



# City of Milwaukee

## Meeting Minutes

200 E. Wells Street  
Milwaukee, Wisconsin  
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.**

**Staff Assistant, Linda Elmer, (414)-286-2232**  
**Fax: 286-3456, E-mail: lelmer@milwaukee.gov**  
**File Specialist: Charlotte Rodriguez, 286-8797, E-mail: crodri@milwaukee.gov**

*\*Italicized comments following the titles of Council files are explanatory only and not intended to limit the scope of the debate or any possible amendments.*

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Monday, April 25, 2005

1:30 PM

Room 301-B, City Hall

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*Meeting convened: 1:39 P.M.*

**Members Present:** ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

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1) [031504](#)

Substitute resolution relative to various legislative bills.

[Legislative bills.pdf](#)

[Fiscal Note.rtf](#)

*AB-40 - Ald. Murphy moves for support. Prevailed. 5-0*

*AB-183 - Ald. Hamilton moves for support with the changes offered by the Health Commissioner (to mimic the approach that Illinois has taken and that California is considering. These states limit the number of grams per package (3 gram max in Illinois) and/or the number of packages of grams per single retail transaction (2 package max in Illinois, 3 package max or 9 gram max in California) and the language making possession of more than 24 grams of pseudoephedrine, ephedrine, or phenylpropanolamine should clearly state that this limit for possession does not apply to those same formulations which are excepted from restrictions on sale (ie. liquid or soft gelatine capsules, products containing other active medications, or other formulations as designated by the Controlled Substances Board)). Prevailed. 5-0*

*AB-278 - Ald. Bauman moves for opposition. Prevailed. 5-0*

*AB-298 - Ald. Murphy moves for opposition. Prevailed. 5-0*

*SB-147 - Ald. Bauman moves for opposition. Prevailed. 4-1 (Ald. Bohl voting "no")*

**A motion was made by Vice Chair Hamilton that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL  
Noes: 0

2) [041619](#)

Substitute resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation relating to prohibition of loud sounds emitting from radios and other electric sound amplification devices in motor vehicles.

[Fiscal Note.doc](#)

[Communication and Complaint form from Ald. D'Amato.PDF](#)

[City Attorney's Opinion.PDF](#)

**A motion was made by Ald. Murphy that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL  
Noes: 0

3) [041635](#)

Substitute resolution expressing the City of Milwaukee's support for passage of 2005 Wisconsin Senate Bill 148, an act relating to the registration of firearms in Milwaukee County.

[Fiscal Note.doc](#)

[2005-2006 Legislature.PDF](#)

*Speakers present:*

*Wisconsin Senator Spencer Coggs - in support*

*Mona Winbush - Mothers Against Gun Violence - in support*

*Deborah Feifer - Mothers Against Gun Violence - in support*

*Ald. Joe Dudzik - in opposition*

**A motion was made by Ald. Murphy that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**

Ayes: 4 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN and ALD. MURPHY  
Noes: 0  
Abstain: 1 - ALD. BOHL

4) [041678](#)

Resolution expressing the City of Milwaukee's opposition to the elimination of federal funding for Amtrak.

[Fiscal Note.rtf](#)

[Communication from Senator Feingold's Office.PDF](#)

*Speakers:*

*John Heiser - 2567 N. 46th St. - in support*

**RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

**2:45 P.M.**

5) [041746](#)

Communication from the Ethics Board transmitting their 2004 Annual Report.

[Report.PDF](#)

**A motion was made by Ald. Bauman that this matter be RECOMMENDED FOR PLACING ON FILE. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

6) [041127](#)

Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

[2004 Expenditures as of 1-14-05.pdf](#)

[Communication from City Attorney.PDF](#)

**A motion was made by Vice Chair Hamilton that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

7) [041566](#)

Resolution relating to the claim of Edward Stenzel for the payment of certain benefits.

[City Atty. Letter.DOC](#)

[Fiscal Analysis.doc](#)

[Communication from Atty. Fuchs 4/5/05.PDF](#)

[Communication from Atty. Fuchs 4/15/05.PDF](#)

[Notice of Disallowance Claim.pdf](#)

*Individuals present:*

*Rudy Konrad - City Attorney's Office*

*Assistant Chief Joseph Whiten - Milwaukee Police Department*

*Att. Rebecca Boyle - 620 N. Mayfair Rd.*

*Edward Stenzel*

**A motion was made by Vice Chair Hamilton that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion**

carried by the following vote:

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

**3:00 P.M.**

8) [041457](#)

Resolution relating to a claim from John Charles Heiser for damages when the City removed items from his property.

[City Atty. Letter.DOC](#)

[Claim.PDF](#)

[Notice of Disallowance Claim.pdf](#)

**A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:**

Ayes: 4 - ALD. D'AMATO, ALD. HAMILTON, ALD. MURPHY and ALD. BOHL

Noes: 1 - ALD. BAUMAN

9) [041571](#)

Substitute resolution to settle claim of Shawne Bond for property damage.

[Appeal.PDF](#)

[City Atty. Letter.PDF](#)

[Fiscal Note.rtf](#)

*Michael Bond - husband of claimant*

*Ald. Bauman moves to amend the claim to \$215.11. Prevailed. 5-0*

**A motion was made by Ald. Bauman that this matter be AMENDED. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

[041571](#)

Substitute resolution to settle claim of Shawne Bond for property damage.

