



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Minutes JUDICIARY & LEGISLATION COMMITTEE

ALD. MICHAEL S. D'AMATO, CHAIR
Ald. Donald F. Richards, Vice Chair
Ald. Marlene E. Johnson-Odom, Ald. Michael J. Murphy,
Ald. Fredrick G. Gordon

Staff Assistant, Kathleen Marquardt, 286-2231,
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**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, June 17, 2002

9:00 AM

Room 301-B, City Hall

9:00 A.M.; Meeting Convened 9:12 A.M.

Present 5 - D'Amato, Richards, Johnson-Odom, Murphy, Gordon

ALD. RICHARDS moved that the JUDICIARY AND LEGISLATION COMMITTEE convene into closed session 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 litigation in which the City is involved relative to Item #1 - File Number 020165 - Resolution authorizing payment of the settlement of the lawsuit entitled John M. Tries v. City of Milwaukee, et al., Case No. 99-C-1447, and Item #2 - File Number 020322 - Resolution authorizing payment of the settlement amount agreed upon in the lawsuit entitled Verda Jackson, et al v. City of Milwaukee, et al., Case No. 99-C-0652 and then go into open session for the regular agenda.

Roll Call:

Ayes: Ald. Murphy, Richard and D'Amato - 3.

Noes: 0.

(Prevailed).

CLOSED SESSION

ALD. RICHARDS moved that the Judiciary and Legislation Committee convene into Open Session.
(Prevailed).

9:15 A.M.

- 1) [020165](#) Resolution authorizing settlement of the lawsuit entitled John M. Tries v. City of Milwaukee, et al., Case No. 99-C-1447. (City Attorney)
- A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**

Aye 4 - D'Amato, Richards, Johnson-Odom and Gordon

No 1 - Murphy

- 2) [020322](#) Resolution authorizing payment of the settlement amount agreed upon in the lawsuit entitled Verda Jackson, et al. v. City of Milwaukee, et al., Case No. 99-C-0652. (City Attorney)

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 3) [020295](#) Appointment of Devon Turner to the City Ethics Board by the Mayor. (15th Aldermanic District)

A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR CONFIRMATION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 4) [020321](#) A substitute ordinance relating to notice for application for appointment of receiver in public nuisance lawsuits.

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

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 5) [020283](#) Resolution authorizing payment of the claim of Ameritech, C.I. File No. 02-S-100.

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

Aye 4 - D'Amato, Richards, Murphy and Gordon

No 0

Excused 1 - Johnson-Odom

- 6) [020249](#) Resolution authorizing payment of the claim of Brass Light Gallery, C.I. File No. 02-L-7.

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

Aye 4 - D'Amato, Richards, Murphy and Gordon

No 0

Excused 1 - Johnson-Odom

- 7) [020251](#) Resolution authorizing payment of the claim of A. J. Pietsch Co., C.I. File No. 02-L-21.

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

Aye 4 - D'Amato, Richards, Murphy and Gordon

No 0

Excused 1 - Johnson-Odom

- 8) [020276](#) Resolution canceling various City claims.

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

Aye 4 - D'Amato, Richards, Murphy and Gordon

No 0

Excused 1 - Johnson-Odom

- 9) [020274](#) Resolution relative to the cancellation of weed cutting charges placed on the 2001 Tax Roll. (Sanitation)

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

Aye 4 - D'Amato, Richards, Murphy and Gordon

No 0

Excused 1 - Johnson-Odom

- 10) [020275](#) Resolution relative to the cancellation of weed cutting charges placed on the 2000 Tax Roll. (Sanitation)

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

Aye 4 - D'Amato, Richards, Murphy and Gordon

No 0

Excused 1 - Johnson-Odom

- 11) [020273](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2000 tax roll, plus interest applicable to date of repayment, if appropriate. (Assessor's Office)

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

Aye 4 - D'Amato, Richards, Murphy and Gordon

No 0

Excused 1 - Johnson-Odom

9:30 A.M.

