



# City of Milwaukee

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

## Meeting Minutes JUDICIARY & LEGISLATION COMMITTEE

*ALD. MICHAEL S. D'AMATO, CHAIR*

*Ald. Donald F. Richards, Vice Chair*

*Ald. Marlene Johnson-Odom, Ald. Michael J. Murphy, Ald. Frederick G. Gordon*

*Staff Assistant, Kathleen Marquardt, 286-2231*

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Monday, May 15, 2000

9:00:00 AM

Room 301-B of City Hall

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**9:00 A.M.;** Meeting convened 9:10 A.M.

### CLOSED SESSION

*Ald. Richards moved that the JUDICIARY AND LEGISLATION COMMITTEE convene into closed session pursuant to Section 19.85 (1)(g), Wisconsin Statutes, for the purpose of conferring with the City Attorney who is rendering advice concerning strategy to be adopted by the City with respect to litigation in which the City is involved relative to: Item #2 - File Number 991438 - Resolution to settle claim of Attorney Steven R. Kohn, Steven R. Kohn Law Office, for defense of Police Officer Lamont Hodnett.*

*Roll Call: Ayes: 4 - Ald. Murphy, Johnson-Odom, Richards  
and D'Amato.*

*Noes: 0.*

*The motion prevailed.*

*(CLOSED SESSION)*

*Ald. Richards moved that the Committee convene into open session.*

*The motion prevailed.*

**9:15 A.M.**

- 1) **991915** Appointment of Dorinda Floyd to the Social Development Commission by the Mayor. (14th Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- 2) **991438** Resolution to settle claim of Attorney Steven R. Kohn, Steven R. Kohn Law Office, for

defense of Police Officer Lamont Hodnett. (City Attorney)

**Sponsors:** THE CHAIR

**A motion was made by Ald. Murphy that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:**

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

**No** 0

**Excused** 1 - Gordon

- 3) [991954](#) Resolution to settle claims of Attorney Laurie A. Eggert, Eggert & Edmonds Law Office, S.C., for defense of various Police Officers.

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- 4) [000004](#) Resolution to settle claims of Attorney Laurie A. Eggert, Eggert Law Office, S.C., for defense of various Police Officers.

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- 5) [000022](#) Resolution authorizing payment of the claim of Conway and Laura Nimmer, C.I. File No. 98-L-60. (City Attorney)

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- 6) [991987](#) Resolution appropriating \$17,000 from the Outside Counsel/ Expert Witness Fund for the purpose of retaining outside legal counsel and an expert witness in Gill, et al. v. City of Milwaukee, et al., Case No. 98-CV-008170. (City Attorney)

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- 7) [991988](#) Resolution authorizing the expenditure of \$50,000.00 from the Outside Counsel/Expert Witness Fund for the purpose of funding litigation-support expenses arising out of the claim of Dillingham Construction N.A., Inc. (City Attorney)

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- 8) [991911](#) Appeal of Eteria Hyler relative to claim for property damage. (2nd Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- 9) [991912](#) Appeal of Erika Batton relative to claim for property damage. (16th Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

9:30 A.M.

- 10) [991611](#) Appeal of Frank Gajdos relative to claim for property damage. (16th Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- 11) [991978](#) Appeal of Jesse Treider relative to claim for property damage. (9th Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- 12) [000005](#) Appeal of Deana Kaczynski relative to claim for property damage. (12th Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- 13) **Communications from the City Attorney's Office transmitting communications from Esser, Dietrich & Stevens, attorneys for various claimants relative to property damage:**

- a) [991791](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of Bessie Garner relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- b) [991792](#) Communication from the City Attorney's Office transmitting a communication from

Esser, Dietrich, & Stevens, attorneys on behalf of Ulysses Dugger relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- c) [991793](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of Leonare Tal relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- d) [991794](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of Samuel Monfre relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- e) [991795](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of Ralph & Donna Weber relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- f) [991796](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of John Miller relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- g) [991797](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of Lawrence Barnett relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- h) [991798](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of Thomas Siwicki relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- i) [991799](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of Charles Sloans relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- j) [991800](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of Sandra Irvine relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- k) [991801](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of Mary Dukes relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- l) [991802](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of Maria Pugh relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Gordon