[Appeal.PDF](#)

[City Atty. Letter.PDF](#)

[Fiscal Note.rtf](#)

*Grant in the amount of \$215.11*

**A motion was made by Ald. Bauman that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**

Ayes: 4 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN and ALD. MURPHY  
Noes: 1 - ALD. BOHL

10) [041676](#)

Resolution relating to the appeal of Michele Strosin relative to a claim for towing charges. (14th Aldermanic District)

[Appeal.PDF](#)

[City Atty. Letter.PDF](#)

[Notice of Disallowance Claim.pdf](#)

**A motion was made by Ald. Bohl that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL  
Noes: 0

**3:15 P.M.**

11) [041675](#)

Resolution relating to the appeal of Norman Fons, Landlord for Greendale Village Townhouses, relative to a claim for property damage.

[Appeal.PDF](#)

[Notice of Disallowance Claim.pdf](#)

**A motion was made by Ald. Bauman that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL  
Noes: 0

12) [041570](#)

Resolution relating to a claim from Schuyler Meredith for property damage.

[City Atty. Letter.DOC](#)

[Claim.PDF](#)

[Notice of Disallowance Claim.pdf](#)

**A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL  
Noes: 0

13) [041673](#)

Resolution relating to the appeal of Jamie Glinberg relative to a claim for property damage. (14th Aldermanic District)

[Appeal.PDF](#)

[Notice of Disallowance Claim.pdf](#)

**A motion was made by Vice Chair Hamilton that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

14) [041674](#)

Resolution relating to the appeal of Steven Fowlkes relative to a claim for property damage. (2nd Aldermanic District)

[City Atty. Letter.PDF](#)

[Appeal.PDF](#)

[Notice of Disallowance Claim.pdf](#)

*Lillie B. Parker Fowlkes - mother of the claimant and owner of the vehicle  
Ronald Laura - 5274 N. 28th St.*

**A motion was made by Ald. Bauman that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

15) [041680](#)

Resolution authorizing payment of the claim of Justine Schmidt, C.I. File No. 03-L-37. (City Attorney)

[Fiscal Note.DOC](#)

[City Atty. Letter.DOC](#)

[Settlement Draft Request.DOC](#)

**A motion was made by Vice Chair Hamilton that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

16) [041681](#)

Resolution authorizing payment of the claim of Barry Kusik, C.I. File No. 04L-138. (City Attorney)

[City Atty. Letter.DOC](#)

[Fiscal Note.DOC](#)

[Settlement Draft Request.DOC](#)

**A motion was made by Ald. Bohl that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

[041672](#)

Substitute resolution to settle claim of Attorney Laurie A. Eggert for defense of various police officers. (City Attorney)

[Claim for Biscobing, Lemanczyk, Elm and Bubnitz.PDF](#)

[Claim for Blum, Pelnar and Clausing.PDF](#)

[Claim for Bohlen and Lentzs.PDF](#)

[Claim for Cooksey.PDF](#)

[Claim for Elm and Lemanczyk.PDF](#)

[Claim for Gebhardt.PDF](#)

[Claim for Glover, Campbell and Lough.PDF](#)

[Claim for Glover.PDF](#)

[Claim for Lutz and Froh.PDF](#)

[Claim for Mauser.PDF](#)

[Claim for Clark, Garhart and Feely.PDF](#)

[Claim for Henry.PDF](#)

[Claim for Kane and Grady.PDF](#)

[Claim for Lemke and Pfeiffer.PDF](#)

[Claim for Lutz, Froh and Gonzalez.PDF](#)

[Claim for McNair.PDF](#)

[Claim for Panfil, Trzcinski and Terriquez.PDF](#)

[Claim for Pfeiffer and Filsinger.PDF](#)

[Claim for Warren and Lough.PDF](#)

[Claim for Stojsavljevic.PDF](#)

[Fiscal Note.doc](#)

[Fiscal Note-substitute.rtf](#)

*Ald. Murphy moves to remove the payment for Robert Henry.*

**A motion was made by Ald. Murphy that this matter be AMENDED. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

[041672](#)

Substitute resolution to settle claim of Attorney Laurie A. Eggert for defense of various police officers. (City Attorney)

[Claim for Biscobing, Lemanczyk, Elm and Bublitz.PDF](#)  
[Claim for Blum, Pelnar and Clausing.PDF](#)  
[Claim for Bohlen and Lentzs.PDF](#)  
[Claim for Cooksey.PDF](#)  
[Claim for Elm and Lemanczyk.PDF](#)  
[Claim for Gebhardt.PDF](#)  
[Claim for Glover, Campbell and Lough.PDF](#)  
[Claim for Glover.PDF](#)  
[Claim for Lutz and Froh.PDF](#)  
[Claim for Mauser.PDF](#)  
[Claim for Clark, Garhart and Feely.PDF](#)  
[Claim for Henry.PDF](#)  
[Claim for Kane and Grady.PDF](#)  
[Claim for Lemke and Pfeiffer.PDF](#)  
[Claim for Lutz, Froh and Gonzalez.PDF](#)  
[Claim for McNair.PDF](#)  
[Claim for Panfil, Trzcinski and Terriquez.PDF](#)  
[Claim for Pfeiffer and Filsinger.PDF](#)  
[Claim for Warren and Lough.PDF](#)  
[Claim for Stojsavljevic.PDF](#)  
[Fiscal Note.doc](#)  
[Fiscal Note-substitute.rtf](#)

**A motion was made by Ald. Murphy that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**

Ayes: 4 - ALD. D'AMATO, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 1 - ALD. HAMILTON

*Meeting adjourned: 4:00 P.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).**