- 12) [020282](#) Communication from the City Attorney's Office transmitting a communication from Judy Hagner relative to claim for personal injuries.
- A motion was made by Vice Chair Richards that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:**
- Aye** 4 - D'Amato, Richards, Murphy and Gordon
- No** 0
- Excused** 1 - Johnson-Odom
- 13) [020291](#) Appeal of Allie Moore relative to claim for personal injuries. (4th Aldermanic District)
- A motion was made by Ald. Gordon that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:**
- Aye** 4 - D'Amato, Richards, Murphy and Gordon
- No** 0
- Excused** 1 - Johnson-Odom
- 14) [020248](#) Substitute resolution to settle claim of Beverly Koch for property damage.
- A motion was made by Ald. Murphy that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 15) [020278](#) Appeal of Lynn Kramer, Adjuster for Liberty Mutual Fire Insurance Company, relative to claim for property damage. (3rd Aldermanic District)
- A motion was made by Ald. Gordon that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 16) [020290](#) Appeal of Harry Horning relative to claim for property damage. (6th Aldermanic District)
- A motion was made by Ald. Gordon that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:**
- Aye** 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
- No** 0
- 17) [020281](#) Communication from the City Attorney's Office transmitting a communication from Atty. Robert Sanderson on behalf of Cecilia Puskarich relative to claim for personal injuries.

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 18) [020277](#) Substitute resolution to settle claim of Jerome Gallo for personal injuries.

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

Aye 3 - D'Amato, Richards and Murphy

No 1 - Johnson-Odom

Excused 1 - Gordon

- 19) [020250](#) Communication from the City Attorney's Office transmitting a communication from Attorneys Podell, Ugent & Haney, S.C. on behalf of Dolores Ratajczyk relative to a claim for personal injuries.

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 20) [020279](#) Communication from the City Attorney's Office transmitting a communication from Atty. Richard Hart, Jr. on behalf of Sultana Brillowski relative to claim for personal injuries.

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 21) [020280](#) Communication from the City Attorney's Office transmitting a communication from Atty. Eugene Detert on behalf of Stanley and Kathleen Drabeck relative to claim for personal injuries.

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

Aye 3 - D'Amato, Richards and Murphy

No 0

Excused 2 - Johnson-Odom and Gordon

10:00 A.M.

- 22) [020178](#) Resolution authorizing return of real estate located 1457 N. 38th Street, in the 17th Aldermanic District of the City of Milwaukee, to Ronald Henry 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.

---(Claimant not present).

A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR PLACING ON FILE. The motion carried by the following vote:

Aye 3 - D'Amato, Richards and Murphy

No 0

Excused 2 - Johnson-Odom and Gordon

- 22a) [020179](#) Substitute resolution authorizing the return of real estate located at 5129-33 West North Avenue, in the 17th Aldermanic District of the City of Milwaukee to its former owner 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. (Elaine Abshire)

---Return contingent upon orders being corrected, BID assessment payment, and a meeting with Ald. Hines.

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 23) [011115](#) Resolution relative to various legislative bills.

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

10:15 A.M.

- 24) [020338](#) Resolution supporting improved relations between the United States and Cuba.

---Ald. Richards to be added as co-sponsor.

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 25) [020346](#) A ordinance relating to revisions of various provisions of the building code for purposes of correcting errors, clarifying and eliminating obsolete provisions.

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 26) [901402](#) A substitute ordinance relating to the prohibition of smoking in city buildings or city-owned or leased vehicles.

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

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

- 27) [971714](#) An ordinance relating to the prohibition of smoking in city buildings.

---Matter not referred from Steering and Rules Committee.

- 28) [971078](#) An ordinance regulating smoking in city buildings.

---Matter not referred from Steering and Rules Committee.

Meeting Adjourned: 11:56 A.M.

*Kathleen M. Marquardt
Staff Assistant*