



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, February 20, 2012

1:30 PM

Room 301-B, City Hall

Meeting called to order at 1:39 P.M.

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

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, February 20th, 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. [111416](#) Resolution authorizing settlement of the claims raised by plaintiff, Frank L. Jude, Jr., in the lawsuit entitled Frank L. Jude, Jr., et al. v. City of Milwaukee, et al.

Sponsors: THE CHAIR

A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR ADOPTION AND ASSIGNED TO to the FINANCE & PERSONNEL COMMITTEE . This motion PREVAILED by the following vote:

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

No 0

2. [111415](#) Resolution to authorize up to \$2 million dollars of contingent borrowing to fund settlement of the claims raised by the plaintiff, Frank L. Jude, Jr., in the lawsuit entitled, Frank L. Jude, Jr., et al. v. City of Milwaukee, et al.

Sponsors: THE CHAIR

A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION AND ASSIGNED TO to the FINANCE & PERSONNEL COMMITTEE . This motion PREVAILED by the following vote:

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

No 0

3. [111420](#) Resolution affirming the Common Council's opposition to restrictive voting laws and calls on state election officials to educate the public about the effect of the new restrictive voting laws.

Sponsors: Ald. Davis, Ald. Coggs and Ald. Hamilton

Ald. Davis Co- Sponsor spoke on behalf of this resolution.

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, Davis and Donovan

No 1 - Bohl

4. [111290](#) Resolution approving the revised Municipal Court Non-Traffic Deposit Schedule.

Sponsors: THE CHAIR

Individuals present

Jane Tabaska - Network Manager Milwaukee Muni Court

Richard Withers - Legislative Reference Bureau

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

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

No 0

5. [111390](#) Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

Sponsors: THE CHAIR

Individual present:

Barbara Woldt - Special Assistant to the City Attorney

A motion was made by ALD. DAVIS 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

6. [111353](#) Resolution authorizing the return of real estate located at 4843 N. 71st Street, in the 2nd Aldermanic District to Steven DeVouges, agent for Corelogic Tax Services.

Sponsors: THE CHAIR

Individuals present:

Lynne Steffen - DNS

Karen Taylor - DCD

Rich Schmidt - Treasurer's Office

Richard Fidler - Agent

*Taxes due if paid in February \$16,641.92
if paid by March 29 \$16,819.64*

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

7. [111379](#) Substitute resolution authorizing the return of real estate located at 3046 N. 22nd Street, in the 7th Aldermanic District to its former owner. (Dawn Marie Winters)

Sponsors: THE CHAIR

Individuals present:

Karen Taylor - DCD

Lynne Steffen - DCD

Rich Schmidt - Treasurer's Office

Mr. Dewayne Webster - Spouse of Mrs. Winters

The Department of Neighborhood Services does not object to the return of this property provided the applicant pays \$1,400.00 in pending reinspection fees. The Department also request that, upon the return of the property, the former owner works to correct the outstanding code violation in a timely manner. these charges need to paid February 27 by noon.

*Taxes due if paid in February \$15,022.23
if paid by March 29, 2012 \$15,200.51*

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

8. [110990](#) Resolution relating to the claims of Brian and Suzanne Kreuziger for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

individuals present:

Jan Smokowicz - Asst City Attorney

Mr. Brian Kreuziger - Claimant

Mr. Jason Sanders - Sewer Maintenance Fund - DPW

Motion by Ald. Bohl to deny based on department testimonies. Failed 2-2-1 (Ald. Witkowski, Hamilton voted no) 1 abstention (Ald. Donovan)

Motion by Ald. Witkowski to approve claim in the amount of \$6,193.12. Failed 2-2-1 (Ald. Davis Bohl voted no)1 abstention (Ald. Donovan).

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

Aye 3 - Hamilton, Witkowski and Donovan

No 2 - Bohl and Davis

110990

Substitute resolution relating to the claims of Brian and Suzanne Kreuziger for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

*Ald. Donovan moved to sette this claim in the amount of \$4000.00
Prevailed 3-2 Ald. (Ald. Bohl and Davis voted no)*

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

Aye 3 - Hamilton, Witkowski and Donovan

No 2 - Bohl and Davis

9. 111123

Resolution relating to an appeal from Clint Bryant for property damage.

Sponsors: THE CHAIR

*Individuals present:
Jan Smokowicz - Asst City Atty
Jeff Delleman - Infrastructure
Mr. Bryant - Claimant*

*Ald. Davis moved settlement of this claim in the amount of \$427.58 Prevailed 4-1 Ald.
Bohl voted no*

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

Aye 4 - Hamilton, Witkowski, Davis and Donovan

No 1 - Bohl

111123

Substitute resolution relating to an appeal from Clint Bryant for property damage.

