



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. Robert J. Bauman, Ald. Mark Borkowski, and Ald. T.
Anthony Zielinski
Staff Assistant, Joanna Polanco, 286-2366
Fax: 286-3456, jpolan@milwaukee.gov
Legislative Liaison, La-Wanda Fletcher, 286-8661,
lfletc@milwaukee.gov

Monday, October 5, 2015

1:30 PM

Room 301-B, City Hall

Meeting convened at 1:36 P.M.

Present 4 - Hamilton, Witkowski, Bauman, Borkowski

Excused 1 - Zielinski

1. [150418](#) Resolution relative to legislative bills.

Sponsors: THE CHAIR

Appearing:

Jennifer Gonda - IRD

Kimberly Montgomery - IRD

Karen Sparapani - Director of Milwaukee Area Animal Control Commission (MADACC)

SB-203 Relating to: changing the assessment method for business improvement districts.

Ald. Witkowski moved for this committee to oppose this bill.

There were no objections.

SB-241 Relating to: the possession of certain wild animals and providing a penalty.

Ald. Borkowski moved for the committee to support this bill with suggested changes offered by DNS and MPD.

There were no objections.

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

Aye 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

No 0

- [150418](#) Substitute resolution relating to legislative bills.

Sponsors: THE CHAIR

A motion was made by ALD. BORKOWSKI that this Resolution be

RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bauman and Borkowski

No 0

Excused 1 - Zielinski

2. [150691](#) Resolution relating to the appeal of Chai Kao Xiong for property damage. (2nd Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Jan Smokowicz - ACA

Nancy Alvarado - Sewer Maintenance

Daughter of Mr. Kao Xiong, Nina Xiong

Mr. Chai Kao Xiong

Based on City department's testimony, Ald. Bauman moved denial of this claim.

There were no objections.

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

Aye 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

No 0

3. [150569](#) Resolution relating to the appeal of Charles Sharman for property damage. (3rd Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Jeff Delleman - DPW

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

Aye 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

No 0

4. [150517](#) Resolution relating to the appeal of Maria Garcia for property damage. (8th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Jeff Delleman - DPW

Marcia Garcia -

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

Aye 4 - Hamilton, Witkowski, Bauman and Borkowski

No 0

Excused 1 - Zielinski

5. [150492](#) Resolution relating to the appeal of Zimile Azizi for property damage.
(13th Aldermanic District)

Sponsors: THE CHAIR

Appearing:
Jeff Delleman - DPW
Zimili Azizi

*Based on city department's Ald. moved denial of this claim.
There were no objections.*

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

Aye 4 - Hamilton, Witkowski, Bauman and Borkowski

No 0

Excused 1 - Zielinski

6. [150658](#) Resolution authorizing the return of real estate located at 1818-1820 N. 30th Street in the 15th Aldermanic District to former owner Jonnie Mae LLC.

Sponsors: THE CHAIR

Appearing:
Karen Taylor - DCD
Emily Mckeown - DNS
Jim Klajbor - Treasurer Office
Johnnie Mae LLC - Mr. James Bentley, however, no longer an LLC

DCD does object since LLC is dissolved.

*DNS charges
Reinspection fees of \$8,719.00
Fire inspection fees of \$131.82
TOTAL DNS charges \$8,850.82 Due on October 12, 2015 by noon.*

*2011-2014 taxes if paid by October, \$12,868.69
if paid by November 12, 2015 \$12,998.32*

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

Aye 4 - Hamilton, Witkowski, Bauman and Borkowski

No 0

Excused 1 - Zielinski

7. [150657](#) Resolution authorizing the return of real estate located at 1036-1038 W. Wright Street in the 15th Aldermanic District to former owners George L. Noble and Nora Conway.

Sponsors: THE CHAIR

Appearing:
Karen Taylor - DCD
Emily Mckeown - DNS
Jim Klajbor - Treasurer Office
Mr. Noble & Ms. Conway

DNS charges
Reinspection fees \$60.84
Fire inspection fees \$65.91
Litter clean-up \$30.42
TOTAL DNS CHARGES 157.17 Due on October 12, 2015 by noon.

2008-2014 taxes
if paid by October 37,460.27
if paid by November 12, 2015 \$37,789.59

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, Bauman and Borkowski

No 0

Excused 1 - Zielinski

8. [150699](#) Resolution authorizing the return of real estate located at 2060 S. Muskego Avenue in the 8TH Aldermanic District to former owner Lina Koch.

Sponsors: THE CHAIR

Appearing:
Karen Taylor - DCD
Emily Mckeown - DNS
Jim Klajbor Treasurer Office
Lina Koch

2012-2014 Taxes
if paid by October \$16,712.18
if paid by Novemeber 12, 2015 \$16,899.11

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

Aye 4 - Hamilton, Witkowski, Bauman and Borkowski

No 0

Excused 1 - Zielinski

9. [150692](#) Resolution authorizing the return of real estate located at 5877 N. 80th Street in the 2nd Aldermanic District to former owners Rodney & Jean Fischer.

