



City of Milwaukee Meeting Agenda

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, Kathy Marquardt

Fax: (414) 286-2231, E-mail: kmarqu@milwaukee.gov

File Specialist, Marian Hartner, 286-3926, E-mail: mhartn@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.*

Monday, October 4, 2004

9:00 AM

Room 301-B, City Hall

Amended 10/1/04

9:00 A.M.

The JUDICIARY AND LEGISLATION COMMITTEE may convene into closed session at 9:00 A.M. on Monday, October 4, 2004, in Room 301-B, City Hall, 200 East Wells Street, Milwaukee, Wisconsin, pursuant to Section 19.85 (1)(g), Wisconsin Statutes, for the purpose of conferring with the City Attorney who is rendering advice concerning strategy to be adopted by the City with respect to pending litigation in which the City is involved: Alexander et al v. City of Milwaukee et al, United States District Court for the Eastern District of Wisconsin, Case No. 03-C-0611; Wisconsin Community Service et al v. City of Milwaukee et al, Case No. 01-C-0575; and Options for Community Growth, Inc. et al vs. City of Milwaukee et al, Case No. 03-C-1275, and then will go into open session for the regular agenda.

9:15 A.M.

- 1) [040767](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/21/2004
Appointment of Russell Hudziak to the Board of Review by the Mayor. (8th Aldermanic District)
[Appt. Letter.doc](#)
[Biography.PDF](#)
- 2) [031677](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 3/19/2004
Communication from the Ethics Board transmitting their 2003 Annual Report.
[Report.PDF](#)

- 3) [040557](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Resolution authorizing return of real estate located at 4250 North 29th Street, in the 1st Aldermanic District of the City of Milwaukee, to Raymond T. Nixon 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.
[City Treasurer's Letter.pdf](#)
[Request for Vacation of In Rem Judgment.pdf](#)
[City Attorney Reply.pdf](#)
[DNS Reply.pdf](#)
[City Treasurer's Reply.pdf](#)
[DCD Reply.pdf](#)
[Fiscal Note.doc](#)
- 4) [040589](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Resolution authorizing return of real estate located 3365 N. 24th Street, in the 6th Aldermanic District of the City of Milwaukee, to Johnny Stokes 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.
[City Treasurer Letter.PDF](#)
[Request for Vacation of In Rem Judgment.PDF](#)
[DCD Reply.pdf](#)
[DNS Reply.pdf](#)
[City Treasurer's Reply.pdf](#)
[Fiscal Note.doc](#)
[City Attorney Reply.pdf](#)
[Mr. Stokes' Letter.pdf](#)
- 5) [040704](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/21/2004
Resolution authorizing return of real estate located at 3369 N. 4th Street, in the 6th Aldermanic District of the City of Milwaukee, to Raymond Harvey 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.
[City Treasurer Letter.PDF](#)
[Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[City Attorney Reply.pdf](#)
[Treasurer's Reply.pdf](#)
[DCD Letter.doc](#)
- 6) [040684](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/21/2004
Resolution authorizing return of real estate located at 2148-2150 S. 20th Street, in the 13th Aldermanic District of the City of Milwaukee, to Brent Jaje 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.

[City Treasurer Letter.PDF](#)
[Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[City Attorney Reply.pdf](#)
[Treasurer's Reply.pdf](#)
[DCD Letter.doc](#)

- 7) [040685](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/21/2004

Resolution authorizing return of real estate located at 2154 S. 25th Street, in the 8th Aldermanic District of the City of Milwaukee, to Xay Chai 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.

[City Treasurer Letter.PDF](#)
[Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[City Attorney Reply.pdf](#)
[Treasurer's Reply.pdf](#)
[DCD Letter.doc](#)

- 8) [040683](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/21/2004

Resolution authorizing return of real estate located at 2038-2040 N. 34th Street, in the 15th Aldermanic District of the City of Milwaukee, to Fred Strutz dba Realty Improvements 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.

[City Treasurer Letter.PDF](#)
[Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[City Attorney Reply.pdf](#)
[Treasurer's Reply.pdf](#)
[DCD Letter.doc](#)

- 9) [040682](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/21/2004

Resolution authorizing return of real estate located at 5219 W. Center Street, in the 10th Aldermanic District of the City of Milwaukee, to Mason Temple Church 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.

[City Treasurer Letter.PDF](#)
[Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[City Attorney Reply.pdf](#)
[Treasurer's Reply.pdf](#)
[DCD Letter.doc](#)

- 10) [040680](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/21/2004

Resolution authorizing return of real estate located at 2854 N. 35th Street, in the 15th Aldermanic District of the City of Milwaukee, to Zenon Perez 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.

