



# City of Milwaukee

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

## Meeting Minutes JUDICIARY & LEGISLATION COMMITTEE

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

*Ald. Ashanti Hamilton, Vice-Chair*

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

*Staff Assistant, Linda Elmer, (414)-286-2232*

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*File Specialist: Joanna Polanco, 286-3926, E-mail: jpolan@milwaukee.gov*

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Monday, January 30, 2006

9:00 AM

Room 301-B, City Hall

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*Meeting convened: 9:18 A.M.*

**Present** 5 - D'Amato, Hamilton, Bauman, Murphy, Bohl

*Ald. Hamilton moves that the Judiciary and Legislation Committee convene into closed session 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.*

*Roll call:*

*Ayes: Ald. Hamilton, Ald. Bauman, Ald. Bohl, Ald. Murphy and Ald. D'Amato - 5*

*Individuals present:*

*Jan Smokowicz and Rudy Konrad - City Attorney's Office*

*Tim McMurtry - Pres. Hines's Office*

**9:15 A.M.**

1. [051292](#) Substitute resolution authorizing settlement in the case entitled Gustafson and Cornejo v. Jones, et al., Case No. 00-C-1397.

**Sponsors:** THE CHAIR

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

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

2. [051208](#) Resolution canceling various City invoices.

**Sponsors:** THE CHAIR

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

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

3. [051209](#) Resolution authorizing payment of the claim of Ryan J. Lemke, C.I. File No. 03-L-138.

**Sponsors:** THE CHAIR

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

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

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

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

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

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

**Speakers:**

*Ald. Donovan*

*Susan Edman - Election Commission*

*Ald. Bohl moves to offer sub. 1. Failed. 1-4 (Ald. Hamilton, Ald. Bauman, Ald. Murphy and Ald. D'Amato voting "no")*

**A motion was made by ALD. BOHL that this Resolution be AMENDED This motion FAILED by the following vote:**

**Aye** 1 - Bohl

**No** 4 - D'Amato, Hamilton, Bauman Murphy

**Sponsors:** Donovan

*Ald. Hamilton moved to Hold to the Call of the Chair so other options for revenue sources can be explored and defined.*

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

**Aye** 3 - Hamilton, Murphy Bohl

**No** 2 - D'Amato Bauman

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

**Sponsors:** D'Amato

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

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

9:45 A.M.

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

**Sponsors:** THE CHAIR

**Speakers:**

*Mayor Barrett - on funding of school choice*

*AB-914 - Ald. Bohl moves for support. Prevailed. 5-0*

*Ald. Murphy leaves at 10:29 A.M.*

*AB-919 - Ald. Hamilton moves for opposition. Prevailed. 4-0 (Ald. Murphy excused)*

*SB-455 - Ald. Bohl moves for opposition. Prevailed. 4-0 (Ald. Murphy excused)*

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

**Aye** 4 - D'Amato, Hamilton, Bauman Bohl

**No** 0

**Excused** 1 - Murphy

*Roll call taken at 10:29 A.M.*

**Present** 4 - D'Amato, Hamilton, Bauman , Bohl

**Excused** 1 - Murphy

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

**Sponsors:** Murphy

*Item taken out of order in order to allow Ald. Murphy to speak on the issue prior to having to leave.*

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

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

No 0

9. [051312](#) Substitute resolution relating to City position on proposed state legislation for local airport authorities.

