



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. Milele A. Coggs, and Ald. T.
Anthony Zielinski
Staff Assistant, Joanna Polanco, 286-2366
Fax: 286-3456, jpolan@milwaukee.gov
Legislative Liaison, Richard Withers, 286-8532,
rwithe@milwaukee.gov

Monday, May 5, 2014

1:30 PM

Room 301-B, City Hall

Meeting called to order at 1:37 P.M.

Present 5 - Hamilton, Witkowski, Bauman, Coggs, Zielinski

1. [140100](#) Appointment of Ald. Jose Perez to the Administrative Review Appeals Board by the Common Council President.

Sponsors: THE CHAIR

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

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

No 0

2. [140101](#) Appointment of Bill Averill to the Administrative Review Appeals Board by the Common Council President.

Sponsors: THE CHAIR

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

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

No 0

3. [131806](#) Resolution relating to the appeal of Raven Blackwood for property damage. (14th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Asst City Atty. Patricia Fricker

Jeff Delleman - DPW Infrastructure Services

Mr. Raven Blackwood - appellant

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

**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, Bauman, Coggs and Zielinski

No 0

4. [140007](#) Resolution relating to the appeal of Vanessa Evans-Gordon for property damage. (15th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Patricia Fricker - Asst City Atty

Jeff Delleman - DPW Infrastructure

Ms. Vanessa Evans- Gordon - Appelant

*Based on City Department testimony, Ald. Witkowski moved denial of this claim.
There were no objections*

**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, Bauman, Coggs and Zielinski

No 0

5. [140012](#) Resolution relating to the appeal of Derrick Bush for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Patricia Fricker - Asst City Atty

Jeff Delleman - DPW Infrastructure

Mr. Derrick Bush - Appelant

*Based on City Department testimony Ald. Witkowski moved denial of this claim.
There were no objections*

**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, Bauman, Coggs and Zielinski

No 0

6. [140050](#) Resolution relating to the appeal of Nicole Anaya, agent for Wheels, Inc. for property damage.

Sponsors: THE CHAIR

*ased on non appearnce Ald. Witkowski moved denial.
There were no objections*

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, Bauman, Coggs and Zielinski

No 0

7. [140002](#) Resolution relating to the claim of WE Energies for property damage. (2nd Aldermanic District)

Sponsors: THE CHAIR

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

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

No 0

8. [140021](#) Communication relating to the Milwaukee Water Works' policies and procedures for the repair of roads and other public rights of way and the monitoring of roadway repairs.

Sponsors: Ald. Witkowski

Appearing:

Carrie Lewis - Water Works Superintendent

Laura Daniels - Water Works Administration

Jeff Delleman - DPW Infrastructure Services

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

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

No 0

9. [131736](#) Resolution relative to legislative bills.

Sponsors: THE CHAIR

Appearing:

Jennifer Gonda - IRD Director

Kim Montgomery - IRD

Paulina De Haan - IRD

Brenda Wood - CC CC

Tobie Black - IRD

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 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

Ald. Buamn 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 called taken at 2:32 p.m.

Present:

Ald. Bauman

Ald. Coggs

Ald. Hamilton

Ald. Witkowski

Also present:

Grant Langley - City Attorney

Jan Smokowicz - Asst City Attorney

Ald. Davis

Ald. Zielinski arrived

Jenny Yuan - Asst City Attorney

Susan Lappen - Asst City Attorney

Ald. Witkowski moved the Judiciary and Legislation Committee reconvened into open session.

There were objections.

The following files are being placed on file as no longer necessary.

10. [051695](#) Resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation authorizing the use of photo radar speed detection technology to detect traffic violators.

Sponsors: Ald. Zielinski

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

11. [061576](#) Substitute resolution supporting passage of federal anti-sweatshop legislation.

Sponsors: Ald. Zielinski

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

12. [070486](#)

Resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation enabling the City of Milwaukee to recover booking costs from individuals who are processed by the Police Department.