[City Treasurer Letter.PDF](#)

[Request for Vacation of In Rem Judgment.PDF](#)

[Fiscal Note.doc](#)

[City Attorney Reply.pdf](#)

[Treasurer's Reply.pdf](#)

[DCD Letter.doc](#)

11) [040681](#)

SPONSORED BY: THE CHAIR

INTRODUCED ON: 9/21/2004

Resolution authorizing return of real estate located at 1002-1004 W. North Avenue, in the 15th Aldermanic District of the City of Milwaukee, to Moresse Davis 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.

[City Treasurer Letter.PDF](#)

[Request for Vacation of In Rem Judgment.PDF](#)

[Fiscal Note.doc](#)

[City Attorney Reply.pdf](#)

[Treasurer's Reply.pdf](#)

[DCD Letter.doc](#)

12) [040679](#)

SPONSORED BY: THE CHAIR

INTRODUCED ON: 9/21/2004

Resolution authorizing return of real estate located at 2824-2826 N. 34th Street, in the 15th Aldermanic District of the City of Milwaukee, to Richard Ewers 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.

[City Treasurer Letter.PDF](#)

[Request for Vacation of In Rem Judgment.PDF](#)

[Fiscal Note.doc](#)

[City Attorney Reply.pdf](#)

[Treasurer's Reply.pdf](#)

[DCD Letter.doc](#)

13) [040678](#)

SPONSORED BY: THE CHAIR

INTRODUCED ON: 9/21/2004

Resolution authorizing return of real estate located at 3209 N. 80th Street, in the 5th Aldermanic District of the City of Milwaukee, to Stevan Feltes 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.

[Request for Vacation of In Rem Judgment.PDF](#)

[City Treasurer Letter.PDF](#)

[Fiscal Note.doc](#)

[City Attorney Reply.pdf](#)

[Treasurer's Reply.pdf](#)

[DCD Letter.doc](#)

- 14) [040677](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/21/2004
Resolution authorizing return of real estate located at 3702 N. 7th Street, in the 6th Aldermanic District of the City of Milwaukee, to Arthur Davis 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.
[City Treasurer Letter.PDF](#)
[Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[City Attorney Reply.pdf](#)
[Treasurer's Reply.pdf](#)
[DCD Letter.doc](#)
- 15) [040676](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/21/2004
Resolution authorizing return of real estate located at 5033 N. 19th Place, in the 1st Aldermanic District of the City of Milwaukee, to Mary Louise Reese 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.
[City Treasurer Letter.PDF](#)
[Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[City Attorney Reply.pdf](#)
[Treasurer's Reply.pdf](#)
[DCD Letter.doc](#)
- 16) [040675](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/21/2004
Resolution authorizing return of real estate located at 3557 N. 15th Street, in the 6th Aldermanic District of the City of Milwaukee, to Wilma Peete 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.
[City Treasurer Letter.PDF](#)
[Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[City Attorney Reply.pdf](#)
[Treasurer's Report.pdf](#)
[DCD Letter.doc](#)
- 17) [040724](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/21/2004
Substitute resolution canceling various City invoices.
[City Atty Letter.DOC](#)
[Fiscal Note.PDF](#)
[City Attorney Letter dated 9-20-04.DOC](#)
[Fiscal Note.DOC](#)
- 18) [040726](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/21/2004

Resolution authorizing cancellation of the real estate tax judgment entered on behalf of the City of Milwaukee by the Kohn Law Firm and against Emilio and Ampara Jimenez. (City Attorney)

[City Atty Letter.DOC](#)

[Fiscal Note.PDF](#)

19) [040687](#)

SPONSORED BY: THE CHAIR

INTRODUCED ON: 9/21/2004

Resolution authorizing the Office of the City Attorney to resolve various Milwaukee Municipal Court cases, either through permanent stay of the forfeiture or dismissal. (Municipal Court)

[Municipal Court Cover Letter.PDF](#)

[City Atty Letter.PDF](#)

[Fiscal Note.PDF](#)

[Appendix A.PDF](#)

[Appendix B \(Part 1\).PDF](#)

[Appendix B \(Part 2\).PDF](#)

20) [040731](#)

SPONSORED BY: THE CHAIR

INTRODUCED ON: 9/21/2004

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

[Claim for Engel.PDF](#)

[Claim for Guiliani and Bell.PDF](#)

[Claim for Lipinski.PDF](#)

[Claim for Martina.PDF](#)

[Claim for Sandoval.PDF](#)

[Claim for Wagner.PDF](#)

[Claim for Walker.PDF](#)

[Claim for Luna and Medina.PDF](#)

[Fiscal Note.doc](#)

[Fiscal Analysis.doc](#)

10:00 A.M.

