



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,
Fax: (414) 286-3456, 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, March 17, 2003

9:00 AM

Room 301-B, City Hall

Amended 3/12/03

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

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

---Ald. Gordon 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 021687 - Resolution authorizing settlement of the lawsuit entitled Pelczynski, et al v. July, et al., Case No. 02-CV-004479 and Item #2 - File Number 021667 - Resolution to authorize settlement of discrimination charges entitled Robert L. Harvey v. City of Milwaukee, ERD Case Nos. CR200200688 and CR20030661, and EEOC Charge Nos. 26GA200938 and 26GA300794 and then go into open session for the regular agenda.

Roll Call:

Ayes: Ald. Johnson-Odom, Gordon, Murphy and D'Amato - 4.

Noes: 0.

Excused: Ald. Richards - 1.

(Prevailed).

CLOSED SESSION

Other persons in attendance for Item #1: Asst. City Attorney Susan Lappen and Asst. City Attorney Miriam Horwitz.

Other persons in attendance for Item #2: Asst. City Attorney Miriam Horwitz and City Clerk Ronald Leonhardt.

Ald. Murphy moved that the Committee reconvene into open session.

(Prevailed).

9:15 A.M.

- 1) [021687](#) Substitute resolution authorizing settlement of lawsuit entitled Pelczynski, et al v. July, et al, Case No. 02-CV-004479.
Sponsors: THE CHAIR

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, Johnson-Odom, Murphy and Gordon

No 0

Excused 1 - Richards

- 2) [021667](#) Resolution to authorize settlement of discrimination charges entitled Robert L. Harvey v. City of Milwaukee, ERD Case Nos. CR200200688 and CR20030661, and EEOC Charge Nos. 26GA200938 and 26GA300794. (City Attorney)
Sponsors: THE CHAIR

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, Johnson-Odom, Murphy and Gordon

No 0

Excused 1 - Richards

- 3) [021691](#) A substitute ordinance revising various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.
Sponsors: CHAIR

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

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

No 0

Excused 1 - Richards

- 4) [021590](#) A substitute ordinance requiring city elected public officials and candidates for city elective office to provide financial documentation as verification of the reported balance in their campaign accounts.
Sponsors: Ald. Pratt, Ald. D'Amato, Ald. Bohl, Ald. Gordon, Ald. Murphy, Ald. Richards, Ald. Johnson-Odom and Ald. Hines Jr.

--- Add all members of the Judiciary & Legislation Committee as sponsors.

---Motion by Ald. Richards to make Ald. D'Amato's campaign bank statements part of the file. Prevailed.

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

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

No 0

- 5) [021707](#) Substitute resolution directing the Department of Administration-Intergovernmental Relations Division to seek introduction and passage of state legislation amending absentee voting procedures.

Sponsors: Ald. Murphy

---Add all members of the Judiciary & Legislation Committee as sponsors.

A motion was made by Ald. Gordon 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

- 5a) [011741](#) Substitute resolution relative to various legislative bills.

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

Oppose AB-111, relating to Voter ID. Prevailed.

A motion was made by Ald. Johnson-Odom 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

- 6) [021692](#) Substitute resolution authorizing and directing commencement of expedited tax foreclosure actions against the property located at 5400 West North Avenue (16th Aldermanic District).

Sponsors: Ald. Murphy

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, Murphy and Gordon

No 0

Excused 1 - Johnson-Odom

- 7) [021600](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 1996 and 2002 tax rolls, plus interest applicable to date of repayment, if appropriate. (Assessor's Office)

Sponsors: THE CHAIR

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

- 8) [021599](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 1998 tax roll, plus interest applicable to date of repayment, if appropriate.

Sponsors: THE CHAIR

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

- 9) [021598](#) Resolution authorizing the cancellation of a portion of Department of Public Works Invoice No. 80093 in the amount of \$5,775.30 for repairs to a traffic control cabinet damaged on March 11, 2000, and located at West Greenfield Avenue and South 5th Street, billed to William J. Olbrantz and Sanfellippo Cab, Inc. (City Attorney)

Sponsors: THE CHAIR

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

9:30 A.M.

- 10) [021679](#) Appeal of James and Patricia Klukas relative to a claim for property loss and fees. (12th Aldermanic District)

Sponsors: THE CHAIR

A motion was made by Ald. Murphy 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

- 11) [021606](#) Substitute resolution to settle claim of Gerald Peters and Maureen McCormack-Peters for property damage.

Sponsors: THE CHAIR

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

No 0

12) [021605](#)

Communication from the City Attorney's Office transmitting a communication from Robert, Ilona and Sheldon Stank relative to a claim for property damage.

Sponsors: THE CHAIR

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

No 0

13) [021681](#)

Appeal of Jane Borge-Eliassen relative to a claim for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

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

No 0

9:45 A.M.

14) [021601](#)

Appeal of Jun Ma relative to a claim for property damage. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

No 0

15) [021602](#)

Appeal of Mike Peterson relative to a claim for property damage.

Sponsors: THE CHAIR

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

16) [021683](#)

Appeal of Rebecca Fuhr and Tony Perez relative to a claim for property damage. (14th

Aldermanic District)

Sponsors: THE CHAIR

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

17) [021603](#)

Communication from the City Attorney's Office transmitting a communication from Attorney Pierski & Gray, LLP on behalf of Jesse Peplinski relative to a claim for property damage.

Sponsors: THE CHAIR

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

18) [021604](#)

Communication from the City Attorney's Office transmitting a communication from Lowe Law Offices, S.C. on behalf of Rose Dudzik relative to a claim for personal injuries.

Sponsors: THE CHAIR

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

10:00 A.M.

19) [021607](#)

Communication from the City Attorney's Office transmitting a communication from Attorney Robert Figg on behalf of Linda Burt relative to a claim for personal injuries.

Sponsors: THE CHAIR

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

- 20) [021637](#) Communication from the City Attorney's Office transmitting a communication from Olga Morris relative to a claim for personal injuries.

Sponsors: THE CHAIR

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

- 21) [021638](#) Communication from the City Attorney's Office transmitting a communication from Lowe Law Offices, S.C. on behalf of Margaret Ann Kalt and George Kalt relative to a claim for personal injuries.

Sponsors: THE CHAIR

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

- 22) [021079](#) A substitute ordinance relating to the setting of a boundary line between the City of St. Francis and the City of Milwaukee in the 14th Aldermanic District (accepting detachment of territory from the City of St. Francis).

Sponsors: Ald. Breier

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

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

No 0

Excused 1 - Gordon

Meeting adjourned: 11:27 A.M.

Linda M. Elmer
Staff Assistant