taxes of \$6,323.11.  
5625 N 92<sup>nd</sup> Street, Tax Key #178-0496-100-3 with delinquent 2011 taxes of \$2,138.61.

**\*The above figures may change prior to payment due to possible additional costs.**

JFK/slk



**Department of Neighborhood Services**  
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg  
Commissioner

Thomas G. Mishefske  
Operations Manager

March 5, 2012

Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

Re: File No. 111451  
Address 3235 W St Paul Av

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen  
Business Operations Manager







Legislation Details (With Text)

**File #:** 111450      **Version:** 1  
**Type:** Resolution      **Status:** In Committee  
**File created:** 2/28/2012      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 116-116A W. Keefe Ave., in the 6th Aldermanic District to its former owner. (Cheryl Pope)  
**Sponsors:** THE CHAIR  
**Indexes:** IN REM JUDGMENTS  
**Attachments:** Application, DCD Letter, Treasurer Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/28/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number  
111450  
Version  
SUBSTITUTE 1  
Sponsor  
THE CHAIR  
Title

Substitute resolution authorizing the return of real estate located at 116-116A W. Keefe Ave., in the 6th Aldermanic District to its former owner. (Cheryl Pope)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 116-116A W. Keefe Ave., previously owned by Cheryl Pope, has delinquent taxes for 2009-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated November 14, 2011 111450; and

Whereas, Cheryl Pope would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since November 14; and

Whereas, Cheryl Pope has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office,

as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 116-116A W. Keefe Ave., a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV-11374 known as the 2011-3 In Rem Parcel 72, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC


Jp3112



**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

February 15, 2012

To: Milwaukee Common Council  
City Hall, Room 205

From: James F. Klajbor  for  
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 273-0342-100-4  
Address: 116 116 A W KEEFE AV  
Owner Name: CHERYL POPE  
2011-3 Inrem File  
Parcel: 72  
Case: 11CV-11374

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 11/14/2011.

JFK/slk

REQUEST FOR VACATION OF IN REM JUDGMENT

Ret by 2/13/12

FOLLOW THE INSTRUCTIONS LISTED BELOW:

- 1. Type or print firmly with ball point pen.
- 2. Use separate form for each property.
- 3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
- 4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
- 5. Complete boxes a, b c, d, and e.
- 6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 116-116A W KEEPE AVE  
 TAXKEY NUMBER 273-0342-100-4  
 NAME OF APPLICANT CHERYL Y. POPE  
 MAILING ADDRESS 116 W KEEPE AVE  
MILWAUKEE WISCONSIN 53212 (414) 419-8150  
 CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES  NO

If no, describe interest in this property \_\_\_\_\_

MILWAUKEE CITY TREASURER RECEIVED ON 2012 FEB -7 PM 2:33

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

NONE

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES  NO

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES  NO

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE Cheryl Y. Pope

DATE 1-25-12



Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00 ✓
	1914 City Attorney Costs	500.00
	Grand Total	<b>1,370.00</b>

Date 2/7/2012

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 3  
Taxkey Number: 273-0342-100 - 4  
Property Address: 116 116 A W KEEFE AV  
Owner Name CHERYL POPE

Applicant:

Parcel Number: 72  
CaseNumber: 11CV-11374



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

February 29, 2012

Ms. Joanna Polanco, Staff Assistant  
Judiciary & Legislation Committee  
Room 205, City Hall  
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 111450  
116-A West Keefe Avenue

The Department of City Development reports that the tax foreclosed property located at 116-A West Keefe Avenue, Tax Key No. 273-0342-100-4, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied. Administrative costs incurred by our Department total \$466.87.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,



Clifton W. Crump  
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service  
K. Sullivan, City Attorney's Office



## **Office of the City Treasurer**

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

March 2, 2012

To: Milwaukee Common Council  
Room 205, City Hall

From: James F. Klajbor, City Treasurer  
Office of the City Treasurer

Re: 111450 Reopening and Vacating InRem Judgment  
Tax Key No.: 273-0342-100-4  
Address: 116 116 A W KEEFE AV  
Owner Name: CHERYL POPE  
Applicant/Requester: CHERYL POPE  
2011-3 in rem, Parcel: 72  
Case: 11CV-11374, Acquired: 11/14/2011

---

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN MAR</b>	<b>IF PAID BY APR 19, 2012</b>
2009-2011	\$7,939.98	\$7,939.98
Interest	\$1,149.99	\$1,228.03
Penalty	\$574.99	\$614.01
<b>TOTAL*</b>	<b>\$9,664.96</b>	<b>\$9,782.02</b>

**\*The above figures may change prior to payment due to possible additional costs.**

JFK/slk



**Department of Neighborhood Services**  
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg  
Commissioner  
Thomas G. Mishefske  
Operations Manager

March 5, 2012

Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

Re: File No.       111450  
      Address       116-16A W Keefe Av

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen  
Business Operations Manager







Legislation Details (With Text)

**File #:** 111449      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 2/28/2012      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 3870 N. 24th St., in the 6th Aldermanic District to its former owner. (Funta Watson)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Application, DCD Letter, Treasurer Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/28/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

111449

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 3870 N. 24th St., in the 6th Aldermanic District to its former owner. (Funta Watson)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 3870 N. 24th St., previously owned by Funta Watson, has delinquent taxes for 2008-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated November 14, 2011 111449; and

Whereas, Funta Watson would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since November 14; and

Whereas, Funta Watson has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office,

as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3870 N. 24th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV-11374 known as the 2011-3 In Rem Parcel 60, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

Jp3112






**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

February 15, 2012

To: Milwaukee Common Council  
City Hall, Room 205

From: James F. Klajbor   
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 270-1933-000-7  
Address: 3870 N 24TH ST  
Owner Name: FUNTA WATSON  
2011-3 Inrem File  
Parcel: 60  
Case: 11CV-11374

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 11/14/2011.

JFK/slk

# REQUEST FOR VACATION OF IN REM JUDGMENT

## FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

## APPLICANT INFORMATION:

A. PROPERTY ADDRESS 3870 N. 24<sup>th</sup> Street  
TAXKEY NUMBER 270-1933-7  
NAME OF APPLICANT Funta C. Watson  
MAILING ADDRESS 5414 N. 52<sup>nd</sup> Street ~~3870 N. 24<sup>th</sup> Street~~  
Milwaukee WI 53218 975-1021  
CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES  NO   
If no, describe interest in this property \_\_\_\_\_

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).  
5414 N. 52<sup>nd</sup> Mil, WI  
2713-15 N. 39<sup>th</sup> Mil, WI  
(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASRUER'S OFFICE? (Documentation must be attached)  
YES  NO

E. DEPT OF NEIGHBORHOOD SERVICES FILING:  
Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.  
YES  NO

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE Funta Watson DATE 2.9.18

Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00 ✓
	1914 City Attorney Costs	500.00
	Grand Total	<b>1,370.00</b>

Date 2/9/2012

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 3  
Taxkey Number: 270-1933-000 - 7  
Property Address: 3870 3870 N 24TH ST  
Owner Name FUNTA WATSON

Applicant:

Parcel Number: 60  
CaseNumber: 11CV-11374



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

February 29, 2012

Ms. Joanna Polanco, Staff Assistant  
Judiciary & Legislation Committee  
Room 205, City Hall  
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 111449  
3870 North 24th Street

The Department of City Development reports that the tax foreclosed property located at 3870 North 24th Street, Tax Key No. 270-1933-000-7, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is vacant. Administrative costs incurred by our Department total \$489.30.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,



Clifton W. Crump  
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service  
K. Sullivan, City Attorney's Office



## Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

March 2, 2012

To: Milwaukee Common Council  
Room 205, City Hall

From: James F. Klajbor, City Treasurer  
Office of the City Treasurer

Re: 111449 Reopening and Vacating InRem Judgment  
Tax Key No.: 270-1933-000-7  
Address: 3870 N 24TH ST  
Owner Name: FUNTA WATSON  
Applicant/Requester: FUNTA WATSON  
2011-3 in rem, Parcel: 60  
Case: 11CV-11374, Acquired: 11/14/2011

---

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN MAR</b>	<b>IF PAID BY APR 19, 2012</b>
2008-2011	\$9,148.20	\$9,148.20
Interest	\$1,645.80	\$1,735.94
Penalty	\$822.91	\$867.97
<b>TOTAL*</b>	<b>\$11,616.91</b>	<b>\$11,752.11</b>

The applicant also lists ownership interest in the following properties:

5414 N 52<sup>nd</sup> St, Tax Key #190-1108-9 with delinquent 2011 taxes of \$2,063.82.

2713 2715 N 39<sup>th</sup> St, Tax Key #308-0396-X with delinquent 2008-2011 taxes totaling \$16,265.53 (This property is covered under her Chapter 128).

**\*The above figures may change prior to payment due to possible additional costs.**

JFK/slk



**Department of Neighborhood Services**  
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg  
Commissioner

Thomas G. Mishefske  
Operations Manager

March 5, 2012

Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

Re: File No. 111449  
Address 3870 N 24<sup>th</sup> St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen  
Business Operations Manager









Legislation Details (With Text)

**File #:** 111427      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 2/7/2012      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to an appeal from Viletta Redmond for personal injuries. (5th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS APPEAL

**Attachments:** City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

111427

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to an appeal from Viletta Redmond for personal injuries. (5th Aldermanic District)

**Drafter**

CC-CC

dkf

2/7/12

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys



THOMAS O. GARTNER  
SUSAN D. BICKERT  
STUART S. MUKAMAL  
THOMAS J. BEAMISH  
MAURITA F. HOUREN  
JOHN J. HEINEN  
SUSAN E. LAPPEN  
JAN A. SMOKOWICZ  
PATRICIA A. FRICKER  
HEIDI WICK SPOERL  
KURT A. BEHLING  
GREGG C. HAGOPIAN  
ELLEN H. TANGEN  
MELANIE R. SWANK  
JAY A. UNORA  
DONALD L. SCHRIEFER  
EDWARD M. EHRlich  
LEONARD A. TOKUS  
MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY  
KATHRYN Z. BLOCK  
ELOISA DE LEÓN  
ADAM B. STEPHENS  
KEVIN P. SULLIVAN  
BETH CONRADSON CLEARY  
THOMAS D. MILLER  
JARELY M. RUIZ  
ROBIN A. PEDERSON  
CHRISTINE M. QUINN  
MARGARET C. DAUN  
JEREMY R. MCKENZIE  
MARY L. SCHANNING  
Assistant City Attorneys

January 19, 2012

Viletta Redmond  
9701 West Vera Avenue  
Milwaukee, WI 53224

RE: Viletta Redmond  
C.I. File No.: 11-S-325

Dear Ms. Redmond:

We have received your claim in the amount of \$131.28, relating to expenses incurred after you allegedly fell over a ruffled rug on October 12, 2011 at 841 North Broadway.

Our investigation reveals that the Department of Public Works – Operation Division indicates that prior to October 12, 2011 the City had no notice of this hazard and because of this lack of notice the City would not be liable. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

A handwritten signature in cursive script that reads "Grant F. Langley".

GRANT F. LANGLEY  
City Attorney

A handwritten signature in cursive script that reads "Steven M. Carini".

STEVEN M. CARINI  
Investigator Adjuster

SMC:ms  
1047-2011-2849:177368

*Mailed  
1/23/12*

OFFICE OF THE CITY ATTORNEY

January 24, 2012

Milwaukee City Clerk  
200 East Wells Street, Room 205  
Milwaukee, WI 53202

CITY OF MILWAUKEE

2012 FEB -2 PM 2: 33

RONALD D. LEONHARDT  
CITY CLERK

CITY OF MILWAUKEE  
RECEIVED  
2012 FEB -3 PM 12: 59  
OFFICE OF  
CITY ATTORNEY

To whom it may concern:

I received your letter of denial for \$131.28 for services I received on October 12, 2011 from Bell Ambulance. (C.I. file NO.: 11-5-325 in my claim #) I received your letter on 1-24-2012 and I wish to appeal your decision and I am requesting a hearing. <sup>Final</sup> Payment is being requested by Bell Ambulance for account is delinquent to going against my credit when it goes to collection. your letter states "you allegedly fell over a ruffled rug on October 12, 2011 at 841 Broadway." I did fall where you pay your water bill and it is indeed a fact.

Please notify me of the date and time and place where the hearing will be. <sup>Final</sup> payment bill from Bell Ambulance is attached to this letter.  
Very truly yours,

Viletta Redmond  
9701 West Dora Avenue

my cell number - 414 640-3056  
Milwaukee, WI 53224

PLEASE RETURN THIS STUB WITH YOUR PAYMENT



"IF IT DOESN'T SAY BELL ON THE SIDE,  
YOU'VE JUST BEEN TAKEN FOR A RIDE!!!"

549 E WILSON ST  
MILWAUKEE, WI,  
53207-1635

#BWNSFD  
#26 11 0285 0054 0 8#  
VILETTA REDMOND  
9701 W VERA AVE  
MILWAUKEE, WI 53224-4661

Client Name: **REDMOND, VILETTA**

Trip Number:

**11-2850054**

Service Date: **10/12/2011**

Amount Due: **\$ 131.28**

Billing Date: **12/30/2011**

Toll-Free Number: **(800) 896-6200**

Se Habla Español: **(414) 486-4016**

## FINAL DEMAND FOR PAYMENT

Payment in full must be received immediately or this account will be sent to a collection agency. To pay by phone using your major credit card call (414) 486-2000

Client Name: **REDMOND, VILETTA**

Trip Number:

Service Date: **10/12/2011**

**11-2850054**

Billing Date: **12/30/2011**

**Amount Due: \$ 131.28**

This charge can be put on your major credit card account. Simply fill out the following blanks, sign and return in the enclosed envelope



**11-2850054**

**\$ 131.28**

Trip Number

Amount of Billing

Name on Card

Card Number

Card Billing Address

Expiration Date

City, State, Zip

Signature

November 9, 2011

City Clerk

Att: Claire

200 E. Wells Street, Rm 205

Milwaukee, WI 53202

CITY OF MILWAUKEE

2011 NOV 11 AM 8:45

RONALD D. LEONHARDT  
CITY CLERK

To whom it may concern:

On October 12, 2011, I was at the Milwaukee Water Works at 841 N. Broadway and fell on a ruffled rug by the window when you pay your water bill. Bell Ambulance was called to triage me. I feel this bill should not be my responsibility since I fell over a ruffled rug on your property. I have enclosed the bill for \$131.28 from Bell Ambulance from date of service 10/12/11; trip number 11-2850054. If further discussion is needed, you can reach me on my cell number of 414 640-3056.

Respectfully,

Viletta Redmond

OFFICE OF  
CITY ATTORNEY

2011 NOV 11 PM 3:15

CITY OF MILWAUKEE  
RECEIVED



"IF IT DOESN'T SAY BELL ON THE SIDE,  
YOU'VE JUST BEEN TAKEN FOR A RIDE!!!"

549 E WILSON ST  
MILWAUKEE, WI,  
53207-1635

#BWNSFD  
#26 11 0285 0054 0 8#

VILETTA REDMOND  
5701 W VERA AVE  
MILWAUKEE, WI 53224-4661

Client Name: **REDMOND, VILETTA**

Trip Number:

**11-2850054**

Service Date: **10/12/2011**

Amount Due: **\$ 131.28**

Billing Date: **10/27/2011**

Billing Department: **(414) 486-2000**

Toll-Free Number: **(800) 896-6200**

Se Habla Español: **(414) 486-4016**



"IF IT DOESN'T SAY BELL ON THE SIDE,  
YOU'VE JUST BEEN TAKEN FOR A RIDE!!!"