21) [040298](#)

SPONSORED BY: THE CHAIR

INTRODUCED ON: 7/7/2004

Appeal of Isaac Lakritz relative to a claim for property damage. (10th Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.PDF](#)

---\$414.43 claim related to damage to residence from forced entry of Police

22) [040530](#)

SPONSORED BY: THE CHAIR

INTRODUCED ON: 9/1/2004

Resolution relating to appeal of SBC relative to a claim for property damage. (6th Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.DOC](#)

---\$2,611.75 claim related to damage to SBC facilities

- 23) [040538](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Communication from the City Attorney's Office transmitting a communication from Dennis Gabriel on behalf of Gabriel Property Management relative to a claim for property damage.
[City Atty Letter.DOC](#)
[Claim.PDF](#)
---\$17,670 claim related to board-ups at 4708-10 W. North Ave.
- 24) [040596](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Resolution relating to appeal of Clarence Ray Bielinski relative to a claim for loss of property. (3rd Aldermanic District)
[Appeal.PDF](#)
[City Atty Letter.PDF](#)
---\$3,185 claim related to removal of debris at 2723 N. Weil St.
- 25) [040522](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Resolution relating to appeal of Weiqun Zhang relative to a claim for property damage.
[Appeal.PDF](#)
[City Atty Letter.PDF](#)
---Claim for damage on vehicle after towing (no amount stated)
- 26) [040534](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Resolution relating to appeal of Camisha Clark relative to a claim for property damage. (6th Aldermanic District)
[Appeal.PDF](#)
[City Atty Letter.PDF](#)
---\$686.00 claim related to vehicle damage after towing
- 27) [040531](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Resolution relating to appeal of Tristam Drager relative to a claim for property damage. (4th Aldermanic District)
[Appeal.PDF](#)
[City Atty Letter.PDF](#)
---\$190 claim related to vehicle damage caused by a manhole cover
- 28) [040546](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Resolution relating to appeal of Elaina DiMiceli-Serwin relative to a claim for property damage. (4th Aldermanic District)
[Appeal.PDF](#)
[City Atty Letter.PDF](#)
---\$159.46 claim related to vehicle damage caused by a manhole cover
- 29) [040595](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Resolution relating to appeal of Anna Owen relative to a claim for personal injuries. (5th Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.PDF](#)

---\$437.50 claim related to injuries sustained when claimant tripped on the sidewalk in the 9100-block of W. Center St.

30) [040601](#)

SPONSORED BY: THE CHAIR

INTRODUCED ON: 9/1/2004

Communication from the City Attorney's Office transmitting a communication from Florence Scott relative to a claim for personal injuries.

[City Atty Letter.DOC](#)

[Claim.PDF](#)

---\$9,889.75 claim related to personal injuries

10:30 A.M.

PLEASE NOTE: THE FOLLOWING FILES (ITEMS # 31-40) WILL NOT BE HEARD AT THIS TIME. YOU WILL BE NOTIFIED WHEN THEY WILL BE RESCHEDULED

31) [040554](#)

SPONSORED BY: THE CHAIR

INTRODUCED ON: 9/1/2004

Communication from the City Attorney's Office transmitting a communication from Chester Voss relative to property damage.

[Claim.pdf](#)

---\$20,000 claim related to backwater in a basement

32) [040292](#)

SPONSORED BY: THE CHAIR

INTRODUCED ON: 7/7/2004

Communication from the City Attorney's Office transmitting a communication from Tracy Merriett relative to a claim for property damage.

[City Atty Letter.DOC](#)

[Claim.PDF](#)

---\$9,300.81 claim related to backwater in a basement

33) [040293](#)

SPONSORED BY: THE CHAIR

INTRODUCED ON: 7/7/2004

Communication from the City Attorney's Office transmitting a communication from Victoria McFarland-Spivey relative to a claim for property damage.

[City Atty Letter.DOC](#)

[Claim.PDF](#)

---\$18,261.09 claim related to backwater in a basement

34) [040494](#)

SPONSORED BY: THE CHAIR

INTRODUCED ON: 7/27/2004

Communication from the City Attorney's Office transmitting a communication from American Family Insurance Group on behalf of Ronald and Michelle Allen relative to a claim for property damage.