- m) [991803](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of Howard Cawthorn relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

Excused 1 - Gordon

- n) [991804](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of Lynn Schwelling relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

Excused 1 - Gordon

- o) [991805](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of Simone Lamontagne relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

Excused 1 - Gordon

- p) [991806](#) Communication from the City Attorney's Office transmitting a communication from Esser, Dietrich, & Stevens, attorneys on behalf of Carol Craig relative to claim for property damage.

**Sponsors:** THE CHAIR

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

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

**No** 0

Excused 1 - Gordon

- 14) [991957](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 1998 and 1999 tax rolls, plus interest applicable to date of repayment, if appropriate. (Assessor's Office)

**Sponsors:** THE CHAIR

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

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



No 0

Excused 1 - Gordon

9:45 A.M.

- 15) [991995](#) Substitute resolution authorizing the return of real estate located at 3275 North 11th Street in the 10th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Family House Inc.)

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

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

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

**No** 0

Excused 1 - Gordon

- 16) [000036](#) Substitute resolution authorizing the return of real estate located at 425-27 North 33rd Street, in the 4th Aldermanic District of the City of Milwaukee to its former owner upon payment of all city and county tax liens and any special improvement bonds, with all interest and penalty thereon and all costs as sustained by the City in foreclosing and managing said real estate. (Dennis Day)

**Sponsors:** JUDICIARY & LEGISLATION COMMITTEE

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

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

**No** 0

Excused 1 - Gordon

10:00 A.M.

*Ald. Gordon arrives at 10:15 A.M.*

- 17) [991741](#) Resolution relative to various legislative bills.

**Sponsors:** THE CHAIR

*Received.*

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

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

**No** 0

**The following obsolete/duplicate items may be placed on file:**

- 18) [912444](#) Resolution authorizing the City Attorney to enter into an agreement with Home Insurance Company and Robert Ondrejka regarding the lawsuit entitled Kocinski v. Home Insurance Co., et al., Case No. 83-CV-598098. (City Attorney)
- Sponsors:** THE CHAIR
- A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR PLACING ON FILE. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 19) [922123](#) Communication from City Attorney's Office transmitting communication from the U.S. Department of Housing and Urban Development relative to claim for property damages.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR PLACING ON FILE. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 20) [950145](#) Communication from the City Attorney's Office transmitting communication from St. Francis Hospital relative to claim for property taxes.
- Sponsors:** THE CHAIR
- A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR PLACING ON FILE. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 21) [961693](#) Resolution authorizing the appropriation of the sum of \$1,965,370 with statutory interest from January 31, 1996 from the Common Council Contingent Fund in partial satisfaction of a judgment entered against the City of Milwaukee. (City Attorney)
- Sponsors:** THE CHAIR
- A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR PLACING ON FILE. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 22) [961802](#) Substitute resolution appropriating funds from the Department of Public Works Sewer Parent Account and the Public Nuisance and Human Health Hazard Abatement Fund Special Purpose Account to the City Engineer to construct drainage facilities in the vicinity of South 20th Street and West Grange Avenue.

**Sponsors:** Ald. Pawlinski

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

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

**No** 0

23) [971736](#)

Resolution forgiving the back taxes, interest and penalties for the property located at 3330 West Wells Street, Tax Key Number 388-0680-4.

**Sponsors:** Ald. Pratt

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

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

**No** 0

24) [980255](#)

Resolution seeking introduction and passage of state legislation to authorize adjudication of citations by municipal administrative hearing examiners.

**Sponsors:** Ald. Frank

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

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

**No** 0

25) [980597](#)

A substitute charter ordinance relative to the voting requirements to increase the number of common council districts.

**Sponsors:** Ald. Frank

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

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

**No** 0

**Adjourned: 10:46 A.M.**

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

**KATHLEEN MARQUARDT, Staff Assistant**