Billing Department: **(414) 486-2000**

Toll-Free: **(800) 896-6200**

549 E WILSON ST  
MILWAUKEE, WI, 53207-1635

Service Date:

Trip Number: **11-2850054**

Client Name: **REDMOND, VILETTA**

Caller:

From Location: **841 N BROADWAY 412,**

To Location: **<NO TRANSPORT>**

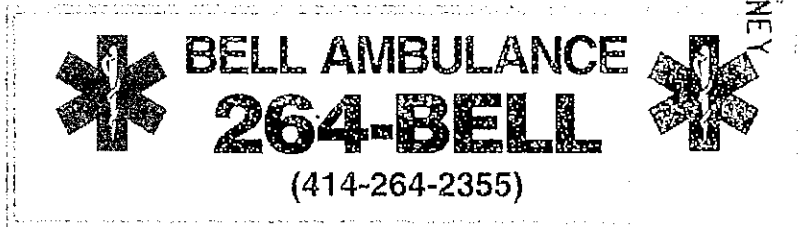
Insurance Information

**UNITED HEALTHCARE**

**Patient SSN**

DATE	DESCRIPTION OF TRANSACTION	HCPC	QUANTITY	UNIT PRICE	AMOUNT
10/12/11	BLS Emerg First Response - F	A0429	1	\$120.00	\$120.00
10/12/11	BLS Disposables	A0382	1	\$11.28	\$11.28

OFFICE OF  
CITY ATTORNEY  
 2011 NOV 11 PM 3:15  
 CITY OF MILWAUKEE  
RECEIVED



"IF IT DOESN'T SAY BELL ON THE SIDE,  
YOU'VE JUST BEEN TAKEN FOR A RIDE!!!" **PLEASE PAY THIS AMOUNT => \$131.28**

Your insurance company has **REJECTED** the claim for your ambulance service. Payment of this account is now your responsibility. Your insurance should notify you regarding the rejection reason.





Legislation Details (With Text)

**File #:** 111122      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 12/20/2011      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to an appeal from Mary Antoinette Robinson for property damage. (1st Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS APPEAL

**Attachments:** Appeal, City Attorney Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
2/13/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

111122

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to an appeal from Mary Antoinette Robinson for property damage. (1st Aldermanic District)

**Drafter**

CC-CC

dkf

12/1/11



Ms. Mary Antoinette Robinson  
4881 North 18<sup>th</sup> STREET  
Milwaukee, WI 53209  
dragonlady\_120@yahoo.com  
Contact (414) 265-0254  
Incident Date: 08/02/2011  
Filed 11/23/2011  
Facsimile 414-286-3456

Appeal No: 11-V-135

City Clerk  
ATTN: Claims  
200 E. WELLS. ROOM 205  
Milwaukee, WI  
53202-3507

Dear Sir or Madam:

Responding to your letter I received 11/07/2011, I still have all the same claim information below. I would like you to also now that the person whom I spoke to investigator even motioned to me that he would find out who hit my car due to the type of damage on the frame he could tell which kind of truck it was. Your letter also mentions it was trucks in the area although he couldn't determine who it was that hit

my car. Due to driver's indicating had no paint transfers & how or why would there be any paint on the truck's when the driver most likely had cleaned of the truck any where between the long period of time. I demand that you pay out the full amount of the claim or we'll have to go though a higher authority in which I'll request \$100,000,000,000.00. For Customer challenge, freedom of act to know information, Selective Service, Ect...Along with other findings.

Ms. Mary Antoinette Robinson

-----  
*Ms. Mary Antoinette Robinson*

Ms. Mary Antoinette Robinson  
4881 North 18<sup>th</sup> STREET  
Milwaukee, WI 53209  
dragonlady\_120@yahoo.com  
Contact (414) 265-0254  
Incident Date: 08/02/2011

City Clerk  
ATTN: Claims  
200 E. WELLS. ROOM205  
Milwaukee, WI  
53202 3507

Dear Sir or Madam:

This claim I based on damage's that has occurred on the city street by on of you city of Milwaukee trucks. I heard my alarm sound off & when I finally went outside to check on my road master you truck was gone. I noticed that the truck wasn't doing anything on the street before I went into the home. I noticed when I came out to check my vehicle the front bumper was cracked. I also have several report's on my car being damaged on the City of Milwaukee & a police officer busted my window on the driver side while I slept & went to my car to find it shattered by a jimmy tool that police use & are authorized as part of there utility belt around there waste. My antenna & siding has been pulled off & my 17 inch tires that I had on my vehicle was also ruined by one of your police tools they use to stop car's in a high speed chase. I was driving behind one of the police unmarked cars & the woman threw something out of her window & created a slow leak in my tire I had to have all four tire's & rim removed from my car. I requesting that my car be repaired & I 'm giving you the estimates to just paint the car. Although I replaced the tire's & window & the company's will need to paint the entire vehicle due to it already having a customized paint job on it before the damage's occurred. Also al of my police report's I 've reported you will find them in public records in a very large

Ms. Mary Antoinette Robinson

*Mary Antoinette Robinson*  
Claimant

Subscribed and sworn to before me  
This 1 day of September, 2011

*Lekisha Leonard*  
Notary Public, Milwaukee County, Wisconsin  
My Commission Expires May 01 2012



Ms. Mary Antoinette Robinson  
4881 North 18<sup>th</sup> STREET  
Milwaukee, WI 53209  
dragonlady\_120@yahoo.com  
Contact (414) 265-0254  
Incident Date: 08/02/2011

CITY OF MILWAUKEE  
RECEIVED  
2011 SEP -6 PM 3:32

OFFICE OF  
CITY ATTORNEY

CITY OF MILWAUKEE  
11 SEP -6 AM 9:01  
RONALD D. LEONHARDT  
CITY CLERK

City Clerk  
ATTN: Claims  
200 E. WELLS. ROOM205  
Milwaukee, WI  
53202 3507

Dear Sir or Madam:

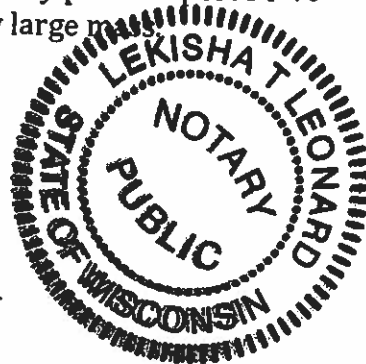
This claim I based on damage's that has occurred on the city street by on of you city of Milwaukee trucks. I heard my alarm sound off & when I finally went outside to check on my road master you truck was gone. I noticed that the truck wasn't doing anything on the street before I went into the home. I noticed when I came out to check my vehicle the front bumper was cracked. I also have several report's on my car being damaged on the City of Milwaukee & a police officer busted my window on the driver side while I slept & went to my car to find It shattered by a jimmy tool that police use & are authorized as part of there utility belt around there waste. My antenna & siding has been pulled off & my 17 inch tires that I had on my vehicle was also ruined by one of your police tools they use to stop car's in a high speed chase. I was driving behind one of the police unmarked cars & the woman threw something out of her window & created a slow leak in my tire I had to have all four tire's & rim removed from my car. I requesting that my car be repaired & I 'm giving you the estimates to just paint the car, Although I replaced the tire's & window & the company's will need to paint the entire vehicle due to It already having a customized paint job on It before the damage's occurred. Also al of my police report's I 've reported you will find them in public records in a very large m

Ms. Mary Antoinette Robinson

*Mary Antoinette Robinson*  
Claimant

Subscribed and sworn to before me  
This 1 day of September, 2011

*Lekisha Leonard*  
Notary Public, Milwaukee County, Wisconsin  
My Commission Expires May 1, 2012



Ms. Mary Antoinette Robinson  
4881 North 18<sup>th</sup> STREET  
Milwaukee, WI 53209  
[dragonlady\\_120@yahoo.com](mailto:dragonlady_120@yahoo.com)  
Contact (414) 265-0254

City Clerk  
ATTN: Claims  
200 E. WELLS.ROOM 205  
Milwaukee, WI 53202 -3507

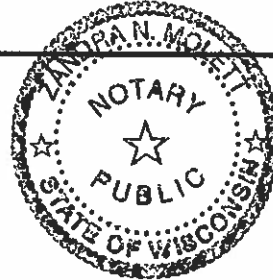
2011 SEP -6 PM 3:32  
OFFICE OF  
CITY ATTORNEY

CITY OF MILWAUKEE  
RECEIVED

My alleged incident happened every month that I've been going to the Family Dollar store on Hampton any where between Feb2009-August 2011 on dates when I get my food stamps the first of the month on the 6<sup>th</sup> -15 when I go shopping. I noticed that my rear end of car would always hit the driveway when I drive off of the lot & that the rear end of my car paint & bumper was beginning to collapse due to this. I contacted family dollar & told them & was told that the drive was the city responsibility so I would need to present my claim to the City Of Milwaukee.

Ms. Mary Antoinette Robinson

*Ms. Mary Antoinette Robinson*  
\_\_\_\_\_  
Claimant



Subscribed and sworn to before me

This 29 day of August, 2011

*Zandra N. Goltz*  
\_\_\_\_\_  
Notary Public, Milwaukee County, Wisconsin

My Commission Expires May 05, 2013

ANDREW AUTOMOTIVE - BODY REPAIR CENTER  
 1621 W. LA SALLE ST.  
 MILWAUKEE, WI 53209  
 PH: 414-540-2559 FX: 414-228-7420

CITY OF MILWAUKEE  
 RECEIVED

2011 SEP -6 PM 3:32

CD LOG NO 34021-1 DATE 09/01/11

SHOP: ANDREW AUTO BODY REPAIR  
 ADDRESS: 1621 W. LASALLE ST.  
 CITY STATE: GLENDALE, WI  
 ZIP: 53209-

INSP DATE: 09/01/11  
 CONTACT: RAMON LUGO  
 PHONE 1: (414)540-2559  
 FAX: (414)228-7420

OFFICE OF  
 CITY ATTORNEY

OWNER: ROBINS, MARY  
 ADDRESS: 4881 N. 18TH ST.  
 CITY STATE: MILW, WI  
 ZIP: 53209

CELL PHONE: (414)269-0254

POINT OF IMPACT: 0

RENTAL ASSISTED: NO

LIC#: STATE:  
 BODY COLOR: GREEN  
 CONDITION:

VIN: 1G4BN5370PR416468  
 MILEAGE:  
 ACCTNG CTL#:

DRIVEABLE: YES

VEH. INSP#:

*=USER-ENTERED VALUE	E=REPLACE OEM	NG=REPLACE NAGS
EC=REPLACE ECONOMY	UE=REPLACE OE SURPLUS	UC=RECONDITIONED PRT
UM=REMAN/REBUILT PRT	EU=REPLACE SALVAGE	EP=REPLACE PXN
OE=REPLACE PXN OE SRPLS	PC=PXN RECONDITIONED	PM=PXN REMAN/REBUILT
TE=PARTL REPL PRICE	ET=PARTL REPL LABOR	IT=PARTIAL REPAIR
I=REPAIR	L=REFINISH	BR=BLEND REFINISH
TT=TWO-TONE	CG=CHIPGUARD	SB=SUBLET
N=ADDITIONAL LABOR	RI=R&I ASSEMBLY	P=CHECK
AA=APPEAR ALLOWANCE	RP=RELATED PRIOR	UP=UNRELATED PRIOR

THIS IS AN INITIAL QUOTE, NOT A GUARANTEED FINAL PRICE

1993 BUICK ROADMASTER STD 4DOOR SEDAN 8CYL GASOLINE 5.7  
 CODE: S5163A/C OPTNS H/24D

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES  
 POWER DOOR LOCKS

TWO-STAGE - INTERIOR SURFACES

OP GDE	MC DESCRIPTION	MFG. PART NO.	PRICE	AJ% B%	HOURS
N 0009	FRONT BUMPER ASSY R&I	ADDNL LABOR OPERA			INC
E 0009 02	COVER, FRONT BUMPER	12500721 GM PART	378.32		3.6
L 0009 13	COVER, FRONT BUMPER	REFINISH			4.0
		2.8 SURFACE			
		0.6 TWO STAGE SETUP			
		0.6 TWO STAGE			
RI0041	HEADLAMP ASSY, HALOG LT	R&I ASSEMBLY			0.3
RI0042	HEADLAMP ASSY, HALOG RT	R&I ASSEMBLY			0.3

1993 BUICK ROADMASTER STD 4DOOR SEDAN  
 CD LOG NO 34021-1

I 0083	PANEL, HOOD		REPAIR		5.0*
L 0083	PANEL, HOOD		REFINISH		3.7
			3.1 SURFACE		
			0.6 TWO STAGE		
I 0103	FENDER, FRONT		LT REPAIR		5.0*
L 0103	FENDER, FRONT		LT REFINISH		2.6
			2.2 SURFACE		
			0.4 TWO STAGE		
I 0104	FENDER, FRONT		RT REPAIR		5.0*
L 0104	FENDER, FRONT		RT REFINISH		2.6
			2.2 SURFACE		
			0.4 TWO STAGE		
RI0122	02 MLDG, FENDER SIDE	L/R	R&I ASSEMBLY		0.2
RI0123	02 MLDG, FENDER SIDE	R/R	R&I ASSEMBLY		0.2
RI0115	01 MLDG, FENDER LOWER	L/R	R&I ASSEMBLY		0.2
RI0116	01 MLDG, FENDER LOWER	R/R	R&I ASSEMBLY		0.2
I 0207	DOOR SHELL, FRONT		LT REPAIR		10.0*
L 0207	DOOR SHELL, FRONT		LT REFINISH		2.3
			1.9 SURFACE		
			0.4 TWO STAGE		
I 0208	DOOR SHELL, FRONT		RT REPAIR		5.0*
L 0208	DOOR SHELL, FRONT		RT REFINISH		2.0
			1.9 SURFACE		
			0.1 TWO STAGE		
RI0211	# PNL, INNER DOOR TRIM	LT	R&I ASSEMBLY		0.6
	# = 01, 02				
RI0212	# PNL, INNER DOOR TRIM	RT	R&I ASSEMBLY		0.6
	# = 01, 02				
RI0350	MLDG, FRONT DOOR SCAL/R		R&I ASSEMBLY		0.2
RI0351	01 MLDG, FRONT DOOR SCAR/R		R&I ASSEMBLY		0.2
RI0276	MLDG, SCALP CORNER	LT	R&I ASSEMBLY		0.2
RI0277	MLDG, SCALP CORNER	RT	R&I ASSEMBLY		0.2
RI0260	MLDG, FRONT DOOR BEL	LT	R&I ASSEMBLY		0.2
RI0261	MLDG, FRONT DOOR BEL	RT	R&I ASSEMBLY		0.2
RI0232	MIRROR, OUTER STAND	RT	R&I ASSEMBLY		0.3
RI0231	MIRROR, OUTER R/C	LT	R&I ASSEMBLY		0.3
RI0223	CYL, FRONT DOOR LOCK	LT	R&I ASSEMBLY		0.1
RI0224	CYL, FRONT DOOR LOCK	RT	R&I ASSEMBLY		0.1
RI0225	01 HANDLE, FRONT DOOR	O LT	R&I ASSEMBLY		0.3
RI0226	01 HANDLE, FRONT DOOR	O RT	R&I ASSEMBLY		0.3
I 0287	DOOR SHELL, REAR		LT REPAIR		5.0*
L 0287	DOOR SHELL, REAR		LT REFINISH		1.8
			1.8 SURFACE		
			INC TWO STAGE		
I 0288	DOOR SHELL, REAR		RT REPAIR		5.0*
L 0288	DOOR SHELL, REAR		RT REFINISH		1.8
			1.8 SURFACE		
			INC TWO STAGE		
RI0352	MLDG, REAR DOOR SCAL/F		R&I ASSEMBLY		0.2
RI0353	01 MLDG, REAR DOOR SCALR/F		R&I ASSEMBLY		0.2
RI0337	MLDG, REAR DOOR BELT	LT	R&I ASSEMBLY		0.2
RI0338	MLDG, REAR DOOR BELT	RT	R&I ASSEMBLY		0.2
RI0280	02 MLDG, REAR DOOR SIDE	LT	R&I ASSEMBLY		0.2
RI0281	MLDG, REAR DOOR SIDE	RT	R&I ASSEMBLY		0.2
RI0364	MLDG, REAR DOOR SIDEL/R		R&I ASSEMBLY		0.2
RI0365	MLDG, REAR DOOR SIDER/R		R&I ASSEMBLY		0.2