[City Atty Letter.PDF](#)

[Claim.PDF](#)

---\$5,213.84 claim related to backwater in a basement

- 35) [040495](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 7/27/2004
Communication from the City Attorney's Office transmitting a communication from Jeanine Moore relative to a claim for property damage.
[City Atty Letter.PDF](#)
[Claim.PDF](#)
---\$5,075 claim related to backwater in a basement
- 36) [040539](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Communication from the City Attorney's Office transmitting a communication from American Family Insurance Group on behalf of Jason and Beth Weber relative to a claim for property damage.
[City Atty Letter.DOC](#)
[Claim.PDF](#)
---\$5,988.42 claim related to backwater in a basement
- 37) [040540](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Communication from the City Attorney's Office transmitting a communication from American Family Insurance Group on behalf of Sheku and Janet Kamara relative to a claim for property damage.
[City Atty Letter.DOC](#)
[Claim.PDF](#)
---\$5,000 claim related to backwater in a basement
- 38) [040524](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Communication from the City Attorney's Office transmitting a communication from Encompass Insurance on behalf of Wilfred and Cathy Kaszuba relative to a claim for property damage.
[City Atty Letter.DOC](#)
[Claim.PDF](#)
---\$17,298.07 claim related to backwater in a basement
- 39) [040533](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Resolution relating to appeal of Napoleon White relative to a claim for property damage. (1st Aldermanic District)
[Appeal.PDF](#)
[City Atty Letter.PDF](#)
---\$1,471.32 claim related to backwater in a basement
- 40) [040550](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 9/1/2004
Resolution relating to appeal of Bernetta Chestnut relative to a claim for property damage. (1st Aldermanic District)
[Appeal.PDF](#)
[City Atty Letter.PDF](#)
---\$1,700 claim related to backwater in a basement

The following files may be placed on file as they are no longer needed:

- 41) [011001](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 11/6/2001
Resolution authorizing the Office of the Comptroller to terminate contracts with Milwaukee Health Connection in order to extricate the City of Milwaukee from any future liability incurred by Milwaukee Health Connection.
(Comptroller)
- 42) [011002](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 11/6/2001
Resolution directing the Office of the Comptroller to disperse interim payments received from the Health Care Financing Administration (HCFA) to Milwaukee Health Connection. (Comptroller)
[Comptroller's Correspondence.PDF](#)
[Bersch Accounting Report.PDF](#)
[Comptroller Letter to MHS.PDF](#)
- 43) [011003](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 11/6/2001
Resolution authorizing the Office of the Comptroller to deduct 100% of all future monies received from the Health Care Financing Administration (HCFA) intended for Milwaukee Health Connection and to apply those monies to the outstanding liability owed to the City of Milwaukee until all debt is paid off. (Comptroller)
- 44) [021802](#) SPONSORED BY: THE CHAIR INTRODUCED ON: 4/9/2003
Resolution relating to the property exemption status of the African American Women's Network.
- 45) [030188](#) SPONSORED BY: ALD. DONOVAN and ALD. RICHARDS INTRODUCED ON: 5/13/2003
Substitute resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation requiring payment or the arrangement of adjudication of outstanding parking citations prior to release of towed and impounded motor vehicles.
[Fiscal Note.doc](#)
- 46) [030861](#) SPONSORED BY: ALD. RICHARDS INTRODUCED ON: 10/14/2003
Resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state campaign finance legislation to prohibit a candidate for political office or a member of his or her immediate family from being designated as the candidate's campaign treasurer.
[Fiscal Note.doc](#)
- 47) [031024](#) SPONSORED BY: ALD. PRATT INTRODUCED ON: 11/5/2003

Resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of legislation permitting local units of government to enact certain regulations pertaining to the solicitation of campaign contributions.

[Fiscal Note.doc](#)

- 48) [031043](#) SPONSORED BY: ALD. PRATT INTRODUCED ON: 11/5/2003
An ordinance prohibiting retaliation against “whistle-blowers” in matters relating to the code of ethics.

[Fiscal Note.pdf](#)

- 49) [031044](#) SPONSORED BY: ALD. PRATT INTRODUCED ON: 11/5/2003
An ordinance implementing the educational provisions of the recommendations of the code of conduct task force.

[Fiscal Note.doc](#)

[Fiscal Note Comments.doc](#)

- 50) [031157](#) SPONSORED BY: ALD. D'AMATO INTRODUCED ON: 11/25/2003
Resolution directing the Intergovernmental Relations Division - Department of Administration to seek introduction and passage of state legislation requiring colleges and universities to suspend students convicted of certain criminal offenses.

[Fiscal Note.doc](#)

- 51) [031288](#) SPONSORED BY: ALD. BOHL INTRODUCED ON: 12/19/2003
Resolution directing the Department of Administration - Budget and Policy Division to seek introduction and passage of legislation providing a definition of “center for the visual or performing arts” in the Wisconsin State Statutes for the purpose of preventing the misuse of this classification.

[Fiscal Note.doc](#)

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 286-2231, (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 .