



City of Milwaukee

Meeting Agenda

City Hall
200 East Wells Street
Milwaukee, WI 53202

JUDICIARY & LEGISLATION COMMITTEE

ALD. MICHAEL S. D'AMATO, CHAIR

Ald. Ashanti Hamilton, Vice-Chair

Ald. Robert Bauman, Ald. Michael Murphy, Ald. James Bohl, Jr.

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Monday, January 30, 2006

9:00 AM

Room 301-B, City Hall

The JUDICIARY AND LEGISLATION COMMITTEE may convene into closed session at 9:00 A.M. on Monday, January 30, 2006 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 is rendering advice concerning strategy to be adopted by the City with respect to Item #1...Resolution authorizing settlement in the case entitled Gustafson, et. al. v. City of Milwaukee, Case No. 00-C-1397 and then will go into open session for the regular agenda.

9:15 A.M.

1. **[051292](#)** Resolution authorizing a settlement in the case entitled Gustafson, et al. v. City of Milwaukee, Case No. 00-C-1397.
Sponsors: THE CHAIR
Attachments: [City Atty. Cover Letter.DOC](#)

2. **[051208](#)** Resolution canceling various City invoices.
Sponsors: THE CHAIR
Attachments: [City Atty. Letter.doc](#)
[Fiscal Note.DOC](#)

3. **[051209](#)** Resolution authorizing payment of the claim of Ryan J. Lemke, C.I. File No. 03-L-138.
Sponsors: THE CHAIR
Attachments: [City Atty. Letter.DOC](#)
[Fiscal Note.DOC](#)
[Settlement Draft Request.DOC](#)

4. **[051237](#)** Communication from the City Attorney transmitting a semiannual report as to the determination and disposition of all claims filed from July 1, 2005 through December 31, 2005 pursuant to Section 304-7, Milwaukee Code of Ordinances.

Sponsors: THE CHAIR

Attachments: [City Atty. Letter.PDF](#)
[Report of Claims Closed.PDF](#)
[Report of Litigation Closed.PDF](#)

5. [051299](#) Resolution directing the Election Commission of the City of Milwaukee to provide, on the spring general election ballot, April 4, 2006, an advisory referendum seeking approval to seek introduction and passage of state legislation enabling cities of the first class to enact forms of alternative funding for the purpose of financing public safety services and essential infrastructure projects.

Sponsors: Donovan

6. [051270](#) An ordinance relating to election commission service fees.

Sponsors: D'Amato

Attachments: [Comptroller's Letter.PDF](#)
[Election Commission Letter.PDF](#)
[Fiscal Note.doc](#)

9:45 A.M.

7. [051011](#) Resolution relative to various legislative bills.

Sponsors: THE CHAIR

Attachments: [Fiscal Note](#)

8. [051065](#) Resolution requesting the Wisconsin Department of Transportation to resume invasive weed control programs along state highways.

Sponsors: Murphy

Attachments: [Fiscal note](#)

9. [051312](#) Resolution relating to City position on proposed state legislation for regional airport authorities.

Sponsors: Witkowski

10. [051225](#) Resolution supporting incentives by the State Legislature to enhance the film industry in Wisconsin.

Sponsors: Hines Jr.

Attachments: [Fiscal Note](#)

11. [050675](#) Substitute resolution authorizing the return of real estate located at 831-33 E. Clarke St., in the 3rd 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. (HMS Grocery, LLC)

Sponsors: THE CHAIR

Attachments: [Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[Treasurer Office](#)
[Health Dept letter 9-29-05](#)
[DNS letter](#)
[DCD Letter](#)
[Updated treasurer's response](#)
[DNS Response - 11/2/05](#)
[Letter from Gimbel-Reilly-Guerin-Brown Law Office](#)
[Treasurer letter 11-18-05](#)
[Treasurer letter 12-27-05](#)
[Treasurer Office Letter 1-13-06](#)

12. [050670](#) Substitute resolution authorizing the return of real estate located at 907 W. Atkinson Ave., in the 6th 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. (Lincoln Creek Development, Inc. and KSB Construction Development, LLC)

Sponsors: THE CHAIR

Attachments: [Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[Treasurer Office](#)
[Health Dept letter 9-29-05](#)
[DNS LETTER](#)
[DCD Letter_1](#)
[Updated Treasurer's response](#)
[DNS Response - 11/2/05](#)
[Treasurer Office's Letter 11-18-05](#)
[Treasurer Office's Letter 12-27-05](#)
[Treasurer Office's Letter 1-13-06](#)

13. [051242](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2004 tax roll, plus interest applicable to date of repayment, if appropriate.

Sponsors: THE CHAIR

Attachments: [Assessor's Office Cover Letter.DOC](#)
[Table of Assessment Reductions.XLS](#)
[Fiscal Note.doc](#)
[Assessment Reduction Letters.PDF](#)

14. [051297](#) A substitute resolution directing certain city departments to implement various recommendations of the Outstanding Debt Task Force.
Sponsors: Witkowski
Attachments: [Fiscal Note - DPW](#)

15. [051296](#) An ordinance requiring the city comptroller to provide annual reports analyzing outstanding delinquent debt.
Sponsors: Witkowski

Items below will be heard no earlier than 10:00 A.M.:

16. [051154](#) Resolution relating to the appeal of Martha Malik relative to a claim for property damage. (1st Aldermanic District)
Sponsors: THE CHAIR
Attachments: [Appeal.PDF](#)
[City Atty. Letter.PDF](#)
---\$1,075.90 claim related to a forced entry to a private home by the police department. The police were not negligent in this matter.