**Sponsors:** Witkowski

**Speaker:**

*Peter Bitzell - Metropolitan Milwaukee Association of Commerce*

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

**Aye** 3 - D'Amato, Hamilton Bauman

**No** 1 - Bohl

**Excused** 1 - Murphy

*Roll call taken at 11:02 A.M.*

**Present** 5 - D'Amato, Hamilton, Bauman, Murphy , Bohl

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

**Sponsors:** Hines Jr. and Bohl

**Speakers:**

*Pat Algiers*

*Dave Fanta - Visit Milwaukee*

*Scott Robey - local producer/director*

*Tim McMurtry - Pres. Hines's aide*

*Ald. Bohl asks to be added as co-sponsor.*

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

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

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

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

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

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
- 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 - D'Amato, Hamilton, Bauman, Murphy Bohl
- No** 0
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
- A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR ADOPTION This motion PREVAILED by the following vote:**
- Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl
- No** 0
14. [051297](#) A substitute resolution directing certain city departments to implement various recommendations of the Outstanding Debt Task Force.
- Sponsors:** Witkowski
- A motion was made by ALD. HAMILTON that this Resolution be RECOMMENDED FOR ADOPTION This motion PREVAILED by the following vote:**
- Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl
- No** 0
15. [051296](#) A substitute ordinance requiring the city comptroller to provide an annual report analyzing delinquent outstanding debt.
- Sponsors:** Witkowski
- A motion was made by ALD. BOHL that this Ordinance be RECOMMENDED FOR PASSAGE This motion PREVAILED by the following vote:**
- Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl
- No** 0

**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

**A motion was made by ALD. BOHL that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

17. [051210](#) Resolution relating to a claim from Linda Haynes for personal injuries.

**Sponsors:** THE CHAIR

**A motion was made by ALD. BAUMAN that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

**Sponsors:** THE CHAIR

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

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

**Sponsors:** THE CHAIR

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

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

18. [051212](#) Resolution relating to a claim from Jerome Thornton for property damage. (4th Aldermanic District)

**Sponsors:** THE CHAIR

**A motion was made by ALD. BOHL that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

19. [051217](#) Resolution relating to the appeal of Thomas Neder relative to a claim for property damage. (14th Aldermanic District)

**Sponsors:** THE CHAIR

**A motion was made by ALD. HAMILTON that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

20. [051218](#) Resolution relating to the appeal of Annemarie Sawkins relative to a claim for property damage.
- Sponsors:** THE CHAIR
- A motion was made by ALD. MURPHY that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:**
- Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl
- No** 0
21. [051068](#) Resolution relating to a claim from Debbie Griffiths, Risk Manager for SBC, for property damage.
- Sponsors:** THE CHAIR
- A motion was made by ALD. BOHL that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:**
- Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl
- No** 0
22. [051280](#) Resolution relating to the appeal of Angelo Newman relative to a claim for property damage. (7th Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by ALD. BOHL that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:**
- Aye** 3 - Bauman, Murphy Bohl
- No** 2 - D'Amato Hamilton
23. [051216](#) Resolution relating to a claim from Precious Badran for damages.
- Sponsors:** THE CHAIR
- A motion was made by ALD. BOHL that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:**
- Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl
- No** 0
24. [051236](#) Substitute resolution relating to the appeal of Vanessa Vara-Ramos relative to a claim for property damage. (14th Aldermanic District)
- Sponsors:** THE CHAIR
- Ald. Bauman moves to grant in the amount of \$36.96. Prevailed. 5-0*
- A motion was made by ALD. BAUMAN that this Resolution be AMENDED This motion PREVAILED by the following vote:**
- Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

No 0

25. [051213](#) Resolution relating to a claim from Bhanu Mital for personal injuries. (12th Aldermanic District)

**Sponsors:** THE CHAIR

**A motion was made by ALD. BAUMAN that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

26. [051215](#) Resolution relating to a claim from Meridian Resource Company, LLC for reimbursement for payments to Gerald Weisflog for injuries.

**Sponsors:** THE CHAIR

**A motion was made by ALD. HAMILTON that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

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

**A motion was made by ALD. HAMILTON that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:**

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

28. [051211](#) Resolution authorizing payment of the claim of SBC (25200508-50-0132) C.I. File No. 05-S-224.

**Sponsors:** THE CHAIR

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

**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

29. [051308](#) Reappointment of Robert Ullenberg to the Board of Review by the Mayor. (14th Aldermanic District)

**Sponsors:** THE CHAIR

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



**Aye** 5 - D'Amato, Hamilton, Bauman, Murphy Bohl

**No** 0

*Meeting adjourned: 11:58 A.M.*

*Linda M. Elmer*

*Staff Assistant*

*This meeting can be viewed in its entirety in the web-casting archives found at  
[www.milwaukee.gov/channel25](http://www.milwaukee.gov/channel25).*