RI0291 #	PNL, INNER DOOR TRIM LT R&I ASSEMBLY				0.6 :
	# = 01, 02				
RI0292 #	PNL, INNER DOOR TRIM RT R&I ASSEMBLY				0.6 :
	# = 01, 02				
RI0301 01	HANDLE, RR DOOR OUTE LT R&I ASSEMBLY				0.3 :
RI0302 01	HANDLE, RR DOOR OUTE RT R&I ASSEMBLY				0.3 :
I 0389	PANEL, QUARTER	LT REPAIR			5.0* :
L 0389	PANEL, QUARTER	LT REFINISH			2.0 :
		2.0 SURFACE			
		INC TWO STAGE			
I 0390	PANEL, QUARTER	RT REPAIR			5.0* :
L 0390	PANEL, QUARTER	RT REFINISH			2.0 :
		2.0 SURFACE			
		INC TWO STAGE			
RI0569	FRAME, LICENSE PLATE	R&I ASSEMBLY			0.2 :
E 0566	COVER, REAR BUMPER	12500722 GM PART	501.12		1.8 :
L 0566	COVER, REAR BUMPER	REFINISH			3.6 :
		3.0 SURFACE			
		0.6 TWO STAGE			
E 0558	MLDG, RR BMPR CVR UP LT	10156711 GM PART	27.53		INC :
E 0559	MLDG, RR BMPR CVR UP RT	10156711 GM PART	27.53		INC :
E 0560 02	MLDG, REAR BUMPER CO LT	12525211 GM PART	154.32		0.8 :
RI0561 02	MLDG, REAR BUMPER CO RT	R&I ASSEMBLY			INC :
RI0562 01	MLDG, REAR BUMPER COVER	R&I ASSEMBLY			INC :
L M03	FLEX ADDITIVE	REFINISH	8.00*		INC* :
L M14	CORROSION PROTECTION	REFINISH	10.00*		0.5* :
L M60	HAZARD. WSTE. REM.	REFINISH	3.00*		INC* :

64 ITEMS

MC MESSAGE(S)

- 01 CALL DEALER FOR EXACT PART NUMBER / PRICE
- 02 PART NO. DISCONTINUED, CALL DEALER FOR EXACT PART NO
- 13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS					1,088.82
OTHER PARTS					21.00
PAINT MATERIAL					867.00
PARTS & MATERIAL TOTAL					1,976.82
TAX ON PARTS & MATERIAL @			5.600%		110.70
LABOR	RATE	REPLACE HRS	REPAIR HRS		
1-SHEET METAL	52.00	15.0	50.0		3,380.00
2-MECH/ELEC	102.00				
3-FRAME	52.00				
4-REFINISH	52.00	28.9			1,502.80
5-PAINT MATERIAL	30.00				
LABOR TOTAL					4,882.80
TAX ON LABOR		@	5.600%		273.44
SUBLET REPAIRS					
TOWING					
STORAGE					
GROSS TOTAL					7,243.76
NET TOTAL					7,243.76



1993 BUICK ROADMASTER STD 4DOOR SEDAN  
CD LOG NO 34021-1

SHOPLINK UG202 ES CD LOG 34021-1 DATE 09/01/11 02:37:54PM R6.37 CD 06/11  
PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53209  
HOST LOG  
(C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

3.7 HRS WERE ADDED TO THIS EST. BASED ON AUDATEX TWO-STAGE REFINISH FORMULA.  
AUDATEX TWO-STAGE EXTERIOR THRESHOLD OF 2.5 HOURS WAS CALCULATED IN THIS  
ESTIMATE.

---

# BODYWORKS

BY  
CONCOURS

COLLISION REPAIR & REFINISHING

1711 West Florist Avenue • Milwaukee, WI 53209 • Phone (414) 290-4360 • Fax (414) 290-4359  
Tax ID: 39.087.3125

Date: 9/1/2011 02:12 PM  
Estimate ID: 12662  
Estimate Version: 0  
Preliminary  
Profile ID: Mitchell

Damage Assessed By: DAN ANDERSON

Deductible: UNKNOWN

Mitchell Service: 913488

Description: 1993 Buick Roadmaster  
Body Style: 4D Sed  
VIN: 1G4BN5370PR416468  
OEM/ALT: O  
Color: GREEN

Drive Train: 5.7L Inj 8 Cyl AO

Search Code: None

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/ Part Number	Dollar Amount	Labor Units
<u>Front Bumper</u>							
1	300960	BDY	REMOVE/REPLACE	Frnt Bumper Cover	12500721 GM PART	d378.32	1.7 #
2		REF	REFINISH	Frnt Bumper Cover			C 2.3
<u>Front Lamps</u>							
3	300013	BDY	REMOVE/INSTALL	R Headlamp Assy			0.4 #
4	300014	BDY	REMOVE/INSTALL	L Headlamp Assy			0.4 #
<u>Hood</u>							
5	302450	BDY	REPAIR	Hood Panel	Existing		5.0*#
6		REF	REFINISH	Hood Outside			C 3.1
<u>Front Fender</u>							
7	304100	BDY	REPAIR	R Fender Panel	Existing		5.0*#
8		REF	REFINISH	R Fender Outside			C 2.1
9	304110	BDY	REPAIR	L Fender Panel	Existing		5.0*#
10		REF	REFINISH	L Fender Outside			C 2.1
11	304523	BDY	REMOVE/INSTALL	R Upr Fender Moulding			0.2
12	304524	BDY	REMOVE/INSTALL	L Upr Fender Moulding			0.2
13	304525	BDY	REMOVE/INSTALL	R Lwr Fender Moulding			0.3
14	304526	BDY	REMOVE/INSTALL	L Lwr Fender Moulding			0.3
<u>Front Door</u>							
15	314040	BDY	REPAIR	R Frt Door Repair Panel	Existing		5.0*#
16		REF	REFINISH	R Frt Door Outside			C 2.1
17	314050	BDY	REPAIR	L Frt Door Repair Panel	Existing		10.0*#
18		REF	REFINISH	L Frt Door Outside			C 2.1
19	314059	BDY	REMOVE/INSTALL	R Frt Belt Moulding			0.2 #
20	314060	BDY	REMOVE/INSTALL	L Frt Belt Moulding			0.2 #
21	314061	BDY	REMOVE/INSTALL	R Frt Door Moulding			0.3

ESTIMATE RECALL NUMBER: 09/01/2011 14:12:40 12662

Mitchell Data Version: OEM: AUG\_11\_V

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UltraMate Version: 7.0.433

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**BODYWORKS**

Show be 1.0

# BODYWORKS

BY  
CONCOURS

## COLLISION REPAIR & REFINISHING

1711 West Florist Avenue • Milwaukee, WI 53209 • Phone (414) 290-4360 • Fax (414) 290-4359  
Tax ID: 39.087.3125

Date: 9/ 1/2011 02:12 PM  
Estimate ID: 12662  
Estimate Version: 0  
Preliminary  
Profile ID: Mitchell

22	314062	BDY	REMOVE/INSTALL	L Frt Door Moulding					0.3
23	314065	BDY	REMOVE/INSTALL	R Frt Door Power Mirror					0.9 #
24	314066	BDY	REMOVE/INSTALL	L Frt Door Power Mirror					0.9 #
25	300234	BDY	REMOVE/INSTALL	R Frt Door Trim Panel					INC
26	300235	BDY	REMOVE/INSTALL	L Frt Door Trim Panel					INC
27	314905	BDY	REMOVE/INSTALL	R Frt Door Handle & Lock Cyl					0.1 #
28	314906	BDY	REMOVE/INSTALL	L Frt Door Handle & Lock Cyl					0.1 #
<u>Rear Door</u>									
29	316040	BDY	REPAIR	R Rear Door Repair Panel	Existing				5.0*#
30		REF	REFINISH	R Rear Door Outside				C	1.9
31	316050	BDY	REPAIR	L Rear Door Repair Panel	Existing				5.0*#
32		REF	REFINISH	L Rear Door Outside				C	1.9
33	316064	BDY	REMOVE/INSTALL	R Rear Belt Moulding					0.2 #
34	316065	BDY	REMOVE/INSTALL	L Rear Belt Moulding					0.2 #
35	316066	BDY	REMOVE/INSTALL	R Rear Door Moulding					0.3
36	316067	BDY	REMOVE/INSTALL	L Rear Door Moulding					0.3
37	300244	BDY	REMOVE/INSTALL	R Rear Door Trim Panel					INC
38	300245	BDY	REMOVE/INSTALL	L Rear Door Trim Panel					INC
39	300107	BDY	REMOVE/INSTALL	R Rear Otr Door Handle					0.6 #
40	300108	BDY	REMOVE/INSTALL	L Rear Otr Door Handle					0.6 #
<u>Quarter Panel</u>									
41	318500	BDY	REPAIR	R Quarter Outer Panel	Existing				5.0*#
42		REF	REFINISH	R Quarter Panel Outside				C	2.3
43	318510	BDY	REPAIR	L Quarter Outer Panel	Existing				5.0*#
44		REF	REFINISH	L Quarter Panel Outside				C	2.3
45	318620	BDY	REMOVE/INSTALL	R Uptr Quarter Extension To Panel	Existing				2.5 #r
46	318630	BDY	REMOVE/INSTALL	L Uptr Quarter Extension To Panel	Existing				2.5 #r
<u>Rear Bumper</u>									
47		BDY	OVERHAUL	Rear Bumper Cover Assy					2.0 #
48	322040	BDY	REMOVE/REPLACE	Rear Bumper Cover	12500722	GM PART	501.12	INC	#
49		REF	REFINISH	Rear Bumper Cover				C	2.3
<u>ADDITIONAL OPERATIONS</u>									
50		REF	ADD'L OPR	Clear Coat					5.4*
51	933005	REF *	ADD'L OPR	Restore Corrosion Protection			5.00	*	1.5*
52	933017	REF	ADD'L OPR	Finish Sand And Buff					3.0*
53	933018	REF	ADD'L OPR	Mask For Overspray			5.50	*	0.5*
<u>Additional Costs &amp; Materials</u>									
54			ADD'L COST	Paint/Materials			1,016.60	*	
55			ADD'L COST	Hazardous Waste Disposal			29.90	*	
<u>MANUAL ENTRIES</u>									
56	900500	BDY *	REMOVE/REPLACE	Misc clips and fasteners	New		50.00	*	0.0*

ESTIMATE RECALL NUMBER: 09/01/2011 14:12:40 12662

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# BODYWORKS



# BODYWORKS

BY  
**CONCOURS**

*COLLISION REPAIR & REFINISHING*

1711 West Florist Avenue • Milwaukee, WI 53209 • Phone (414) 290-4360 • Fax (414) 290-4359  
Tax ID: 39.087.3125

Date: 9/ 1/2011 02:12 PM  
Estimate ID: 12662  
Estimate Version: 0  
Preliminary  
Profile ID: Mitchell

**This is a preliminary estimate.**  
**Additional changes to the estimate may be required for the actual repair.**

ESTIMATE RECALL NUMBER: 09/01/2011 14:12:40 12662

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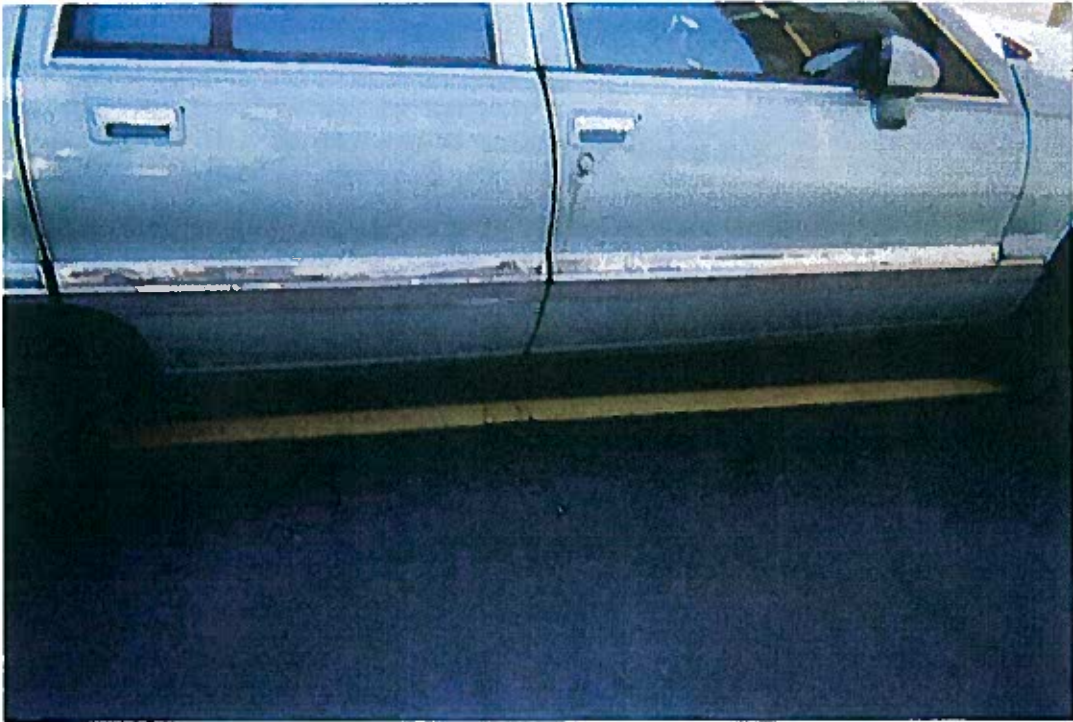