17. [051210](#) Resolution relating to a claim from Linda Haynes for personal injuries.
Sponsors: THE CHAIR
Attachments: [Claim.PDF](#)
[City Atty. Letter.DOC](#)
---\$250,000 claim related to pain, suffering and disability caused by a former Chief of Police. Because the alleged injuries occurred in the workplace, the claimant's sole source of relief is through Worker's Compensation.

18. [051212](#) Resolution relating to a claim from Jerome Thornton for property damage. (4th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [City Atty. Letter.DOC](#)
[Claim.PDF](#)
---\$542,000 claim related to an eviction and disposal of personal property. The city acted appropriately in this matter and therefore is not liable.

19. [051217](#) Resolution relating to the appeal of Thomas Neder relative to a claim for property damage. (14th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [Appeal.PDF](#)
[City Atty. Letter.PDF](#)
---\$351 claim related to backwater in a basement due to roots from a City tree. The owner, not the City, is responsible for maintaining the building sewer and lateral.

20. [051218](#) Resolution relating to the appeal of Annemarie Sawkins relative to a claim for property damage.
Sponsors: THE CHAIR
Attachments: [Appeal.PDF](#)
[City Atty. Letter.DOC](#)
---\$674.69 claim related to damage caused by a fallen street sign. The City did not cause the damage and cannot be held liable.
21. [051068](#) Resolution relating to a claim from Debbie Griffiths, Risk Manager for SBC, for property damage.
Sponsors: THE CHAIR
Attachments: [City Atty. Letter.DOC](#)
[Claim.PDF](#)
---\$114,328.15 claim related to a City excavation as a result of a water main break. The City was not negligent in its response, repair or minimization of damage.
22. [051280](#) Resolution relating to the appeal of Angelo Newman relative to a claim for property damage. (7th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [Appeal.PDF](#)
[City Atty. Letter.PDF](#)
---\$548 claim related to damage to a private vehicle which was towed by the City. The City was not negligent in this matter.
23. [051216](#) Resolution relating to a claim from Precious Badran for damages.
Sponsors: THE CHAIR
Attachments: [City Atty. Letter.DOC](#)
[Claim.PDF](#)
---\$104,100 claim related to towing and destruction of a private vehicle. The City followed proper procedure and would not be liable.
24. [051236](#) Resolution relating to the appeal of Vanessa Vara-Ramos relative to a claim for property damage. (14th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [Appeal.PDF](#)
[City Atty. Letter.PDF](#)
---\$71.96 claim related to damage to a private vehicle from a pothole. The City had no notice of the hazard prior to the incident and therefore cannot be held liable.
25. [051213](#) Resolution relating to a claim from Bhanu Mital for personal injuries. (12th Aldermanic District)
Sponsors: THE CHAIR

Attachments: [City Atty. Letter.DOC](#)
[Claim.PDF](#)

---\$21,500 claim related to a trip and fall on a public sidewalk. The City had no notice of any hazard and therefore cannot be held liable.

26. [051215](#)

Resolution relating to a claim from Meridian Resource Company, LLC for reimbursement for payments to Gerald Weisflog for injuries.

Sponsors: THE CHAIR

Attachments: [Claim.PDF](#)
[City Atty. Letter.DOC](#)

---\$32,694.52 claim related to a trip and fall on a public sidewalk. The City had no notice of any hazard and therefore cannot be held liable.

27. [051214](#)

Resolution relating to a claim from Attys. Karp, Karp & Zirgibel, S.C. on behalf of Gerald Weisflog for personal injuries.

Sponsors: THE CHAIR

Attachments: [Claim.PDF](#)
[City Atty. Letter.DOC](#)

---\$420,801.52 claim related to a trip and fall on a public sidewalk. The City had no notice of any hazard and therefore cannot be held liable.

28. [051211](#)

Resolution authorizing payment of the claim of SBC (25200508-50-0132) C.I. File No. 05-S-224.

Sponsors: THE CHAIR

Attachments: [City Atty. Letter.DOC](#)
[Fiscal Note.DOC](#)

29. [051308](#)

Reappointment of Robert Ullenberg to the Board of Review by the Mayor. (14th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [Appt. Letter.PDF](#)
[Attendance record of Robert Ullenberg](#)

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

NOTE: a) Members of the Common Council, and members of its Standing Committees who are not members of this Committee, may attend this meeting to participate or to gather information. Therefore, notice is given that this meeting may constitute a meeting of the Common Council or any of its Standing Committees, and must be noticed as such, although they will not take any formal action at this meeting.

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

c) Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

d) Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code of Ordinances are required to register with the City Clerk's Office License Division. More information is available at www.milwaukee.gov/lobby or by calling 414-286-2238.