Sponsors: THE CHAIR

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, Davis and Donovan

No 1 - Bohl

10. 111159

Resolution relating to an appeal from Janis Cottrell for property damage. (9th Aldermanic District)

Sponsors: THE CHAIR

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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

11. [111121](#) Resolution relating to an appeal from Craig Muri and Chad Konow for personal Injuries. (4th Aldermanic District)

Sponsors: THE CHAIR

Moved denial based on nonappearance by Ald. Witkowski. 5-0

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

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

No 0

12. [110996](#) Resolution relating to an appeal from Charles Kowalski for property damage.

Sponsors: THE CHAIR

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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

13. [111277](#) Substitute resolution approving the extension of a contract between the City and Personal Property Consultants of WI, LLC, for the provision of specialized valuation services.

Sponsors: THE CHAIR

Individuals present:

Mary Reavey - Assessors Commissioner

David Fortney - Assessor's Office

Rhonda Kelsey - Purchasing Director

Kathy Block - Asst City Atty.

Jim Owczarski - Deputy City Clerk

Motion by Ald. Bohl accept proposed Sub A for items 111277 and 111278. Prevailed 5-0

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

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

No 0

[111277](#)

Substitute resolution approving the extension of a contract between the City and Personal Property Consultants of WI, LLC, for the provision of specialized valuation services.

Sponsors: THE CHAIR

Individuals present:

Mary Reavey - Assessors Commissioner

David Fortney - Assessor's Office

Rhonda Kelsey - Purchasing Director

Kathy Block - Asst City Atty.

Jim Owczarski - Deputy City Clerk

Motion by Ald. Witkowski to be referred to Finance and Personnel Committee without recommendation. Prevailed 4-1 Ald. Davis voted no

A motion was made by ALD. WITKOWSKI that this Resolution be REFERRED WITHOUT RECOMMENDATION. This motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Donovan

No 1 - Davis

14. [111278](#)

Substitute resolution approving the extension of a contract between the City and Valuation Solutions, LLC, for the provision of specialized assessment services.

Sponsors: THE CHAIR

Individuals present:

Mary Reavey - Assessors Commissioner

David Fortney - Assessor's Office

Rhonda Kelsey - Purchasing Director

Kathy Block - Asst City Atty.

Jim Owczarski - Deputy City Clerk

Motion by Ald. Bohl accept proposed Sub A for items 111277 and 111278. Prevailed 5-0

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

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

No 0

[111278](#)

Substitute resolution approving the extension of a contract between the City and Valuation Solutions, LLC, for the provision of specialized assessment services despite the provisions of s. 310-12 limiting the ability of departments to contract with retirees.

Sponsors: THE CHAIR

Individuals present:

Mary Reavey - Assessors Commissioner

David Fortney - Assessor's Office

Rhonda Kelsey - Purchasing Director

Kathy Block - Asst City Atty.

Jim Owczarski - Deputy City Clerk

Motion by Ald. Witkowski to be referred to Finance and Personnel Committee without recommendation. Prevailed 4-1 Ald. Davis voted n

A motion was made by ALD. WITKOWSKI that this Resolution be REFERRED WITHOUT RECOMMENDATION. This motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Donovan

No 1 - Davis

15. [110033](#) Communication related to the 2011 annual report and activities of the Ethics Board.

Sponsors: THE CHAIR

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

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

No 0

16. [111349](#) A substitute ordinance relating to revisions of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

Sponsors: THE CHAIR

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

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

No 0

17. [110857](#) Resolution relating to legislative bills.

Sponsors: THE CHAIR

Individuals present:

Jennifer Gonda - Intergovernmental Relations

Stuart Mukamal - Asst City Atty

Eric Gass - Health Department

Ald. Donovan moved for the committee to support Senate Bill:

---SB-300/AB-403 The length of time for which a variance applies, with the amendment that they include special use permits.

Prevailed 5-0

Ald. Davis moved for the committee to Oppose Sente Bill:

---SB-373 Changes to product liability law and the law governing remedies and Assembly Bill

---AB-538/ AB-544 against manufacturers, distributors, sellers, and promoters of a product.

Prevailed 5-0

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

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

No 0

110857

Substitute resolution relating to legislative bills.

Sponsors: THE CHAIR

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

Meeting adjourned at 3:28 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>.