Sponsors: THE CHAIR

Appearing:
Karen Taylor - DCD
Emily Mckeown - DNS
Jim Klajbor - Treasurer Office
Rodney Fischer

2013-2014 Taxes
if paid in October \$5,480.84
If paid by November 12, 2015 \$5,549.13

applicant also has ownership interest on
7916 N Florist delinquent taxes \$13,164.32
Chair asked to follow through with payment plan with Treasurer's office by October 12, 2015

Ald. Bauman explained to Mr. Fischer that city can remove vacation, exchange to sell property to Mr. Fischer

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

Aye 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

No 0

10. [150682](#) Resolution authorizing the return of real estate located at 1201-1207 W. Juneau Avenue in the 4th Aldermanic District to former owner Kathryn Renee Hutchins (Application made by Anton Lavender).

Sponsors: THE CHAIR

Appearing:
Karen Taylor - DCD
Emily Mckeown - DNS
Jim Klajbor - Treasurer Office
Kathryn Renee Hutchins & Anton Lavender
Atty. William Judge

The Department of City Development (DCD) reports that the tax foreclosed property is not suitable for use by a public agency or community based organization.

The property is in the Near West Side Planning Area but is not needed to implement the plan. However,, DCD objects to returning the property to the representative for the former owner: the property is not fit for human habitation. The property consists of a duplex and a single family structure. The occupied singel family portion of the parcel is full of personal items and requires many repairs. The rehab estimate for the duplex is \$121,034.00 and for the single family is \$63,578.00, the total cost to rehab all structure on the parcel is \$184,613.00 and the total assessed value for the parcel is \$42,400.00

The single family structure was occupied at the time the City foreclosed action. The occupants were given notice to vacate the property by September 30, 2015 due to building conditions. Administrative costs incurred by DCD total \$867.77

DNS charges

reinspection fees \$3,549.00

vacant building fees of \$2,332.20

TOTAL DNS charges \$5,881.20 due by noon October 12, 2015

2013-2014 Taxes

If paid by October \$18,970.54

If paid by November 12, 2015 \$19,204.40

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

Aye 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

No 0

11. [150684](#)

Resolution authorizing the return of real estate located at 3751 N. 21st Street in the 6th Aldermanic District to former owner Bobbie Lee Kidd (Application made by Renee Hughes, Power of Attorney).

Sponsors: THE CHAIR

Appearing:

Karen Tylor - DCD

Emily Mckeown - DNS

Jim Klajbor - Treasurer Office

Bobbie Lee Kidd

TW

2011-2014 Taxes if paid by October \$7,527.61

If paid by November 12, 2015 \$7,613.00

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, Bauman and Borkowski

No 0

Excused 1 - Zielinski

12. [150683](#)

Resolution authorizing the return of real estate located at 3757 N. 21st Street in the 6th Aldermanic District to former owner Bobbie Lee Kidd (Application made by Renee Hughes, Power of Attorney).

Sponsors: THE CHAIR

Appearing:

Karen Tylor - DCD

Emily Mckeown - DNS

Jim Klajbor - Treasurer Office

2011-2014 Taxes if paid by October \$7,072.44

If paid by November 12, 2015 \$7,144.33

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

13. [150745](#)

Resolution authorizing settlement of the lawsuit entitled Edward Earl Wright v. Michael Vagnini, et al., for the total amount of \$35,000.

Sponsors: THE CHAIR

Appearing:
Sue Lappen - ACA

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 Bauman

No 1 - Borkowski

Excused 1 - Zielinski

14. [150468](#)

Communication from the Assessor's Office relating to circumstances surrounding the appeal of John Van Lieshout regarding the tax assessment for his property at BreakWater Condominiums, 1313 N. Franklin Place.

Sponsors: Ald. Bauman

Appearing:
Mr. John Van Lieshout
Peter Bronek - Assessor's office
Ald. Bauman - Sponsor

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

Aye 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

No 0

15. [150277](#)

Communication from the Municipal Court relating to its pattern and practice of imposing forfeitures and other penalties.

Sponsors: Ald. Kovac

Appearing:
Ald. Kovac - Sponsor
Judge Mosley
Sheldyn Himle - Muni Court Administration
former Judge James Grimley

A motion was made by ALD. WITKOWSKI that this Communication be HELD

TO CALL OF THE CHAIR. This motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bauman and Borkowski

No 0

Excused 1 - Zielinski

16. [150764](#)

Resolution amending Common Council File Number 111628, a resolution directing the Division of Intergovernmental Relations-Department of Administration to seek uniform statewide solid waste regulatory reform for dealing in discarded, salvageable and recyclable materials.

Sponsors: Ald. Murphy

Appearing:

Andrew VanNatta - LRB

Paulina De Haan - IRD

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, Bauman and Borkowski

No 0

Excused 1 - Zielinski

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, October 5, 2015 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.

Ald. Bauman moved the Judiciary and Legislation Committee may convene into closed session, 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.

Roll call:

Ald. Bauman

Ald. Borkowski

Ald. Witkowski

Ald. Hamilton

City Attorney's office representatives:

Jan Smokowicz

Miriam Horwitz

Sue Lappen

Clifton Crump -Mayor's Office

*Dennis Yacarrino - Budget Office
Inspector Carianne Yerkes - MPD*

Ald. Kovac

*Ald. Witkowski moved committee returns to open session.
There were no objections.*

**Meeting adjourned at
5:31 P.M. Joanna Polanco
Staff Assistant**

This meeting will be webcast live at www.milwaukee.gov/channel25.