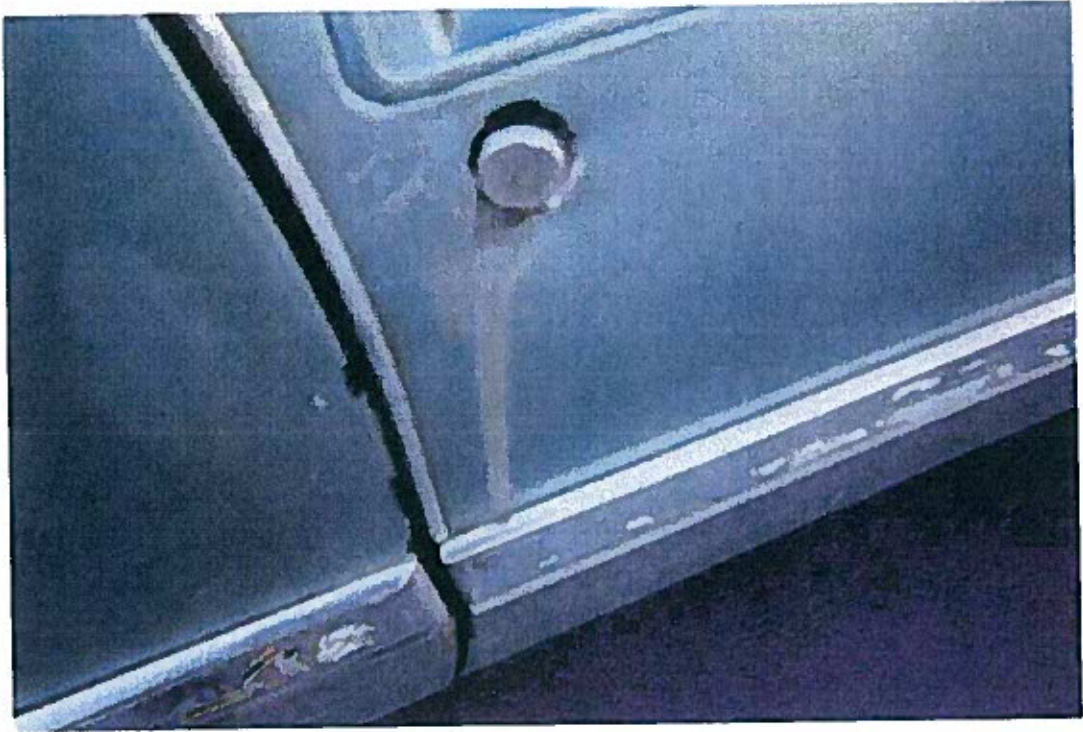
















# faxZERO

Send a fax for free

### Recipient Information

To: City Clerk  
Company: City Hall  
Fax #: 4142863458

### Sender Information

From: Ms. Mary Antoinette Robinson  
Email address: BestCfigure@gmail.com  
Fax #: 4142650254  
Sent on: Wednesday, November 23 2011 at 3:44 PM EST

CITY OF MILWAUKEE  
RECEIVED  
2011 NOV 29 PM 3:11  
CITY ATTORNEY

CITY OF MILWAUKEE  
2011 NOV 23 PM 2:55  
RONALD D. LEONHART  
CITY CLERK

APPEAL 11-V-135

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**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys



THOMAS O. GARTNER  
SUSAN D. BICKERT  
STUART S. MUKAMAL  
THOMAS J. BEAMISH  
MAURITA F. HOUREN  
JOHN J. HEINEN  
SUSAN E. LAPPEN  
JAN A. SMOKOWICZ  
PATRICIA A. FRICKER  
HEIDI WICK SPOERL  
KURT A. BEHLING  
GREGG C. HAGOPIAN  
ELLEN H. TANGEN  
MELANIE R. SWANK  
JAY A. UNORA  
DONALD L. SCHRIEFER  
EDWARD M. EHRLICH  
LEONARD A. TOKUS  
MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY  
KATHRYN Z. BLOCK  
ELOISA DE LEÓN  
ADAM B. STEPHENS  
KEVIN P. SULLIVAN  
BETH CONRADSON CLEARY  
THOMAS D. MILLER  
JARELY M. RUIZ  
ROBIN A. PEDERSON  
DANIELLE M. BERGNER  
CHRISTINE M. QUINN  
MARGARET C. DAUN  
JEREMY R. MCKENZIE  
Assistant City Attorneys

November 1, 2011

Mary Antoinette Robinson  
4881 North 18th Street  
Milwaukee, WI 53209

RE: C.I. File No.: 11-V-135


Dear Ms. Robinson:


We have received your claim in the amount of \$7,243.76, relating to damage to your car on August 2, 2011 when you allege that the front left bumper was struck by a passing large yellow DPW truck while it was parked at 4881 North 18<sup>th</sup> Street.

Our investigation reveals that the Fleet Accident Report completed as a result of this alleged incident notes that the damage on your vehicle appears to be old. There was also no paint transfer on your vehicle. In addition, there were only two DPW trucks working in the area of North 18<sup>th</sup> Street on this day. There was no paint transfer on them. Finally, both drivers deny causing the damage. There is no evidence to support your belief that a large yellow DPW truck caused the damage. As such, the City cannot accept liability. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

  
GRANT F. LANGLEY  
City Attorney

  
STEVEN M. CARINI  
Investigator Adjuster

SMC:ms  
1030-2011-2362:174994

*mailed 11-8-11*

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550





Legislation Details (With Text)

**File #:** 110996      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/30/2011      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to an appeal from Charles Kowalski for property damage.

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS APPEAL

**Attachments:** Appeal, City Attorney Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
2/13/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/20/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

110996

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to an appeal from Charles Kowalski for property damage.

**Drafter**

CC-CC

dkf

11/17/11



March 14, 2011

City Clerk  
City of Milwaukee  
ATTEN: CLAIMS  
200 E. Wells St., Room 205  
Milwaukee, WI 53207-3567

RE: C.I. File 11-S-269

Dear City Clerk-

We wish to appeal the decision in the above listed case.

First we find the length of time needed to remove a stump, after a tree is taken down to be excessive. A few weeks seem justifiable, however to take from the fall of 2010 to the spring of 2012 seems like a very long time. It isn't as easy to navigate around as you indicate, and this has been an inconvenience to the homeowner for far too long.

Our second objection is your assumption that with care it should be avoided. Please review the enclosed photographs. They clearly indicate that the stump is not only of a perfect height to not be seen in mirrors, or noticed when glancing back over the shoulder; it is also in the approach to the driveway. This is clearly evident by the cracks and patching as well as how the edge of the approach is completely covered. Anytime backing out to go south on Newhall you must be very conscious that it is there, a visitor can easily forget.

Please reconsider our original request again. Without reconsideration on your part we formally request a hearing Thank you, we look forward to your prompt reply

Respectfully,

*C. Kowalski*

Charles Kowalski  
4439 North Lake Vista Trail  
Hernando, FL 3442-5549

James Kowalski  
1538 E. Windsor Place  
Milwaukee, WI 53202

CITY OF MILWAUKEE  
2011 NOV 14 AM 10:54  
RONALD D. LEONHARDT  
CITY CLERK

CITY OF MILWAUKEE  
RECEIVED  
2011 NOV 15 PM 2:05  
OFFICE OF  
CITY ATTORNEY

11-5-269

CITY OF MILWAUKEE

2011 SEP 23 AM 2:22

RONALD D. LEONHARDT  
CITY CLERK

Mr. Charles Kowalski  
4439 N Lake Vista Trl  
Hernando, FL 34442-5549  
352-860-2835

September 23, 2011

City Clerk  
ATTN: CLAIMS: Mr. Bob Overholt  
200 E. Wells St. Room 205  
Milwaukee, WI 53202-3567

Re: Claim # 11-S-269

Dear Mr. Overholt-

In the fall of 2010 Milwaukee City Forestry removed a tree from the 2100 block of Newhall Street, and did not remove the stump. The stump is on the property of my son James Kowalski of 1538-40 E. Windsor Pl. As the stump is directly next to the approach to the driveway it is in the way when anyone pulls in or out of the drive. On August 6, 2011 while visiting my son I damaged my vehicle while pulling out of his driveway and backing onto Newhall, I clipped the front bumper. The stump is high enough to clip the bottom of the bumper as the car turned.

I am asking for \$539.78, the lower of the two bids submitted in my son's letter of 9/19/2011. Should you need I can be reached by phone at 352-860-2835.

Thank you for your consideration,



Mr. Charles Kowalski

CITY OF MILWAUKEE  
RECEIVED

2011 SEP 23 PM 3:56

OFFICE OF  
CITY ATTORNEY

Mr. James Kowalski  
1538 E. Winsor Place  
Milwaukee, WI 53202  
414-406-3214

September 19, 2011

City Clerk  
ATTN: CLAIMS  
200 E. Wells St. Room 205  
Milwaukee, WI 53202-3567

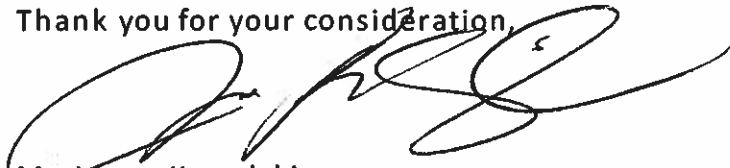
Re: Stump next to driveway.

To whom it concerns-

In the fall of 2010 Milwaukee City Forestry removed a tree from the 2100 block of Newhall Street, and did not remove the stump. As the stump is directly next to the approach to my driveway it is in the way when I pull in or out of my drive. When the tree was removed I was assured someone would return to remove the stump. On August 6, 2011 while visiting me from Florida my Father damaged his vehicle while pulling out of my driveway and backing onto Newhall, he clipped the front bumper. The stump is high enough to clip the bottom of the bumper as the car turned.

Enclosed please find his statement as well as the estimates for the cost to repair my father' damaged vehicle. He is asking for \$539.78, the lower of the two enclosed bids. I would like to make a claim on his behalf as the property owner of 1538-1540 E. Windsor Place where the stump is located. Should you need to correspond with my father he resides in Florida and can be reached by phone at 352-860-2835.

Thank you for your consideration,



Mr. James Kowalski

RONALD D. LEONHARDT  
CITY CLERK

2011 SEP 21 AM 9:35

CITY OF MILWAUKEE

OFFICE OF  
CITY ATTORNEY

2011 SEP 21 PM 3:47

CITY OF MILWAUKEE  
RECEIVED

# Burch Automotive Specialty Services

3525 E LOUISE LANE  
 HERNANDO, FLORIDA 34442  
 PH 352 860 1199 352 860 0099 FAX  
 FLORIDA MV# 50205  
 STATE TAX ID # 352 860 1199  
 ESTIMATE OF REPAIR  
 AUGUST 17, 2011 • 11:47 AM - ESTIMATE # 327

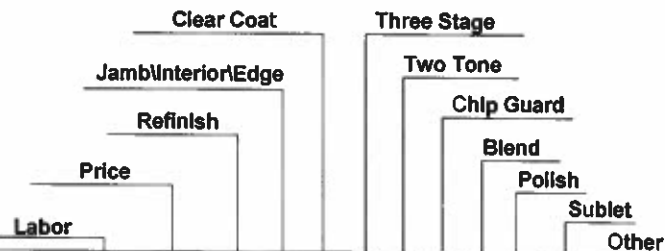
OFFICE OF  
 CITY ATTORNEY  
 2011 SEP 21 PM 3:47  
 CITY OF MILWAUKEE  
 RECEIVED

<b>Customer</b>	CHUCK KOWALSKI	<b>Date Of Loss</b>	
<b>Company</b>		<b>Type Of Loss</b>	
<b>Address</b>		<b>Inspection Site</b>	
<b>City</b>		<b>Days To Repair</b>	
<b>State/Province</b>	ZIP/Postal	<b>Insured Company</b>	
<b>Country</b>		<b>Policy Number</b>	
<b>Home</b>	352-860-2862	<b>Claim Number</b>	
<b>Work</b>		<b>Adjuster</b>	
<b>Fax</b>		<b>Phone</b>	
<b>Cell</b>		<b>Fax</b>	
<b>Email</b>			

<b>Manufacturer</b>	CHEVROLET	<p>PLEASE READ CAREFULLY, CHECK ONE OF THE STATEMENTS BELOW AND SIGN.</p> <p>I UNDERSTAND THAT, UNDER STATE LAW, I AM ENTITLED TO A WRITTEN ESTIMATE IF MY FINAL BILL WILL EXCEED \$100.00</p> <p>_____ I REQUEST A WRITTEN ESTIMATE.</p> <p>_____ I DO NOT REQUEST A WRITTEN ESTIMATE AS LONG AS THE REPAIR COSTS DO NOT EXCEED \$_____.</p> <p>THE SHOP MAY NOT EXCEED THIS AMOUNT WITHOUT MY WRITTEN OR ORAL APPROVAL.</p> <p>_____ I DO NOT REQUEST A WRITTEN ESTIMATE.</p> <p>_____ SIGNED _____ DATE</p>
<b>VIN</b>		
<b>Year</b>	1999	
<b>Model</b>	Z 24 CAV.	
<b>Body Style</b>	2 DR COUPE	
<b>Mfg Date</b>		
<b>Mileage</b>		
<b>License .. State</b>		
<b>Paint System</b>	2 STAGE	
<b>Primary Palnt Code</b>		
<b>Trim Code</b>		
<b>Underhood Code</b>		
<b>2 Tone Code</b>		
<b>Prior Damage</b>		

THANK YOU FOR YOUR PATRONAGE! WE LOOK FORWARD TO SERVING YOU AGAIN.

BURCH AUTOMOTIVE SPECIALTY SERVICES  
 ESTIMATE REPAIR ITEMS  
 CHUCK KOWALSKI  
 ESTIMATE # 327  
 CLAIM #  
 AUGUST 17, 2011



1	Operation Part	P/N	Labor	Price	Refinish	Clear Coat	Jamb/Interior/Edge	Three Stage	Two Tone	Chip Guard	Blend	Polish	Sublet	Other
	REPLACE - AM FRONT BUMPER COVER		1.7	168.00	2.8		1.1							

"OEM" = MFG NEW PART - "AM" = AFTERMARKET PART - "USED" = RECYCLED - "RECON" = RECONDITIONED PART

	RATES	HOURS	AMOUNTS	TOTALS
BODY	42.00	1.7	71.40	PARTS TOTAL 168.00
FRAME	42.00			SUBLET CHARGES
MECH/ELECTRICAL	50.00			**HAZARDOUS WASTE 5.00
REFINISH	42.00	3.9	163.80	OTHER
PAINT & MATERIALS	24.00	3.9 *	93.60	SUB TOTAL COSTS 508.94
SHOP SUPPLIES - PERCENTAGE OF NON PAINT LABOR CHARGES	10		7.14	SALES TAX 6% 30.54 SALES
				SALES TAX 6% 0.30 TAXES
				GRAND TOTAL 539.78
				DEDUCTIBLE AMOUNT
				ADJUSTED TOTAL 539.78

\*Where This Figure Is Larger, Clear Was Capped, Paint & Materials Were Not.

Standard Overlap Deductions, Clear Coat Cap And Premium Refinish Factors In Effect.

Items Marked With A # Are Either Not Taxable, Or Tax Was Prepaid To Sublet Provider And Is Included In The Amount Charged.

