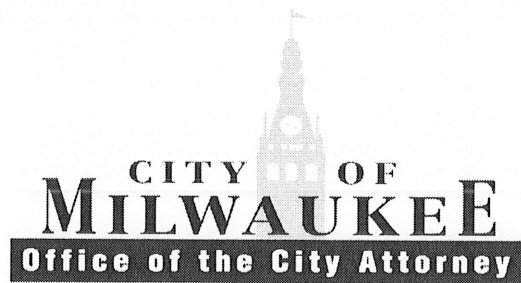


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March 12, 2020

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

RE: C.I. File No. 1032-2019-1992
Communications from Wendell and Serena Barnes

Dear Common Council Members:

We return the enclosed document which was properly filed with the City Clerk, and ask that it be introduced and referred to the Committee on Judiciary and Legislation with the recommendation to deny the Barnes' claim.

Wendell and Serena Barnes filed a claim against the City of Milwaukee in the amount of \$15,000 alleging that they were not afforded due process by the City when the City evicted them from 2727 N. 2nd Street. They also filed a claim against the City of Milwaukee Police Department in the amount of \$85,000 for failing to properly investigate their claim regarding ownership of 2727 N. 2nd Street.

Through our investigation we determined that on February 21, 2019, the Milwaukee County Circuit Court granted the City of Milwaukee a judgment of tax foreclosure against the property at 2727 N. 2nd Street. At the time, Wendell and Serena Barnes were residing at the residence. On April 29, 2019, the City of Milwaukee visited the property to inspect it and to interview its occupants. On May 6, 2019, the Department of Neighborhood Services mailed a Notice to Vacate After City Visit to the Barnes at 2727 N. 2nd Street. The letter informed them to vacate by June 30, 2019.

On July 7, 2019, someone notified the Milwaukee Police Department that the residence was vacant and unsecured. Officers were dispatched to the residence. While the officers were present, Wendell and Serena Barnes arrived. They told the officers that 2727 N. 2nd Street was their residence. They claimed that they did not live at the residence but were leaving their dog on the premises. Upon inspection of the residence, officers observed that the dog was kept inside of the residence without any clean water and its food was in a bag. They also observed dog feces on every level of the residence. The officers issued two citations to the Barnes.




The Barnes signed a stipulation to vacate the premises as of July 7, 2019. The City agreed to dismiss the two citations the Barnes received. Case number 2019SC032802 reflects these stipulations were made and ordered during the eviction hearing on September 25, 2019. Department of City Development followed the legal requirements of the eviction process. Therefore, the Barnes were afforded due process.

In conclusion, we recommend denial of the Barnes' claim.

Very truly yours,



GRANT F. LANGLEY
City Attorney



KATRYNA C. RHODES
Assistant City Attorney

KCR:mal
Enclosure