Sponsors: Ald. Zielinski

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

13. [070645](#)

Resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation establishing a state-wide uniform sex offender residency requirement.

Sponsors: Ald. Zielinski

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

14. [070650](#)

Communication from the Wisconsin Department of Health and Family Services - Division of Children and Family Services relating to licensing, monitoring and regulating group and family foster homes.

Sponsors: Ald. Hamilton

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

15. [070736](#) Resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation relating to temporary extension of current alcohol beverage establishment licenses.

Sponsors: Ald. Hines Jr.

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

16. [080077](#) Substitute resolution expressing City of Milwaukee support for efforts to discontinue federal corn ethanol mandates, cease incentives for corn ethanol production and end tariffs on imported biofuels.

Sponsors: Ald. Bohl

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

17. [080323](#) Substitute resolution requesting the Federal Transit Administration to permit \$91.5 million in federal funds designated for transit improvements in Milwaukee to be used for the purchase of hydrogen fuel-cell buses and/or battery-electric buses.

Sponsors: Ald. Zielinski

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 Coggs

No 0

Excused 1 - Zielinski

18. [080771](#) Resolution relating to the Milwaukee Public Schools' student graduation rate.

Sponsors: Ald. Zielinski

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 Coggs

No 0

Excused 1 - Zielinski

19. [080787](#) Resolution relating to a pilot program to improve academic performance in Milwaukee Public Schools.

Sponsors: Ald. Zielinski and Ald. Hamilton

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 Coggs

No 0

Excused 1 - Zielinski

20. [081021](#) Communication from the City Attorney's Office related to the ordinance requiring employers within the City of Milwaukee to provide paid sick leave to employees.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

21. [081450](#) Resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation amending provisions relating to selection of School Board members in a First Class City School System.

Sponsors: Ald. Hines Jr.

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 Coggs

No 0

Excused 1 - Zielinski

22. [081658](#) Substitute resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation to allow for the election of Milwaukee Area

Technical College district board members by district residents.

Sponsors: Mr. Witkowiak

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 Coggs

No 0

Excused 1 - Zielinski

23. [090597](#)

Resolution opposing revisions to Chapter 119 of the Wisconsin Statutes allowing for mayoral appointment of either School Board members or the Superintendent of Schools.

Sponsors: Ald. Zielinski

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 Coggs

No 0

Excused 1 - Zielinski

24. [091285](#)

Communication relating to the 2010 Census.

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 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

25. [100068](#)

Resolution opposing local policies that encourage discrimination on the basis of race or ethnicity and calling on the federal government to enact and enforce uniform and effective immigration policies.

Sponsors: Mr. Witkowiak

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 Coggs

No 0

Excused 1 - Zielinski

26. [100640](#) Resolution directing the Department of Administration -- Intergovernmental Relations Division to seek introduction and passage of state legislation to amend the definition of property owner.

Sponsors: Ald. Hines Jr.

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 Coggs

No 0

Excused 1 - Zielinski

27. [100915](#) A substitute ordinance relating to the conveyance of in rem properties.

Sponsors: Ald. Bauman

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

28. [101040](#) Communication relating to the 2011 activities of the Administrative Review Appeals Board.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

29. [101382](#) Resolution supporting introduction and passage of federal legislation, The 21st Century Full Employment and Training Act, and directing the Department of Administration - Intergovernmental Relations Division to lobby for its passage.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

30. [101470](#) Resolution urging the Wisconsin State Legislature and Governor Scott Walker to consider changes in State tax law while addressing the projected 2011-13 State budget deficit.

Sponsors: Ald. Zielinski

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

Aye 4 - Hamilton, Witkowski, Bauman and Cogs

No 0

Excused 1 - Zielinski

31. [101504](#) A charter ordinance relating to a technical correction regarding member contributions under the city employees' retirement system.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bauman and Cogs

No 0

Excused 1 - Zielinski

32. [110468](#) Resolution relating to reports by the Election Commission of implementation costs of new state voter registration and voter identification requirements.

