

MICHAEL J. MURPHY
ALDERMAN, 10TH DISTRICT

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CHAIR:
Finance & Personnel Committee
Milwaukee Arts Board

MEMBER:
Judiciary & Legislation Committee
Steering & Rules Committee
Zoning, Neighborhoods & Development

January 11, 2006

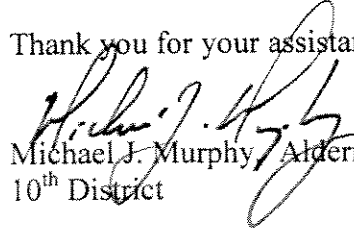
Grant F. Langley, City Attorney
City Hall, Room 800
200 E. Wells Street
Milwaukee, WI 53202

Dear Mr. Langley:

On January 10, 2006, the Common Council's Zoning, Neighborhoods and Development Committee considered Council File Number 041402, an ordinance relating to zoning regulations for certain types of group living facilities. Assistant City Attorney Jan Smokowicz was present at the meeting and provided background information on the proposed legislation. However, because of the many questions and concerns raised by Committee members, as well as the potential impacts of this legislation on Milwaukee neighborhoods, I feel it is essential that a written record of the legal background and justification for this ordinance be created and made part of the Council file. Therefore, I am requesting that your office provide the following information to members of the Zoning, Neighborhoods and Development Committee before the Committee's special meeting on this matter scheduled for January 17, 2006:

1. Background information on the origins of this legislation, including its relationship to the *Options for Community Growth, Inc. v. City of Milwaukee, et al.* case and the legal issues in that case.
2. The legal rationale and necessity for the Common Council to support and enact the proposed legislation, as opposed to the City continuing in litigation with the plaintiffs in the *Options* case.
3. The potential ramifications for the City, including legal/financial liabilities, of the Common Council failing to pass the proposed legislation.

Thank you for your assistance in this matter.


Michael J. Murphy, Alderman
10th District

CC: Zoning, Neighborhoods and Development Committee members