Estimiser Pro 1.64 © Swan River Software 406.837.4132

\*\*THIS CHARGE REPRESENTS COSTS AND PROFITS TO THE MOTOR VEHICLE REPAIR FACILITY FOR MISCELLANEOUS SHOP SUPPLIES OR WASTE DISPOSAL. \*\*\*FS403.718 MANDATES A \$1.00 FEE FOR EACH NEW TIRE SOLD IN THE STATE OF FLORIDA. \*\*\*FS403.7185 MANDATES A \$1.50

CITY OF MILWAUKEE  
 RECEIVED  
 2011 SEP 21 PM 3:48  
 OFFICE OF  
 CITY ATTORNEY







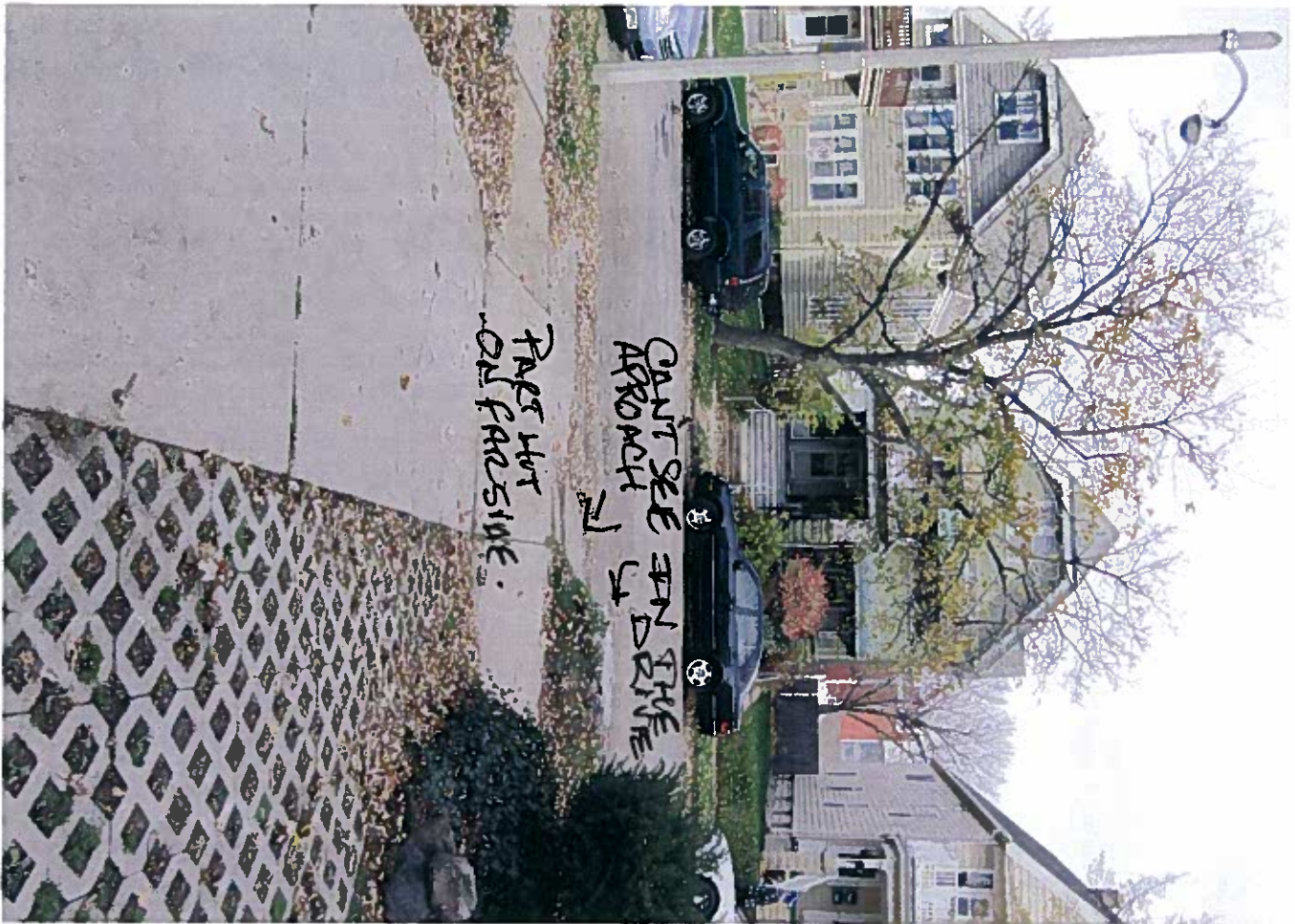




OVER  
EDGE

SA













**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys



THOMAS O. GARTNER  
SUSAN D. BICKERT  
STUART S. MUKAMAL  
THOMAS J. BEAMISH  
MAURITA F. HOUREN  
JOHN J. HEINEN  
SUSAN E. LAPPEN  
JAN A. SMOKOWICZ  
PATRICIA A. FRICKER  
HEIDI WICK SPOERL  
KURT A. BEHLING  
GREGG C. HAGOPIAN  
ELLEN H. TANGEN  
MELANIE R. SWANK  
JAY A. UNORA  
DONALD L. SCHRIEFER  
EDWARD M. EHRlich  
LEONARD A. TOKUS  
MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY  
KATHRYN Z. BLOCK  
ELOISA DE LEÓN  
ADAM B. STEPHENS  
KEVIN P. SULLIVAN  
BETH CONRADSON CLEARY  
THOMAS D. MILLER  
JARELY M. RUIZ  
ROBIN A. PEDERSON  
DANIELLE M. BERGNER  
CHRISTINE M. QUINN  
MARGARET C. DAUN  
JEREMY R. MCKENZIE  
Assistant City Attorneys

October 21, 2011

Charles Kowalski  
4439 North Lake Vista Trail  
Hernando, FL 34442-5549

RE: C.I. File No.: 11-S-269

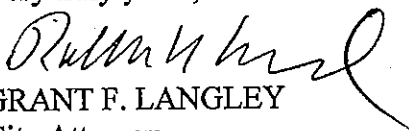
Dear Mr. Kowalski:


We have received your claim in the amount of \$539.78, relating to alleged damage sustained to your vehicle on August 6, 2011 when you drove into a tree stump for a City tree that was adjacent to the driveway at 1538-40 East Windsor Place.

Our investigation reveals that the Forestry Section (FS) reviewed their records relative to this incident. They found the FS had removed a declining Silver Maple tree on December 6, 2010. The remaining tree stump was left in place and it's scheduled to be removed in 2012. The records further noted careful driving on your part could have prevented this accident. The FS followed its standard procedures in this matter, as such, the City cannot accept liability and we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

  
GRANT F. LANGLEY  
City Attorney

  
ROBERT OVERHOLT  
Investigator Adjuster

RMO:ms  
c: James Kowalski  
1068-2011-2459:174814

mailed 10/24/11

OFFICE OF THE CITY ATTORNEY







Legislation Details (With Text)

**File #:** 110033      **Version:** 0  
**Type:** Communication-Report      **Status:** In Committee  
**File created:** 5/3/2011      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:**

**Effective date:**

**Title:** Communication related to the 2011 annual report and activities of the Ethics Board.

**Sponsors:** THE CHAIR

**Indexes:** ETHICS BOARD, REPORTS AND STUDIES

**Attachments:** Jan 26, 2011 Minutes, March 9, 2011 minutes, Recording meeting 4-20-11, April 20, 2011 minutes, Recording meeting 5-18-11, May 18, 2011 minutes, Recording meeting 6-16-11, June 16, 2011 minutes, Recording meeting 7-13-11, July 13, 2011 minutes, Recording meeting 8-10-11, August 10, 2011 minutes, Recording meeting 9-28-11, September 28, 2011 minutes, Recording meeting 11-22-11, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/3/2011	0	COMMON COUNCIL	ASSIGNED TO		
2/13/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/14/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/20/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number  
110033  
Version  
ORIGINAL  
Reference

Sponsor

Title  
Communication related to the 2011 annual report and activities of the Ethics Board.  
Requestor

Drafter  
CC-CC  
jp  
4/27/11

To the Honorable,  
Mayor of Milwaukee and the members of the Common Council

**The City of Milwaukee Board of Ethics  
2011 Annual Report**

The City of Milwaukee Board of Ethics administers the Code of Ethics, Chapter 303, which promotes the essential elements of public trust. The Board works to implement the Code by issuing confidential advisory opinions, investigating sworn complaints, requiring and reviewing the Statement of Economic Interests (SEI) forms of city employees and board members.

The Ethics Board met nine times during 2011 for its regular meetings. In 2010, the office of the City Clerk began posting the SEI form on the Ethics Board's web site. In addition, for the first time, those required to file SEI forms were notified of this obligation by e-mail.

In 2011, the Board responded to one complaint and six requests for opinions. A summary of the opinion requests are included in this report. These summaries should not be viewed as definitive advice, but rather as a guide to the type of situations addressed by the Board.

The seven citizen members of the Board for 2011 were:

Dwight Ellis – Chair (Until September 2011)

Annie Wacker – Vice-Chair

Patricia Hintz

Joanne Barndt

Robert Shelledy

## **Summary of Opinions Issued In 2011**

**11-1.** The Board addressed one confidential complaint received from a citizen.

### **Potential Conflicts of Interest**

#### **11-2.**

A city employee requested an advisory opinion to see if the City's Ethics Code permits a loan through the NSP Home Buyers Assistant Program to an employee of the City who works as a loan officer for the same program. The Board found an inherent conflict of interest for an employee of a City loan program to seek the same loan where persons working on and approving the loan are the superiors or co-workers of the employee seeking the loan.

#### **11-3**

A city employee wanted to apply for a forgivable Rental Rehabilitation Loan through the Department of City Development, Neighborhood Improvement Development Corporation. The Board does not believe that under the circumstances presented that the employee would be using his or her public position for private benefit.

#### **11-4**

A City employee asked to work on a freelance project with a Common Council member to maintain a campaign voter database and produce a walk list. The Board found that the employee would not be using his or her public position for his or her benefit and the ethics code does not prohibit the employee from engaging in the proposed freelance work on the basis of the information presented to the Board.

#### **11-5**

A city official planned on attending a facilitated panel of experts hosted by another City and State. The Board found that that the ethics code does not prohibit an employee from attending the workshop in his or her private capacity and retaining the compensation paid for his or her participation -- based upon the indication that the employee will be using personal vacation time for attendance at the workshop.

#### **11-6**

The propriety of the Mayor joining a delegation made up of public and private individuals who would travel to another city and state as a guest of a mentioned corporation. The Board's opinion is that the Mayor's participation in the trip would not violate the code of ethics

#### **11-7**

A City employee seeking to participate in the Neighborhood Improvement Development Corporation's Rental Rehabilitation Program. The Board found the employee's participation would not constitute the use of his or her public position to gain something of substantial value for private benefit.





# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin  
53202

## Meeting Minutes ETHICS BOARD

**DWIGHT ELLIS III, CHAIR**

**Annie Wacker, Vice Chair**

**Devon Turner, Patricia Hintz, Martha Toran, Joanne Barndt,  
and Robert Shelledy**

**Staff Assistant, Joanna Polanco, 286-2366**

**Fax: 286-3456, [jpolan@milwaukee.gov](mailto:jpolan@milwaukee.gov)**

**Legislative Liaison: Richard Watt, 286-2253,**

**[rwatt@milwaukee.gov](mailto:rwatt@milwaukee.gov)**

---

Wednesday, January 26, 2011

9:00 AM

Room 301-A, City Hall

---

*Meeting convened: 9:02 A.M.*

**1. Roll call and approval of the minutes from the December 15th meeting.**

*Ms. Wacker moved, seconded by Mr. Shelledy, for approval of the minutes. There were no objections.*

**Present:** 5 - Turner, Ellis, Wacker, Barndt, Shelledy

**Excused:** 2 - Toran, Hintz

**2. Election of Ethics Board officers.**

*Ms. Wacker moved, seconded by Ms. Barndt, for nomination of Dwight Ellis for Chair. There were no other nominations and no objections.*

*Mr. Shelledy moved, seconded by Ms. Barndt, for nomination of Ms. Wacker for Vice-Chair. There were no other nominations and no objections.*

**3. The Board may convene into closed session to hear disciplinary matters and related information pursuant to s. 19.85(1)(b) and/or (f), Wis. Stats., and to consider and render confidential advice pursuant to s. 19.85(1)(h), Wis. Stats.**

*Ms. Barndt moved, seconded by Mr. Shelledy, to convene into closed session to hear disciplinary matters and related information pursuant to s. 19.85(1)(b) and/or (f), Wis. Stats., and to consider and render confidential advice pursuant to s. 19.85(1)(h), Wis. Stats. There were no objections.*

**4. The Board may then convene into open session as authorized by s. 19.85(2), Wis. Stats.**

*During closed session, the Board considered one request for a confidential opinion and will be notifying the complainant that the complaint does not state a violation of*

*the ethics code.*

**5. Decision relating to waiver of a late-filing fee.**

*Ms. Wacker moved to not waive the late-filing fee. Motion failed for lack of a second. Mr. Shelledy moved, seconded by Ms. Barndt, to waive the late-filing fee. Prevailed. 4-1 (Ms. Wacker voting "no")*

**6. Format for review of the 2010 annual filing of the Statement of Economic Interests and Board policies relating to the filings.**

*The forms were sent out via e-mail and the Staff Assistant has received no complaints about the lack of mailing. The Chair asked that the forms not be e-mailed out prior to December 31.*

*The Staff Assistant will send out an e-mail noting that the Board has reviewed the Statements which she thought were incomplete and that the Statements must be complete or late-filing fees will assessed.*

*For all filings:*

*If the filer is a city employee, then "Deferred Compensation" is fine in part 3.*

*Paying for parking for board meetings does not need to be listed in part 8.*

*Parent name of the mutual fund is okay in part 3 - the particular fund itself does not need to be listed.*

*Even if the filers own rental properties, they don't need to list renters as income in part B.*

**7. Report from staff assistant relating to office activities of the previous month and the annual filing of Statements.**

*The statements are coming in and it's been a fairly quiet month.*

**8. Review newly filed Statement of Economic Interest Forms for clarity and completeness.**

*The Board reviewed and approved the forms of Gerard Froh, Chris Lee, Kimberly Garner, Paul Jakobovich, Paul Vornholt, Ahnong Vang Schacherer, Joy Price, Linda Elmer and Tynetta Jackson.*

**9. Set next meeting date(s).**

*February 16th at 9 a.m.*

*Meeting adjourned: 9:51 A.M.*

*Linda M. Elmer*

*Staff Assistant*



# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin  
53202

## Meeting Minutes ETHICS BOARD

**DWIGHT ELLIS III, CHAIR**

**Annie Wacker, Vice Chair**

**Devon Turner, Patricia Hintz, Martha Toran, Joanne Barndt,  
and Robert Shelledy**

**Staff Assistant, Joanna Polanco, 286-2366**

**Fax: 286-3456, [jpolan@milwaukee.gov](mailto:jpolan@milwaukee.gov)**

**Legislative Liaison: Richard Watt, 286-2253,  
[rwatt@milwaukee.gov](mailto:rwatt@milwaukee.gov):**

---

Wednesday, March 9, 2011

10:00 AM

Room 301-A, City Hall

---

**Present:** 5 - Ellis, Hintz, Wacker, Barndt, Shelledy

**Excused:** 2 - Turner, Toran

**1. Roll call and approval of the minutes from the January 26th meeting.**

*Ms. Wacker moved, seconded by Mr. Shelledy, for approval of the minutes. There were no objections.*

**2. The Board may convene into closed session to hear disciplinary matters and related information pursuant to s. 19.85(1)(b) and/or (f), Wis. Stats., and to consider and render confidential advice pursuant to s. 19.85(1)(h), Wis. Stats.**

*There were no matters for closed session.*

**3. The Board may then convene into open session as authorized by s. 19.85(2), Wis. Stats.**

**4. Consideration of an appeal to waive the late-filing fee for a city employee.**

*After consideration of the e-mail submitted by Ms. Etheridge for waiver of the late-filing fee, Ms. Wacker moved, seconded by Ms. Barndt, to deny the waiver. Prevailed. 4-1 (Mr. Shelledy voting "no") After discussion relating to when the Statement was due, Ms. Wacker amended her motion to waive the fee provided the 10-day grace period was calculated as part of the late filing-fee, seconded by Ms. Barndt. Prevailed. 4-1 (Mr. Shelledy voting "no").*

*Ms. Elmer determined after the meeting that the Statement was filed outside of the 10-day grace period, so the fee was correctly assessed.*

**5. Report from staff assistant relating to office activities of the previous month.**

*During the past two months, Ms. Elmer processed the annual filings of the Statement of Economic Interests. Two reminder e-mails to file statements were sent out (on Feb. 21 and March 9). At the time of the March 9th meeting, there were 27 city employees and 37 board members who had not filed their statements. The Board did receive authority from the state to retain only 7 year's worth of its confidential records, so those older records were destroyed. The Board also agreed to not pursue the filings of the statements for Megan Crump and Ben Weiland, who are no longer city employees. The Board also agreed not to pursue late-filing fees for those individuals who did file statements, but which need additional information.*

**6. Review the select annual Statements of Economic Interests**

*The Board reviewed the statements of all elected officials received so far. Those statements were posted on the Ethics web site March 1 as the Board previously directed.*

**7. Review newly filed Statement of Economic Interest Forms for clarity and completeness.**

*The Board reviewed and approved the forms of Barbara Etheridge, Fran Obenshain, Gary Loop, Jessica Ceella, Paul Conway, Kristine Hughes, Jonathan Koberstein and Gerard Washington.*

**8. Set next meeting date(s).**

*April 20th at 9 a.m.*

*Meeting adjourned: 10:37 A.M.  
Linda M. Elmer*



# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin  
53202

## Meeting Minutes ETHICS BOARD

**DWIGHT ELLIS III, CHAIR**  
**Annie Wacker, Vice Chair**

**Devon Turner, Patricia Hintz, Martha Toran, Joanne Barndt,  
and Robert Shelledy**

**Staff Assistant, Joanna Polanco, 286-2366**

**Fax: 286-3456, [jpolan@milwaukee.gov](mailto:jpolan@milwaukee.gov)**

**Legislative Liaison: Richard Watt, 286-2253,  
[rwatt@milwaukee.gov](mailto:rwatt@milwaukee.gov)**

---

Wednesday, April 20, 2011

9:00 AM

Room 301-A, City Hall

---

### Meeting convened at 9:05 A.M.

**Present:** 4 - Ellis, Hintz, Barndt, Shelledy

**Absent:** 2 - Turner, Wacker

**Excused:** 1 - Toran

#### 1. Roll call and approval of the minutes from the March 9th meeting.

*Mr. Shelledy moved, seconded by Ms. Barndt, for approval of the minutes. There were no objections.*

#### 2. The Board may convene into closed session to hear disciplinary matters and related information pursuant to s. 19.85(1)(b) and/or (f), Wis. Stats., and to consider and render confidential advice pursuant to s. 19.85(1)(h), Wis. Stats.

