



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Minutes 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

**Legislative Liaison, Richard Withers, 286-8532,
rwithe@milwaukee.gov**

Monday, January 9, 2012

1:30 PM

Room 301-B, City Hall

Amended 1/5/12 - Items #3 (111254) and #26 (111233) have been added to the agenda.

Meeting called to order at 1:40 P.M.

Present 4 - Hamilton, Bohl, Davis, Donovan

Excused 1 - Witkowski

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, January 9th, 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. [111236](#) Appointment of Jessie Spraggins to the Ethics Board by the Mayor. (15th Aldermanic District)

Individual present:

Mrs. Jessie Spraggins secretary of AACP

A motion was made by ALD. DAVIS that this Appointment be RECOMMENDED FOR CONFIRMATION. This motion PREVAILED by the following vote:

Aye 4 - Hamilton, Bohl, Davis and Donovan

No 0

Excused 1 - Witkowski

2. [111221](#) Appointment of Marvin Bynum to the Ethics Board by the Mayor. (8th Aldermanic District)

Individuals present:

Mr. Marvin Bynum

A motion was made by ALD. BOHL that this Appointment be RECOMMENDED FOR CONFIRMATION. This motion PREVAILED by the following vote:

Aye 4 - Hamilton, Bohl, Davis and Donovan

No 0

Excused 1 - Witkowski

3. [111254](#) Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

Individual present:

Barb Woldt - Asst. City Atty

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

4. [101578](#) Substitute resolution relating to the City of Milwaukee's position on the Western Milwaukee County Electric Reliability Project.

Individuals present:

Ald. Murphy

Jeff Polenske - DPW Infrastructure

Students from the Milwaukee Montessori School, surrounding neighborhood

Representatives/members from St. Theresa Parish

Ald. Murphy Proposed Sub A

Students from Milwaukee Montessori School:

Cathy Tegans

Shashy Shergo, 8th Grade

Rebeca Mesner, 8th Grade

John Klein, 8th Grade

Zellman, 8th Grade

Baker, 8th Grade

Morgan Hops, 8th Grade

Adrian Canastra, 8th Grade

Alex, 8th Grade

Soe Ashley, 7th Grade

Shavon Larson, 8th Grade

Madison Kalian, 6th Grade

Deliah Albino, 6th Grade

Jay Kelly,

Jordan Bernard, 8th Grade

Curis Wantosn, 8th Grade

Emeli Green, 6th Grade

Arianah Paraviano, 6th Grade

Arlisse, Kornell

Annie Becker, 6th Grade

Ana Martin, 6th Grade

Dr. Alexandra Juliano - Pastor at St Therese Parish.

Atty. Donald P. Gallo - Reinhart Attorneys at Law on behalf of the Milwaukee Montessori School in support of this resolution

Ald. Donovan, Davis, Bohl, Hamilton, Witkowski to be added as co sponsor for this item. There were no objections.

A motion was made by ALD. DAVIS that this Resolution be SUBSTITUTED. This motion PREVAILED by the following vote:

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

101578

Substitute resolution relating to the City of Milwaukee's position on the Western Milwaukee County Electric Reliability Project.

A motion was made by ALD. DAVIS that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

Present 5 - Hamilton, Witkowski, Bohl, Davis, Donovan

5. 111220

Resolution amending Common Council File Number 110204 relating to implementation of state voter registration and voter identification requirements and election costs.

Individual present:

Ald. Coggs

Richard Withers - LRB

Richard Sachs, AACP Rep

Ald. Coggs and Witkowski submitted amending portion of this resolution.

Ald. Witkowski added as co soponsor. There were no objections.

A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

6. 111151

Resolution authorizing payment of the claim of Michael Paynter.

Individual present:

Jan Smokowicz - Asst. City Atty.

Settlement of this claim in the amount of \$10,707.04

A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 3 - Hamilton, Witkowski and Bohl

No 1 - Davis

Excused 1 - Donovan

7. [111133](#) Resolution authorizing payment of the claim of Cathedral Place, LLC.

Individual present:

Jan Smokowicz - Asst. City Atty.