Sponsors: Ald. Cogs

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

Aye 4 - Hamilton, Witkowski, Bauman and Cogs

No 0

Excused 1 - Zielinski

33. [110592](#) Communication from the Comptroller's Office relating to the Annual Outstanding Receivables Report.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

34. [110882](#) Resolution supporting introduction and passage of state legislation relating to property tax assessment.

Sponsors: Ald. Zielinski

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

35. [110884](#) Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

36. [110907](#) Communication from the City Attorney relating to semiannual reports as to the determination and disposition of all claims pending and closed and litigation matters closed through June 30, 2011.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

37. [110950](#) Resolution supporting the establishment of a neighborhood school at

Bay View High School.

Sponsors: Ald. Zielinski

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

Aye 4 - Hamilton, Witkowski, Bauman and Coggs

No 0

Excused 1 - Zielinski

38. [110954](#) A substitute ordinance relating to the filing fee for administrative review appeals.

Sponsors: Ald. Kovac

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

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

No 0

39. [110988](#) Communication from Comptroller's Office transmitting a report titled Fraud Hotline Report For the Year Ended August 17, 2011.

Sponsors: THE CHAIR

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

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

No 0

40. [111557](#) An ordinance relating to the refunding of administrative review appeals board filing fees.

Sponsors: Ald. Zielinski

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

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

No 0

41. [111734](#) Resolution urging the U.S. Congress to amend the Clean Air Act to eliminate the requirement for use of reformulated gasoline in 6 counties in southeastern Wisconsin.

Sponsors: Ald. Bohl

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

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

No 0

42. [120007](#)

Resolution directing the Department of Administration-Intergovernmental Relations Division and the Common Council's Legislative Coordinator to seek introduction and passage of state legislation relating to the rights and responsibilities of privately-owned utilities that locate their equipment in the public right-of-way.

Sponsors: Ald. Bauman

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

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

No 0

43. [120293](#)

Communication from the Election Commission concerning issues in the spring recall elections and plans to address challenges in preparation for the August 14, 2012, statewide primary election and the November 6, 2012, general election.

Sponsors: Ald. Coggs, Ald. Hamilton, Ald. Wade, Ald. Hines Jr. and Ald. Davis

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

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

No 0

44. [120521](#)

Resolution relating to the placing of a referendum calling on the United States government to redirect spending from the military to urban needs.

Sponsors: Ald. Kovac

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

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

No 0

45. [121142](#)

Resolution requesting City representation on the Milwaukee Area

Domestic Animal Control Commission Board of Directors and Operations Committee to support the creation of a Milwaukee Area Domestic Animal Control Commission citizen advisory committee.

Sponsors: Ald. Bohl

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

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

No 0

46. [121370](#)

Substitute resolution amending the 2013-2014 state legislative package relating to the procedures for creation of neighborhood improvement districts.

Sponsors: Ald. Murphy

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

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

No 0

47. [121507](#)

Resolution relating to the claim of the Milwaukee Metropolitan Sewerage District for property damage.

Sponsors: THE CHAIR

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

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

No 0

48. [130101](#)

Substitute resolution amending the 2013-2014 state legislative package relating to disabled parking.

Sponsors: Ald. Murphy

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

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

No 0

49. [130648](#)

Substitute resolution urging the Mayor, the Chief of Police, the Superintendent of Milwaukee Schools and the Milwaukee Board of School Directors to work towards an agreement under which security

services for the Milwaukee Public Schools would be merged or consolidated with the Milwaukee Police Department.

Sponsors: Ald. Donovan

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

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

No 0

50. [131320](#)

Resolution relating to the appeal of Jeanette Moore for property damage. (15th Aldermanic District)

Sponsors: THE CHAIR

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

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

No 0

Meeting Adjourned at 3:09 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>.