*Ms. Hintz moved, seconded by Shelledy, to convene into closed session to hear disciplinary matters and related information pursuant to s. 19.85(1)(b) and/or (f), Wis. Stats., and to consider and render confidential advice pursuant to s. 19.85(1)(h), Wis. Stats.*

*There was no objection.*

#### 3. The Board may then convene into open session as authorized by s. 19.85(2), Wis. Stats.

*During this closed session, the Board considered the request for two confidential advisory opinion and will respond to those requests in the next week to 10 days.*

#### 4. Appeal request relating to waivers of late filing fee of the Statement of Economic Interests.

*Ms. Hintz moved to not waive the late-filing fee of Stephanie Bloomingdale member of the City Plan Commission (CPC). Prevailed 4-0 (Ms. Wacker EXCUSED.)*

*Mr. Ellis will respond to Ms. Bloomingdale request.*

*The board unanimously agreed to not waive the late-filing fee of Ms. Marilyn Miller.  
Mr. Ellis will respond to Ms. Miller's request.*

**5. Update on filing of annual Statement of Economic Interest.**

*Staff assistant has received a total of \$550 dollars as of April 19, 2011; There are 15 board members from boards and commissions and 4 city employees. Those responsible for appointing the commission and board appointees have been notified as to those members that have not yet filed.*

*The Chair requested that a first class letter be mailed to all individuals who have not submitted SEI as of the date of the meeting.*

**6. Report from staff assistant relating to office activities of the previous month.**

*Some statements of economic interest submitted during the month of April were reviewed for completeness and accuracy by the staff assistant. Also, staff assistant sent notifications to the appointing authorities of those board members and city employees that have not yet filed their statements.*

**7. Review newly filed Statement of Economic Interest Forms for clarity and completeness.**

*The Board reviewed and approved the forms of Ald. Milele Coggs, Ald. Willie Wade, Michael Payne and Gerard Washington. The board requested clarification on Ald. Nik Kovac's statement in terms of the creditors under part 5 - creditors. Staff assistant will contact Ald. Kovac via email per the Board's request.*

**8. Set next meeting date(s).**

*Wednesday, May 18, 2011 at 9:00 a.m.*

**Meeting adjourned at 10:24 A.M.**

**Joanna Polanco**

**Staff Assistant**



# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin  
53202

## Meeting Minutes ETHICS BOARD

*DWIGHT ELLIS III, CHAIR*

*Annie Wacker, Vice Chair*

*Devon Turner, Patricia Hintz, Martha Toran, Joanne Barndt,  
and Robert Shelledy*

*Staff Assistant, Joanna Polanco, 286-2366*

*Fax: 286-3456, jpolan@milwaukee.gov*

*Legislative Liaison: Richard Watt, 286-2253,*

*rwatt@milwaukee.gov:*

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Wednesday, May 18, 2011

9:00 AM

Room 301-A, City Hall

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Meeting convened at 9:16 A.M.

**1. Roll call and approval of the minutes from the previous meeting.**

*Motion by Ms. Barndt, seconded by Ms. Hintz to approve the minutes. There were no objections*

*Also present:*

*Ed Ehrlich - Asst City Atty.*

**Present:** 4 - Hintz, Wacker, Barndt, Shelledy

**Excused:** 3 - Turner, Toran, Ellis

**2. Discussion related to requiring the members of the Pension Task Force to file Statement of Economic Interest.**

*Ms. Hintz moved that, based upon the review of the resolution that created the Pension Task Force, File # 100416, members of this Task Force should not be required to file a Statement of Economic Interest, seconded by Mr. Shelledy. There were no objections.*

**3. The Board may convene into closed session to hear disciplinary matters and related information pursuant to s. 19.85(1)(b) and/or (f), Wis. Stats., and to consider and render confidential advice pursuant to s. 19.85(1)(h), Wis. Stats.**

*Ms. Hintz moved, seconded by Ms. Barndt, to convene into closed session to hear disciplinary matters and related information pursuant to s. 19.85(1)(b) and/or (f), Wis. Stats., and to consider and render confidential advice pursuant to s. 19.85(1)(h), Wis. Stats.*

*There were no objections.*

**4. The Board may then convene into open session as authorized by s. 19.85(2), Wis. Stats.**

*During this close session, the Board further reviewed a confidential opinion originally discussed at the last Ethics Board meeting.*

*Ms. Wacker asked the board to go back to the request of waiver of late fees from last month of Ms. Stephanie Bloomingdale. There were no objections.*

*Ms. Wacker requested that the board reconsider waiving the late fees based on the extraordinary circumstances taking place in the state of Wisconsin. Mr. Ehrlich said that this board makes decisions on factual information, therefore it is advisable that Ms. Bloomingdale submit her request in writing and be scheduled for the next Ethics Board meeting. The Board will notify Ms. Bloomingdale by mail of this decision.*

*Ms. Hintz moved to reconsider the request of waiver from last month of Stephanie Bloomingdale. There were no objections.*

**5. Update on filling of annual Statement of Economic Interest.**

*Staff Assistant reported that there were very few statements of economic interest received since the last meeting, April 20th.*

**6. Report from staff assistant relating to office activities of the previous month.**

*Staff assistant sent letters to the non filers on March 27th; as a result of this mailing there were two individuals who replied with refusal to file; Mr. Dale Radke, member of the Safety Commission who stated that the Safety Commission has not met in over a year and Mr. William DeLind, member of the Art Board, also refusing to file. Since April 20th, the Ethics Board received one statement and \$125.00 on late fees.*

*Ald. Kovac has not responded to clarify the question the board posed when reviewing his statement last month.*

*The board agreed for the staff assistant to follow up with a letter to Ald. Kovac. To send a letter to explain the responsibility to file to Mr. Radke and also inviting him to the next Ethics Board meeting.*

**7. Review newly filed Statement of Economic Interest Forms for clarity and completeness.**

*The Board review and approved the forms of Ralph Hollmon and Jeannette Mitchell. There were no objections.*

**8. Set next meeting date(s).**

*Thursday, June 16th at 9:00 A.M. room 301-A*



**Meeting adjourned at 10:13 A.M.**  
**Joanna Poalno**  
**Staff Assistant**



# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin  
53202

## Meeting Minutes ETHICS BOARD

**DWIGHT ELLIS III, CHAIR**  
**Annie Wacker, Vice Chair**

**Devon Turner, Patricia Hintz, Martha Toran, Joanne Barndt,  
and Robert Shelledy**

**Staff Assistant, Joanna Polanco, 286-2366**

**Fax: 286-3456, [jpolan@milwaukee.gov](mailto:jpolan@milwaukee.gov)**

**Legislative Liaison: Richard Watt, 286-2253,  
[rwatt@milwaukee.gov](mailto:rwatt@milwaukee.gov):**

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Thursday, June 16, 2011

9:00 AM

Room 301-A, City Hall

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**Meeting convened at 9:01 A.M.**

**Present:** 5 - Ellis, Hintz, Wacker, Barndt, Shelledy

**Excused:** 2 - Turner, Toran

**Also present:**

**Ed Ehrlich - Asst City Atty**

**1. Roll call and approval of the minutes from the previous meeting.**

*Motion by Mr. Shelledy, seconded by Ms. Barndt to approve the minutes of the May 18th, 2011 meeting. There were no objections*

**2. Discussion related to requiring the members of the Public Transportation Review Board to file Statement of Economic Interest.**

*Motion by Ms. Hintz, seconded by Ms. Wacker, to recommend to the Common Council that members of the new Transportation Review Board be required to file a statement of economic interest. There were no objections.*

**3. The Board may convene into closed session to hear disciplinary matters and related information pursuant to s. 19.85(1)(b) and/or (f), Wis. Stats., and to consider and render confidential advice pursuant to s. 19.85(1)(h), Wis. Stats.**

*There were no matters discussed under closed session.*

**4. The Board may then convene into open session as authorized by s. 19.85(2), Wis. Stats.**

*There were no matters discussed under closed session.*

**5. Report from staff assistant relating to office activities of the previous month.**

*Staff assistant sent 13 affidavits to the Office of City Attorney relating to the failure to filing the annual statement of economic interest. Since May 17th, the Ethics Board has received four statements and \$500.00 on late fees.*

*Members discussed a letter dated June 9, 2011 that Ms. Lillian Pound sent the board requesting the late filing fees to be waived.*

*Chair instructed the staff assistant to respond to Ms. Pound and indicate that based on information available to the board, she received notice of the requirement to file with link to the 2010 statement via email prior to the end of the year (2010), the Ethics board is not inclined to waive any late fees and the matter has been referred to the city attorney. Motion was made by Ms. Hintz seconded by Ms. Wacker. There were no objections.*

**6. Review newly filed Statement of Economic Interest Forms for clarity and completeness.**

*The Board review and approved the forms of Laura Ashleigh-King, Mildred Harpole, Roy Evans, Nik Kovac, Dale Radke, Jeffrey Roman, Oscar Tovar, Annie Wacker and Ronald Walter. There were no objections.*

*Individuals present:  
Dale Radke  
Ald. Terry Witkowski*

*Mr. Dale Radke, member of the Safety Commission, came to argue that he had not receive the annual form to submit to the board and that given the Safety Commission had not met in a while, he was not required to file. Mr. Ellis asked Mr. Radke if he had provided an email address to the Ethics Board. Mr. Radke responded that his email address had changed in the last two years. It was brought to the attention of the staff assistant that the form sent by mail to Mr. Radke was not the annual form. Members requested for the staff assistant to check last year's form submitted by Mr. Radke to see if an email address was listed. Mr. Ellis told Mr. Radke that the Ethics Board is obligated to follow the code of ethics set out in the city ordinances. The board will investigate as to if notified, how was Mr. Radke to file. The board will investigate further to determine if any late filing fees will be appropriate. Under the ordinance the form is not technically filed until either late fees have been received with the form or they have been waived by the board. The board needs additional information before deciding to waive any late fees in this case.*

*Ald. Terry Witkowski came as a character witness to Mr. Dale Radke.*

*Mr. Ellis requested to add the words "2010" and "nominee" to the different titles on the web to avoid any misunderstanding by the public users.*

**7. Set next meeting date(s).**

*Wednesday, July 13 at 9:00 A.M., Room 301-A*

**Meeting adjourned at 9:45 A.M.**  
**Joanna Polanco**  
**Staff Assistant**



# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin  
53202

## Meeting Minutes ETHICS BOARD

**DWIGHT ELLIS III, CHAIR**

**Annie Wacker, Vice Chair**

**Devon Turner, Patricia Hintz, Martha Toran, Joanne Barndt,  
and Robert Shelledy**

**Staff Assistant, Joanna Polanco, 286-2366**

**Fax: 286-3456, [jpolan@milwaukee.gov](mailto:jpolan@milwaukee.gov)**

**Legislative Liaison: Richard Watt, 286-2253,**

**[rwatt@milwaukee.gov](mailto:rwatt@milwaukee.gov)**

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Wednesday, July 13, 2011

9:00 AM

Room 301-A, City Hall

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**Meeting convened at 9:04 A.M.**

**Members present:**

**Ellis, Barndt, Shelledy, Hintz**

**Members absent:**

**Turner, Toran, Wacker**

**Also present:**

**Ed Ehrlich - Asst. City Attorney**

**1. Roll call and approval of the minutes from the previous meeting.**

*Motion by Ms. Barndt, seconded by Ms. Hintz to approve the minutes of June 16, 2011 meeting. There were no objections.*

**2. The Board may convene into closed session to hear disciplinary matters and related information pursuant to s. 19.85(1)(b) and/or (f), Wis. Stats., and to consider and render confidential advice pursuant to s. 19.85(1)(h), Wis. Stats.**

*There were no matters to be discussed in closed session.*

**3. The Board may then convene into open session as authorized by s. 19.85(2), Wis. Stats.**

**4. Discussion of communication received from Fire and Police Commission.**

*After Mr. Ehrlich, Assistant City Attorney reviewed the letter sent to all Ethics Board members dated June 13, 2011, he advised the chair to send a response stating that the Ethics Board does not have jurisdiction to decide on the matter or any information*

to provide.

**5. Report from staff assistant relating to office activities of the previous month.**

*Also present*

*Jim Owczarski - Deputy City Clerk*

*Staff Assistant, reported that she had received \$125.00 in late filing fees since last meeting. There have been several SEI forms that have been submitted as a result of forwarding the affidavits to the City Attorney's Office, however, due to the lack of late fees, those individuals remain non complaint according to the code.*

*Mr. Owczarski addressed two issues to the board regarding late filing fees and the requirements of next year's SEIs filing (2012): the first was usage of email for the primary point of contact. Mr. Ellis would like to create a way of alerting the commissions and appointers to make sure they obtain accurate and current contact information for members of the different boards that are not city employees. Also, in order to issue citation individuals need to provide their date of birth.*

*Motion by Ms. Hintz to waive the late filing fees of the 2010 SEI of Mr. Dale Radke, seconded by Mr. Shelledy. There were no objections.*

**6. Review newly filed Statement of Economic Interest Forms for clarity and completeness.**

*The board reviewed and approved the forms of John Doherty, Paulina de Haan, Kevin Ingram, David Jasenski, Steven Mahan and Mariano Schifalacqua. There were no objections.*

**7. Set next meeting date(s).**

*Wednesday, August 10th, 2011, Room 301-B, City Hall at 9:00 A.M.*

**Meeting adjourned at 9:41 A.M.**

**Joanna Polanco**

**Staff Assistant**



# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin  
53202

## Meeting Minutes ETHICS BOARD

**DWIGHT ELLIS III, CHAIR**

**Annie Wacker, Vice Chair**

**Devon Turner, Patricia Hintz, Martha Toran, Joanne Barndt,  
and Robert Shelledy**

**Staff Assistant, Joanna Polanco, 286-2366**

**Fax: 286-3456, [jpolan@milwaukee.gov](mailto:jpolan@milwaukee.gov)**

**Legislative Liaison: Richard Watt, 286-2253,**

**[rwatt@milwaukee.gov](mailto:rwatt@milwaukee.gov)**

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Wednesday, August 10, 2011

9:00 AM

Room 301-B, City Hall

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Meeting convened at 9:03 A.M.