Settlement in the amount of \$12,488.93 for this claim.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

8. [111160](#) Resolution authorizing the proper City officials to execute an amendment to the contract between the City and Harris & Harris for the collection of overdue Municipal Court judgments.

Individuals present:

Linda Burke - Deputy City Atty

Christine Henrichs - Muni Court Administrator

A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

9. [110971](#) Resolution relating to an appeal from Gerald Jones for property damage. (5th Aldermanic District)

Individuals present:

Jan Smokowicz - Asst City Atty

Patricia Roundy - Tow Lot Supervisor

This item was held to the call of the chair; claimant, Mr. Jones was directed to contact Ald. Bohl's office.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

10. [111062](#) Resolution relating to an appeal from Loretta Hays-Powell for property damage. (5th Aldermanic District)

Individuals present:

Jan Smokowicz - Asst City Atty

Paul Notvony - DPW Infrastructure

Ms. Hays-Powell - Claimant

Ald. Davis moved denial of this claim based on city departments testimonies. Failed 2-2 (Ald. Bohl and Witkowski voted no; Donovan excused)

A motion was made by ALD. DAVIS that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This motion FAILED by the following vote:

Aye 2 - Hamilton and Davis

No 2 - Witkowski and Bohl

Excused 1 - Donovan

[111062](#)

Substitute resolution relating to an appeal from Loretta Hays-Powell for property damage. (5th Aldermanic District)

Ald. Bohl moved settlement of this claim in the amount of \$600.00. Prevailed 3-1 Ald. Donovan excused, Davis voted no

A motion was made by that this Resolution be . This motion PREVAILED by the following vote:

Aye 3 - Hamilton, Witkowski and Bohl

No 1 - Davis

Excused 1 - Donovan

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

Aye 3 - Hamilton, Witkowski and Bohl

No 1 - Davis

Excused 1 - Donovan

11. [111104](#) Resolution relating to the claim of Atty. Mark Schoenfeldt on behalf of Matt Sisson for personal injuries.

Individuals present:

Jan Smokowicz - Asst City Atty

Mark Schoenfeldt - Claimant

Toni Benitez - Witness who took pictures

A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This

motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

12. [111103](#) Resolution relating to the claim of Ken Wolf for personal injuries. (6th Aldermanic District)

Individual present:

Jan Smokowicz - Asst City Atty

Mr. Ken Wolf - Claimant

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

Aye 3 - Hamilton, Witkowski and Bohl

No 0

Excused 2 - Davis and Donovan

13. [111066](#) Resolution relating to an appeal from Loretta Bailey for property damage. (15th Aldermanic District)

Individual present:

Jan Smokowicz - Asst City Atty

Non appearance

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

Aye 3 - Hamilton, Witkowski and Bohl

No 0

Excused 2 - Davis and Donovan

14. [111193](#) Resolution authorizing the return of real estate located at 2959 N. 22nd Street, in the 7th Aldermanic District to former owner, Rodney Manns.

Individuals present:

Lynn Steffen - DNS

Karen Taylor - DCD

Rich Schmidt - Treasurer Office

Mr. Manns contacted Staff Assistant prior to the meeting stating that he will not be able to be present for the hearing. Mr. Manns was informed that this file will be held until January 30, 2012 for the next Jud Leg meeting.

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

Aye 3 - Hamilton, Witkowski and Bohl

No 0

Excused 2 - Davis and Donovan

15. [111192](#) Resolution authorizing the return of real estate located at 5061 N. 31st Street, in the 1st Aldermanic District to former owner, Darrell Hubbard.

Individuals present:
Lynn Steffen - DNS
Karen Taylor - DCD
Rich Schmidt - Treasurer Office

Taxes due if paid in January \$6,308.96
If paid Feb 17, 2012 \$8,053.86

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

16. [111218](#) Resolution authorizing the return of real estate located at 1908 A S. 12th Street, in the 12th Aldermanic District to former owner, Rebecca Mitich on behalf of Adalberto Lozano.

Individuals present:
Lynn Steffen - DNS
Karen Taylor - DCD
Rich Schmidt - Treasurer Office
Rebecca Mitich

Taxes due if paid in January \$3,625.15
if paid in February 17th \$4,630.66

A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

17. [111217](#) Resolution authorizing the return of real estate located at 3026 W. Mitchell Street, in the 8th Aldermanic District to former owner, Christine Heming for the estate of George Rekowski, Jr.