**1. Roll call and approval of the minutes from the previous meeting.**

*Mr. Ellis made a correction to the minutes of July 13, 2011 to reflect the presence of Ms. Hintz. Also he made a typographical correction changing the word "approved" to "approve".*

*Motion by Ms. Barndt, seconded by Mr. Shelledy, to approve minutes as amended. There were no objections.*

**Members present:**

**Shelledy, Barndt, Hintz, Ellis**

**Ed Ehrlich - Asst City Atty**

**Members Absent:**

**Toran, Turner, Wacker**

**2. The Board may convene into closed session to hear disciplinary matters and related information pursuant to s. 19.85(1)(b) and/or (f), Wis. Stats., and to consider and render confidential advice pursuant to s. 19.85(1)(h), Wis. Stats.**

*Ms. Barndt moved, seconded by Hintz, to convene into closed session to hear disciplinary matters and related information pursuant to s. 19.85(1)(b) and/or (f), Wis. Stats., and to consider and render confidential advice pursuant to s. 19.85(1)(h), Wis. Stats.*

*There was no objection.*

**3. The Board may then convene into open session as authorized by s. 19.85(2), Wis. Stats.**

*Motion by Shelledy, seconded by Hintz, for the board to convene into open session as authorized by s.19.85(2), Wis. Stats. There were no objections.*

*During this closed session, the Board considered the request for two separate confidential advisory opinions and will respond to those requests in the next week to 10 days.*

**4. Discussion of status of cases filed in municipal court.**

*Individual present:*

*Jim Owczarski - Deputy City Clerk*

*Mr. Owczarski presented board members a memo dated August 9, 2011, recommending that the Board ask the Office of the City Attorney to withdraw the citation issued against Ms. Chang.*

*Mr. Ehrlich clarified to board members that once the matter has been referred to the court, it is not within the Board's position to call them back. There was a consensus that the ethics board does not have the authority to withdraw these types of charges.*

**5. Report from staff assistant relating to office activities of the previous month.**

*Staff assistant has received a total of \$625.00 in late fees as of August 10, 2011.*

*Mr. Ellis asked the Staff Assistant to submit a list to the city attorney's office, of those individuals that submitted their SEI forms and late filing fees after affidavits were sent to the city attorney's office.*

**6. Review newly filed Statement of Economic Interest Forms for clarity and completeness.**

*The Board reviewed and approved the forms of Gail Cordoves, Ebony Jiles, Jeffery W. Johnson, Sandra Kellner, Dale Radke, Lillian Carter-Pounds, Tina Chang, William DeLind, Tim Murphy, Allyson Nemecek and Gina Spang. There were no objections.*

**7. Set next meeting date(s).**

*Wednesday, September 21, 2011 at 9:00 A.M. in room 301-A, City Hall*

**Meeting adjourned at 10:12 A.M.**

**Joanna Polanco**

**Staff Assistant**





# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin 53202

## Meeting Minutes ETHICS BOARD

*Annie Wacker, Vice Chair*  
*Devon Turner, Patricia Hintz, Martha Toran, Joanne Barndt, and*  
*Robert Shelledy*  
*Staff Assistant, Joanna Polanco, 286-2366*  
*Fax: 286-3456, jpolan@milwaukee.gov*  
*Legislative Liaison: Richard Watt, 286-2253,*  
*rwatt@milwaukee.gov:*

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Wednesday, September 28, 2011

1:00 PM

Room 303, City Hall

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Meeting convened at 1:04 P.M.

**1. Roll call and approval of the minutes from the previous meeting.**

*Motion by Ms. Hintz, seconded by Mr. Shelledy, to approve minutes as amended. There were no objections.*

**Present:** 4 - Hintz, Wacker, Barndt, Shelledy

**Absent:** 3 - Turner, Toran, Ellis

**Also present:**  
Ed Ehrlich - Asst City Atty.

**2. The Board may convene into closed session to hear disciplinary matters and related information pursuant to s. 19.85(1)(b) and/or (f), Wis. Stats., and to consider and render confidential advice pursuant to s. 19.85(1)(h), Wis. Stats.**

*Ms. Barndt moved, seconded by Ms. Hintz, to convene into closed session to hear disciplinary matters and related information pursuant to s. 19.85(1)(b) and/or (f), Wis. Stats., and to consider and render confidential advice pursuant to s. 19.85(1)(h), Wis. Stats.*  
*There were no objections.*

**3. The Board may then convene into open session as authorized by s. 19.85(2), Wis. Stats.**

*During this close session, the Board further reviewed a confidential opinion originally discussed at the last Ethics Board meeting.*

**4. Report from staff assistant relating to office activities of the previous month.**

*Staff assistant continues reviewing the statement of economic interest as newly hires and appointed/reappointed individuals submit their forms.*

**5. Review newly filed Statement of Economic Interest Forms for clarity and completeness.**

*The board reviewed and approved the forms of Felicia Denise Hayden, Terry Radtke, Mark A. Wagner, Linda Reaves, Blair Williams, Sam McGovern-Rowen, Jeremy R. McKenzie. There were no objections.*

**6. Set next meeting date(s).**

*Wednesday, October 19, 2011 at 9:00 A.M. in room B-1 (basement)*

**Meeting adjourned at 1:28 P.M.**

**Joanna Polanco  
Staff Assistant**





Legislation Details (With Text)

**File #:** 110912      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/2/2011      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to legislative bills.

**Sponsors:** THE CHAIR

**Indexes:** FEDERAL LEGISLATION, STATE LEGISLATION

**Attachments:** Agenda 03-06-12.pdf, sb308.pdf, ab510.pdf, sb482.pdf, ab617.pdf, ab618.pdf, sb493.pdf

Date	Ver.	Action By	Action	Result	Tally
11/2/2011	0	COMMON COUNCIL	ASSIGNED TO		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/1/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

110912

**Version**

Original

**Reference**

**Sponsor**

The Chair

**Title**

Resolution relating to legislative bills.

**Drafter**

CC-CC

jp:dkf

10/26/11

# **LEGISLATIVE HEARING CALENDAR**

## **COMMITTEE ON JUDICIARY-LEGISLATION**

**TUESDAY, MARCH 6, 2012 AT 1:30PM**

**Room 301-B City Hall**

- SB-308/  
AB-510**      **Deposit placement programs of public depositories.**
- SB-482/  
AB-617**      **Lodging establishments and restricting a local government's  
ability to prohibit or restrict an individual from renting his or her  
home.**
- AB-618/  
SB-493**      **Outdoor advertising signs that are relocated because of state highway  
projects.**



## 2011 SENATE BILL 308

November 28, 2011 – Introduced by Senators GROTHMAN, CARPENTER and TAYLOR, cosponsored by Representatives KRAMER, SPANBAUER and KESTELL. Referred to Committee on Financial Institutions and Rural Issues.

- 1     **AN ACT** *to amend* 34.06; and *to create* 34.05 (4) of the statutes; **relating to:**  
2             deposit placement programs of public depositories.

---

### *Analysis by the Legislative Reference Bureau*

Under current law, the governing board of a public depositor must designate one or more public depositories in which the treasurer must deposit all public moneys received by the treasurer and must specify whether these public moneys are to be maintained in time deposits, demand deposits, or savings deposits and whether security is required of the public depository to secure the repayment of deposits exceeding deposit insurance. A treasurer must deposit public moneys immediately upon receipt in the designated public depository or public depositories. These requirements apply to the state, local governments, and certain other depositors. A “treasurer” is not limited to an elected official but includes any public official or employee whose duties require that he or she receive and account for public moneys. A “public depository” includes a federal or state credit union, federal or state savings and loan association, state bank, savings and trust company, federal or state savings bank, or national bank in this state that receives or holds any public deposits. A treasurer who deposits public moneys in a public depository in compliance with the foregoing requirements is relieved of liability for any loss of public moneys that results from the failure of the public depository to repay the full amount of its deposits.

Under this bill, a public depositor may direct its treasurer to deposit public moneys in a selected public depository and, directly or through an authorized agent, instruct the public depository to arrange for the redeposit of the moneys through a

**SENATE BILL 308**

deposit placement program that meets all of the following conditions: 1) on or after the date that it receives the public moneys, the selected public depository arranges for the redeposit of the moneys into savings deposit accounts in one or more federal or state savings and loan associations, state banks, federal or state savings banks, savings and trust companies, or national banks insured by the federal deposit insurance corporation (FDIC) or federal or state credit unions insured by the national credit union administration (NCUA); and 2) the full amount of the public depositor's moneys redeposited with these financial institutions, plus any accrued interest, are insured by the FDIC OR NCUA. A treasurer who deposits public moneys in a selected public depository as part of such a deposit placement program is relieved of liability for loss.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 34.05 (4) of the statutes is created to read:

2           34.05 (4) Notwithstanding sub. (1), s. 66.0603 (1m) (a), or any other provision  
3 of law, the governing board of a public depositor may direct the treasurer of the  
4 governing board to deposit public moneys in a selected public depository and, directly  
5 or through an authorized agent, instruct the public depository to arrange for the  
6 redeposit of the moneys through a deposit placement program that meets all of the  
7 following conditions:

8           (a) On or after the date that it receives the public moneys, the selected public  
9 depository arranges for the redeposit of the moneys into savings deposit accounts in  
10 one or more federal or state savings and loan associations, state banks, federal or  
11 state savings banks, savings and trust companies, or national banks insured by the  
12 federal deposit insurance corporation or federal or state credit unions insured by the  
13 national credit union administration.

14           (b) The full amount of the public depositor's moneys redeposited by the selected  
15 depository into deposit accounts with the financial institutions identified in par. (a),

**SENATE BILL 308**

1 plus any accrued interest, are insured by the federal deposit insurance corporation  
2 or national credit union administration.

3 **SECTION 2.** 34.06 of the statutes is amended to read:

4 **34.06 Liability of treasurers.** Notwithstanding any other provision of law,  
5 a treasurer who deposits public moneys ~~in any public depository~~, in compliance with  
6 s. 34.05, is thereby relieved of liability for any loss of public moneys which results  
7 from the failure of any ~~public~~ depository to repay to the public depositor the full  
8 amount of its deposits thus causing a loss as defined in s. 34.01 (2).

9 (END)





## 2011 ASSEMBLY BILL 510

February 1, 2012 – Introduced by Representative KRAMER, cosponsored by Senator GROTHMAN. Referred to Committee on Financial Institutions.

- 1     **AN ACT** *to amend* 34.06; and *to create* 34.05 (4) of the statutes; **relating to:**  
2             deposit placement programs of public depositories.

---

### *Analysis by the Legislative Reference Bureau*

Under current law, the governing board of a public depositor must designate one or more public depositories in which the treasurer must deposit all public moneys received by the treasurer and must specify whether these public moneys are to be maintained in time deposits, demand deposits, or savings deposits and whether security is required of the public depository to secure the repayment of deposits exceeding deposit insurance. A treasurer must deposit public moneys immediately upon receipt in the designated public depository or public depositories. These requirements apply to the state, local governments, and certain other depositors. A “treasurer” is not limited to an elected official but includes any public official or employee whose duties require that he or she receive and account for public moneys. A “public depository” includes a federal or state credit union, federal or state savings and loan association, state bank, savings and trust company, federal or state savings bank, or national bank in this state that receives or holds any public deposits. A treasurer who deposits public moneys in a public depository in compliance with the foregoing requirements is relieved of liability for any loss of public moneys that results from the failure of the public depository to repay the full amount of its deposits.

Under this bill, a public depositor may direct its treasurer to deposit public moneys in a selected public depository and, directly or through an authorized agent, instruct the public depository to arrange for the redeposit of the moneys through a

**ASSEMBLY BILL 510**

deposit placement program that meets all of the following conditions: 1) on or after the date that it receives the public moneys, the selected public depository arranges for the redeposit of the moneys into savings deposit accounts in one or more federal or state savings and loan associations, state banks, federal or state savings banks, savings and trust companies, or national banks insured by the federal deposit insurance corporation (FDIC) or federal or state credit unions insured by the national credit union administration (NCUA); and 2) the full amount of the public depositor's moneys redeposited with these financial institutions, plus any accrued interest, are insured by the FDIC OR NCUA. A treasurer who deposits public moneys in a selected public depository as part of such a deposit placement program is relieved of liability for loss.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 34.05 (4) of the statutes is created to read:

2           34.05 (4) Notwithstanding sub. (1), s. 66.0603 (1m) (a), or any other provision  
3 of law, the governing board of a public depositor may direct the treasurer of the  
4 governing board to deposit public moneys in a selected public depository and, directly  
5 or through an authorized agent, instruct the public depository to arrange for the  
6 redeposit of the moneys through a deposit placement program that meets all of the  
7 following conditions:

8           (a) On or after the date that it receives the public moneys, the selected public  
9 depository arranges for the redeposit of the moneys into savings deposit accounts in  
10 one or more federal or state savings and loan associations, state banks, federal or  
11 state savings banks, savings and trust companies, or national banks insured by the  
12 federal deposit insurance corporation or federal or state credit unions insured by the  
13 national credit union administration.

14           (b) The full amount of the public depositor's moneys redeposited by the selected  
15 depository into deposit accounts with the financial institutions identified in par. (a),

**ASSEMBLY BILL 510**

1 plus any accrued interest, are insured by the federal deposit insurance corporation  
2 or national credit union administration.

3 **SECTION 2.** 34.06 of the statutes is amended to read:

4 **34.06 Liability of treasurers.** Notwithstanding any other provision of law,  
5 a treasurer who deposits public moneys ~~in any public depository~~, in compliance with  
6 s. 34.05, is thereby relieved of liability for any loss of public moneys which results  
7 from the failure of any ~~public~~ depository to repay to the public depositor the full  
8 amount of its deposits thus causing a loss as defined in s. 34.01 (2).

9 (END)



## 2011 SENATE BILL 482

February 15, 2012 – Introduced by Senator LASEE, cosponsored by Representative RIVARD. Referred to Committee on Insurance and Housing.

1     **AN ACT** *to amend* 254.61 (3); and *to create* 66.1014, 254.61 (1) (g), 254.61 (4f),  
2           254.61 (4m) and 254.61 (6) (d) of the statutes; **relating to:** lodging  
3           establishments and restricting a local government’s ability to prohibit or  
4           restrict an individual from renting his or her home.

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### *Analysis by the Legislative Reference Bureau*

This bill prohibits a political subdivision (any city, village, town, or county) from enacting or enforcing an ordinance that prohibits, or unreasonably restricts, an individual from renting out his or her home for seven consecutive days or longer. The bill defines “home” as any residential dwelling owned by an individual as either a primary or secondary dwelling. If any political subdivision has such an ordinance in effect on the effective date of the bill, the ordinance does not apply and may not be enforced.

Under current law, the Department of Health Services regulates a variety of types of lodging establishments, including hotels, bed and breakfast establishments, and tourist rooming houses. This bill excludes from the definitions of “hotel,” “bed and breakfast establishment,” and “tourist rooming house” a residential dwelling that is rented exclusively for periods that are seven consecutive days or longer. Thus, the bill provides that a residential dwelling that is rented exclusively for periods of seven consecutive days or longer does not qualify as a hotel, a bed and breakfast establishment, or a tourist rooming house and therefore is not subject to regulations that apply to such lodging establishments.

**SENATE BILL 482**

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 66.1014 of the statutes is created to read:

2           **66.1014 Limits on home rental prohibited. (1)** In this section:

3           (a) “Home” means any residential dwelling owned by an individual, as either  
4 the individual’s primary dwelling or secondary dwelling.

5           (b) “Political subdivision” means any city, village, town, or county.

6           (c) “Residential dwelling” has the meaning given in s. 254.61 (4f).

7           (d) “Secondary dwelling” means any residential dwelling owned by an  
8 individual other than the individual’s primary dwelling.

9           **(2)** (a) A political subdivision may not enact or enforce an ordinance that  
10 prohibits, or unreasonably restricts, an individual from renting out his or her home  
11 for 7 consecutive days or longer.

12           (b) If a political subdivision has in effect on the effective date of this paragraph  
13 .... [LRB inserts date], an ordinance that is inconsistent with par. (a), the ordinance  
14 does not apply and may not be enforced.

15           **SECTION 2.** 254.61 (1) (g) of the statutes is created to read:

16           254.61 **(1)** (g) Is not a residential dwelling rental.

17           **SECTION 3.** 254.61 (3) of the statutes is amended to read:

18           254.61 **(3)** “Hotel” means all places wherein sleeping accommodations are  
19 offered for pay to transients, in 5 or more rooms, and all places used in connection  
20 therewith except that “hotel” does not include a residential dwelling rental.

**SENATE BILL 482**

1 “Hotelkeeper”, “motelkeeper” and “innkeeper” are synonymous and “inn,” “motel,”  
2 and “hotel” are synonymous.

3 **SECTION 4.** 254.61 (4f) of the statutes is created to read:

4 254.61 (4f) “Residential dwelling” means any building, structure, or part of the  
5 building or structure, that is primarily used and occupied for human habitation or  
6 intended to be so used and includes any appurtenances belonging to it or usually  
7 enjoyed with it.

8 **SECTION 5.** 254.61 (4m) of the statutes is created to read:

9 254.61 (4m) “Residential dwelling rental” means a residential dwelling that  
10 is offered for rent exclusively for periods of 7 consecutive days or longer.

11 **SECTION 6.** 254.61 (6) (d) of the statutes is created to read:

12 254.61 (6) (d) A residential dwelling rental.

13 (END)



## 2011 ASSEMBLY BILL 617

February 22, 2012 - Introduced by Representatives RIVARD and AUGUST,  
cosponsored by Senator LASEE. Referred to Committee on Housing.

1     **AN ACT** *to amend* 254.61 (3); and *to create* 66.1014, 254.61 (1) (g), 254.61 (4f),  
2           254.61 (4m) and 254.61 (6) (d) of the statutes; **relating to:** lodging  
3           establishments and restricting a local government's ability to prohibit or  
4           restrict a person from renting out of the person's residential dwelling.

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### *Analysis by the Legislative Reference Bureau*

This bill prohibits a political subdivision (any city, village, town, or county) from enacting or enforcing an ordinance that prohibits, or unreasonably restricts, a person from renting out the person's residential dwelling for seven consecutive days or longer. The bill defines "residential dwelling" as any building or structure, or part thereof, that is primarily used and occupied for human habitation or intended to be so used. If any political subdivision has such an ordinance in effect on the effective date of the bill, the ordinance does not apply and may not be enforced.

Under current law, the Department of Health Services regulates a variety of types of lodging establishments, including hotels, bed and breakfast establishments, and tourist rooming houses. This bill excludes from the definitions of "hotel," "bed and breakfast establishment," and "tourist rooming house" a residential dwelling that is rented exclusively for periods that are seven consecutive days or longer. Thus, the bill provides that a residential dwelling that is rented exclusively for periods of seven consecutive days or longer does not qualify as a hotel, a bed and breakfast establishment, or a tourist rooming house and therefore is not subject to regulations that apply to such lodging establishments.

**ASSEMBLY BILL 617**

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 66.1014 of the statutes is created to read:

2           **66.1014 Limits on residential dwelling rental prohibited.** (1) In this  
3 section:

4           (a) “Political subdivision” means any city, village, town, or county.

5           (b) “Residential dwelling” has the meaning given in s. 254.61 (4f).

6           **(2)** (a) A political subdivision may not enact or enforce an ordinance that  
7 prohibits, or unreasonably restricts, a person from renting out the person’s  
8 residential dwelling for 7 consecutive days or longer.

9           (b) If a political subdivision has in effect on the effective date of this paragraph  
10 .... [LRB inserts date], an ordinance that is inconsistent with par. (a), the ordinance  
11 does not apply and may not be enforced.

12           **SECTION 2.** 254.61 (1) (g) of the statutes is created to read:

13           254.61 (1) (g) Is not a residential dwelling rental.

14           **SECTION 3.** 254.61 (3) of the statutes is amended to read:

15           254.61 (3) “Hotel” means all places wherein sleeping accommodations are  
16 offered for pay to transients, in 5 or more rooms, and all places used in connection  
17 therewith except that “hotel” does not include a residential dwelling rental.  
18 “Hotelkeeper”, “motelkeeper” and “innkeeper” are synonymous and “inn,” “motel,”  
19 and “hotel” are synonymous.

20           **SECTION 4.** 254.61 (4f) of the statutes is created to read:







State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-3474/1  
ARG:med:jm

## 2011 ASSEMBLY BILL 618

February 23, 2012 - Introduced by Representatives JACQUE, BERNIER, CRAIG, STEINEKE, THIESFELDT, VAN ROY and WYNN, cosponsored by Senator LASEE. Referred to Committee on Transportation.

1     **AN ACT** *to renumber and amend* 84.30 (5r) (a); *to amend* 84.30 (5r) (title),  
2             84.30 (5r) (b) and 84.30 (5r) (c); and *to create* 84.30 (5r) (a) 1. and 84.30 (5r) (e)  
3             of the statutes; **relating to:** outdoor advertising signs that are relocated  
4             because of state highway projects.

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### *Analysis by the Legislative Reference Bureau*

Under current law, if a highway project of the Department of Transportation (DOT) causes the realignment of an outdoor advertising sign that does not conform to a local ordinance (sign), the realignment does not affect the sign's nonconforming status under the ordinance. "Realignment" is defined as relocation on the same site. If DOT proposes the realignment of a sign in connection with a highway project, DOT must notify the municipality or county that adopted the ordinance to which the sign does not conform of the sign's proposed realignment. The municipality or county may then petition DOT to condemn the sign instead of realigning the sign, but must pay DOT for certain costs of condemnation if DOT succeeds in condemning the sign.

This bill expands these provisions to relocation of a sign to a new location within the same municipality, not just on the same site. The bill also specifies that relocation of a sign means either the dismantling and moving of the sign or the removal of the sign and erection of a replacement sign constructed of new materials. The bill also requires all of the following with respect to relocation of a sign caused by a DOT highway project: 1) that the size of the sign face, and the number of sign faces on the sign, after relocation must be the same as prior to relocation; 2) that the height of the sign, as measured from road-grade level, after relocation must be equal

**ASSEMBLY BILL 618**

to or greater than prior to relocation; and 3) that the new location for the sign must meet all requirements for a sign permit.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 84.30 (5r) (title) of the statutes, as created by 2011 Wisconsin Act  
2 32, is amended to read:

3           84.30 **(5r)** (title) SIGNS NONCONFORMING UNDER LOCAL ORDINANCES THAT ARE  
4 ~~REALIGNED~~ RELOCATED BECAUSE OF STATE HIGHWAY PROJECTS.

5           **SECTION 2.** 84.30 (5r) (a) of the statutes, as created by 2011 Wisconsin Act 32,  
6 is renumbered 84.30 (5r) (a) (intro.) and amended to read:

7           84.30 **(5r)** (a) (intro.) In this subsection, ~~“realignment” means relocation on the~~  
8 ~~same site;~~

9           2. “Relocation” means the dismantling and moving of a sign to a new location  
10 within the same municipality or the removal of a sign and erection of a replacement  
11 sign, constructed of new materials, at a new location within the same municipality.

12           **SECTION 3.** 84.30 (5r) (a) 1. of the statutes is created to read:

13           84.30 **(5r)** (a) 1. “Municipality” means a city, village, or town.

14           **SECTION 4.** 84.30 (5r) (b) of the statutes, as created by 2011 Wisconsin Act 32,  
15 is amended to read:

16           84.30 **(5r)** (b) If a highway project of the department causes the ~~realignment~~  
17 relocation of a sign that does not conform to a local ordinance, the ~~realignment~~  
18 relocation shall not affect the sign’s nonconforming status under the ordinance.

19           **SECTION 5.** 84.30 (5r) (c) of the statutes, as created by 2011 Wisconsin Act 32,  
20 is amended to read:

**ASSEMBLY BILL 618**

1           84.30 (5r) (c) If in connection with a highway project of the department the  
2 department proposes the ~~realignment~~ relocation of a sign that does not conform to  
3 a local ordinance, the department shall notify the governing body of the municipality  
4 or county where the sign is located and which adopted the ordinance of the sign's  
5 proposed ~~realignment~~ relocation. Upon receiving this notice, the governing body  
6 may petition the department to acquire the sign and any real property interest of the  
7 sign owner. If the department succeeds in condemning the sign, the governing body  
8 that made the petition to the department shall pay to the department an amount  
9 equal to the condemnation award, less relocation costs for the sign that would have  
10 been paid by the department if the sign had been ~~realigned~~ relocated rather than  
11 condemned. Notwithstanding s. 86.30 (2) (a) 1. and (b) 1., 1g., and 1r., if the  
12 governing body fails to pay this amount, the department may reduce the  
13 municipality's or county's general transportation aid payment under s. 86.30 by an  
14 equal amount.

15           **SECTION 6.** 84.30 (5r) (e) of the statutes is created to read:

16           84.30 (5r) (e) If a highway project of the department causes the relocation of  
17 a sign that does not conform to a local ordinance, all of the following shall apply with  
18 respect to relocation of the sign:

19           1. The size of the sign face, and the number of sign faces on the sign, after  
20 relocation shall be the same as prior to relocation.

21           2. The height of the sign, as measured from road-grade level of the highway  
22 from which motorists are intended to view the sign, after relocation shall be equal  
23 to or greater than prior to relocation.

24           3. The new location for the sign shall meet all requirements for a sign permit  
25 under this section, to the extent the department issues permits for signs.





## 2011 SENATE BILL 493

February 20, 2012 - Introduced by Senator LASEE, cosponsored by Representatives JACQUE, BERNIER, CRAIG, STEINEKE, THIESFELDT, VAN ROY and WYNN. Referred to Committee on Transportation and Elections.

1     **AN ACT** *to renumber and amend* 84.30 (5r) (a); *to amend* 84.30 (5r) (title),  
2             84.30 (5r) (b) and 84.30 (5r) (c); and *to create* 84.30 (5r) (a) 1. and 84.30 (5r) (e)  
3             of the statutes; **relating to:** outdoor advertising signs that are relocated  
4             because of state highway projects.

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### *Analysis by the Legislative Reference Bureau*

Under current law, if a highway project of the Department of Transportation (DOT) causes the realignment of an outdoor advertising sign that does not conform to a local ordinance (sign), the realignment does not affect the sign's nonconforming status under the ordinance. "Realignment" is defined as relocation on the same site. If DOT proposes the realignment of a sign in connection with a highway project, DOT must notify the municipality or county that adopted the ordinance to which the sign does not conform of the sign's proposed realignment. The municipality or county may then petition DOT to condemn the sign instead of realigning the sign, but must pay DOT for certain costs of condemnation if DOT succeeds in condemning the sign.

This bill expands these provisions to relocation of a sign to a new location within the same municipality, not just on the same site. The bill also specifies that relocation of a sign means either the dismantling and moving of the sign or the removal of the sign and erection of a replacement sign constructed of new materials. The bill also requires all of the following with respect to relocation of a sign caused by a DOT highway project: 1) that the size of the sign face, and the number of sign faces on the sign, after relocation must be the same as prior to relocation; 2) that the height of the sign, as measured from road-grade level, after relocation must be equal

**SENATE BILL 493**

to or greater than prior to relocation; and 3) that the new location for the sign must meet all requirements for a sign permit.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 84.30 (5r) (title) of the statutes, as created by 2011 Wisconsin Act  
2 32, is amended to read:

3           84.30 **(5r)** (title) SIGNS NONCONFORMING UNDER LOCAL ORDINANCES THAT ARE  
4 ~~REALIGNED~~ RELOCATED BECAUSE OF STATE HIGHWAY PROJECTS.

5           **SECTION 2.** 84.30 (5r) (a) of the statutes, as created by 2011 Wisconsin Act 32,  
6 is renumbered 84.30 (5r) (a) (intro.) and amended to read:

7           84.30 **(5r)** (a) (intro.) In this subsection, ~~“realignment” means relocation on the~~  
8 ~~same site;~~

9           2. “Relocation” means the dismantling and moving of a sign to a new location  
10 within the same municipality or the removal of a sign and erection of a replacement  
11 sign, constructed of new materials, at a new location within the same municipality.

12           **SECTION 3.** 84.30 (5r) (a) 1. of the statutes is created to read:

13           84.30 **(5r)** (a) 1. “Municipality” means a city, village, or town.

14           **SECTION 4.** 84.30 (5r) (b) of the statutes, as created by 2011 Wisconsin Act 32,  
15 is amended to read:

16           84.30 **(5r)** (b) If a highway project of the department causes the ~~realignment~~  
17 relocation of a sign that does not conform to a local ordinance, the ~~realignment~~  
18 relocation shall not affect the sign’s nonconforming status under the ordinance.

19           **SECTION 5.** 84.30 (5r) (c) of the statutes, as created by 2011 Wisconsin Act 32,  
20 is amended to read:

**SENATE BILL 493**

1           84.30 (5r) (c) If in connection with a highway project of the department the  
2 department proposes the ~~realignment~~ relocation of a sign that does not conform to  
3 a local ordinance, the department shall notify the governing body of the municipality  
4 or county where the sign is located and which adopted the ordinance of the sign's  
5 proposed ~~realignment~~ relocation. Upon receiving this notice, the governing body  
6 may petition the department to acquire the sign and any real property interest of the  
7 sign owner. If the department succeeds in condemning the sign, the governing body  
8 that made the petition to the department shall pay to the department an amount  
9 equal to the condemnation award, less relocation costs for the sign that would have  
10 been paid by the department if the sign had been ~~realigned~~ relocated rather than  
11 condemned. Notwithstanding s. 86.30 (2) (a) 1. and (b) 1., 1g., and 1r., if the  
12 governing body fails to pay this amount, the department may reduce the  
13 municipality's or county's general transportation aid payment under s. 86.30 by an  
14 equal amount.

15           **SECTION 6.** 84.30 (5r) (e) of the statutes is created to read:

16           84.30 (5r) (e) If a highway project of the department causes the relocation of  
17 a sign that does not conform to a local ordinance, all of the following shall apply with  
18 respect to relocation of the sign:

19           1. The size of the sign face, and the number of sign faces on the sign, after  
20 relocation shall be the same as prior to relocation.

21           2. The height of the sign, as measured from road-grade level of the highway  
22 from which motorists are intended to view the sign, after relocation shall be equal  
23 to or greater than prior to relocation.

24           3. The new location for the sign shall meet all requirements for a sign permit  
25 under this section, to the extent the department issues permits for signs.