Individuals present:
Lynn Steffen - DNS
Karen Taylor - DCD

Taxes due if paid in January \$6,862.25
if paid by February 17 \$8,729.54

A motion was made by ALD. DAVIS that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

18. [111216](#) Resolution authorizing the return of real estate located at 3929-3933 W. North Avenue, in the 15th Aldermanic District to former owner, Jeffrey Simms, agent for MAJAS LLC.
Applicant contacted City Clerk office for this file to be held until next Judiciary and Legislation Committee, January 30th, 2012.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

19. [111215](#) Resolution authorizing the return of real estate located at 4668 N. Parkway Avenue, in the 1st Aldermanic District to former owner, Micah Investments LLC.
*Individuals present:
Lynn Steffen - DNS
Karen Taylor - DCD
Rich Schmidt - Treasurer Office
Rep Micah Investments, LLC*

*Taxes due if paid in January \$9,122.60
if paid by February 17 \$11,428.24*

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

20. [111214](#) Resolution authorizing the return of real estate located at 1936 S. Muskego Avenue, in the 8th Aldermanic District to former owner, Gabriela Olaiz.
*Individuals present:
Lynn Steffen - DNS
Karen Taylor - DCD
Rich Schmidt - Treasurer Office
Mr. Perez*

*Taxes due if paid January \$8,353.51
if paid by February 17th \$10,464.91*

A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following

vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

21. [111145](#) Resolution authorizing the return of real estate located at 2330 N. 19th Street, in the 15th Aldermanic District to former owner, Annie Nixon.

Individuals present:

Lynn Steffen - DNS

Karen Taylor - DCD

Rich Schmidt - Treasurer Office

Atty. Howard Tolkan

Taxes due if paid in January \$5,478.23

If paid by February 17 \$6,353.60

A motion was made by ALD. DAVIS that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

22. [111144](#) Resolution authorizing the return of real estate located at 1917 N. 55th Street, in the 10th Aldermanic District to former owner, Patrick Brohm.

Individuals present:

Lynn Steffen - DNS

Karen Taylor - DCD

Rich Schmidt - Treasurer Office

Mr. Brohm

Taxes due if paid in January \$ 14,379.26

If paid by February 17th \$ 17,914.20

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

23. [110995](#) Substitute resolution authorizing the return of real estate located at 3002 W Juneau Ave, in the 4th Aldermanic District to its former owner. (Deidre Cox)

Individuals present:

Lynn Steffen - DNS

Karen Taylor - DCD

Rich Schmidt - Treasurer Office

Mr. Michael Arnoldcox, on

*Department of Neighborhood Services does not object to the return of this property provide applicant pays \$900.00 impending recording enforcement fees.
DNS Fees due prior to January 18th (January 17th by noon)*

*Taxes due if paid in January \$9,799.85
if paid by February 17th \$12,001.08*

A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

24. [111171](#) Resolution providing for continuance of deferred payment of assessments for worthy indigent resident property owners and appropriating funds for this purpose with the City cost to be \$2,260.89 with a six-year total of the deferred properties being \$ 11,313.77.

*Individual present:
Mary Dziwiontkoski - DPW*

A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

25. [111219](#) Resolution directing the Department of Administration - Intergovernmental Relations Division to lobby the United States Attorney General to issue new regulations relating to the safe disposal of pharmaceutical controlled substances.

*Individual present:
Ald. Bohl*

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

26. [111233](#) An ordinance relating to revision of various provisions for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

*Individual present:
Richard Pfaff - LRB*

A motion was made by ALD. DAVIS that this Ordinance be RECOMMENDED FOR PASSAGE. This motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

27. [110458](#) Resolution relating to legislative bills.

*Individual present:
Paul Vornholt - IRD*

Update to the committee on the status of a listing of bills that the department is working on since 2011-2012 and the positions committee has taken on them.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

Meeting adjourned at 4:23 P.M.

Joanna Polanco

Staff Assistant

This meeting can be viewed in its entirety through the City's Legislative Research Center at <http://milwaukee.legistar.com/calendar>.