



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Minutes

JUDICIARY & LEGISLATION COMMITTEE

LD. MARK A. BORKOWSKI, CHAIR
Ald. Robert J. Bauman, Vice-Chair
Ald. Michael J. Murphy, Ald. Marina Dimitrijevic, and
Ald. Jose G. Perez

Staff Assistant, Joanna Polanco, 414-286-2366
Fax: 414-286-3456, jpolan@milwaukee.gov
Legislative Liaison, Jeffrey Osterman, 414-286-2262,
joster@milwaukee.gov

Monday, October 24, 2022

9:00 AM

Room 301-B, City Hall

Meeting convened at 9:09 A.M.

Present 3 - Borkowski, Murphy, Spiker

Excused 3 - Bauman, Dimitrijevic, Perez

1. [220891](#) Appointment of Kendrick Yandell to the Administrative Review Board of Appeals by the Mayor. (4th Aldermanic District)

A motion was made by ALD. MURPHY that this Appointment be RECOMMENDED FOR CONFIRMATION. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

2. [220912](#) Resolution approving an agreement between the City and Davis & Kuelthau, S.C. for legal services and representation relating to the recovery of PCB-related damages.

Appearing:
Deputy CA Todd Farris
MMSD Rep Mr. Joel Hansen

A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

3. [220869](#) Resolution directing the City Clerk to contract for consulting/lobbying services.

Appearing:
Ms. Kim Montgomery - IRD

A motion was made by ALD. SPIKER that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

4. [212042](#) Substitute resolution authorizing payment for legal services from Davis Kuelthau S.C., for legal services for City of Milwaukee Alderman Robert Bauman in the Wisconsin state court action entitled Tri-Corp Housing, Inc. v Bauman, Milwaukee County Circuit Court Case No. 07-CV-013965, Wisconsin Court of Appeals District 1 Case No. 22-AP-993.

A motion was made by ALD. MURPHY that this Resolution be SUBSTITUTED. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

- [212042](#) Substitute resolution authorizing payment for legal services from Davis Kuelthau, S.C., for legal services for Alderman Robert Bauman in the matter of Tri-Corp Housing, Inc. v Bauman.

A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

5. [212046](#) Resolution relating to an expert witness agreement in the matter of Tricorp v. Bauman.

A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

6. [220838](#) Resolution cancelling real estate taxes levied against certain parcels bearing tax key numbers on the 2020 and 2021 tax rolls, plus interest applicable to date of repayment, if appropriate.

A motion was made by ALD. SPIKER that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

7. [220841](#) Resolution authorizing payment of the claim of Matthew Schulze, in the amount of \$25,000.

A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

8. [220915](#) Resolution authorizing payment to WE Energies (CL- 2022108353) C.I. File No. 1048-2022-973

A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

9. [220919](#) Resolution reserving and appropriating up to \$280,000 from the 2022 Common Council Contingent Fund to the 2022 Outside Counsel/Expert Witness Fund Special Purpose Account.

A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

10. [211487](#) Substitute resolution authorizing the return of real estate located at 1110 W. Madison Street, in the 12th Aldermanic District to its former owner Ronald Neudorff, Judith Neudorff (Application Made By Christina Neudorff Heir).

A motion was made by ALD. MURPHY that this Resolution be HELD TO CALL OF THE CHAIR. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

11. [220516](#) Substitute resolution authorizing the return of real estate located at 3360 N 21st Street, in the 6th Aldermanic District to its former owner Louis Tracy (application made by Jeanine Tracy, Heir).

A motion was made by ALD. SPIKER that this Resolution be HELD TO CALL OF THE CHAIR. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

12. [220474](#) Substitute resolution authorizing the return of real estate located at 4647 N 40th Street, in the 7th Aldermanic District to its former owner RDM Properties LLC c/o Rodney Manns.

A motion was made by ALD. MURPHY that this Resolution be HELD TO CALL OF THE CHAIR. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

13. [211785](#) Substitute resolution authorizing the return of real estate located at 5024 N 33rd Street, in the 1st Aldermanic District to its former owner Kenney Marshall.

A motion was made by ALD. SPIKER that this Resolution be HELD TO CALL OF THE CHAIR. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

14. [220690](#) Substitute resolution authorizing the return of real estate located at 3050 N 48th Street, in the 7th Aldermanic District to its former owner Team US LLC Attn: Anthony Uzoma Nwadike.

Appearing:

Deborah McCollum - DCD

City Atty - Odalo Ohiku

Treasurer - Jim Klajbor

Mr. Anthony Uzoma Nwadike & Partner, Jeremy Kratz

A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

15. [220855](#) Resolution authorizing the return of real estate located at 2344 - 2346 N Humboldt Blvd, in the 3rd Aldermanic District, to former owner(s) Dennis E Wajer & Sandra L Wajer

A motion was made by ALD. MURPHY that this Resolution be HELD TO CALL OF THE CHAIR. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

16. [220856](#) Resolution authorizing the return of real estate located at 435 - 437 N 30th St, in the 4th Aldermanic District, to former owner(s) Qiana Y. Campbell.

Appearing:
Deborah McCollum Gahing - DCD
Jim Klajbor - Treasurer
Ms. Qina Campbell

\$141.20 muni court outstanding

A motion was made by ALD. SPIKER that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

17. [220858](#) Resolution authorizing the return of real estate located at 518 W Lapham Blvd, in the 12th Aldermanic District, to former owner(s) Erika Herrera Garcia.

A motion was made by ALD. SPIKER that this Resolution be HELD TO CALL OF THE CHAIR. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

18. [220423](#) Resolution relating to the appeal of Paula Nelson for property damage.

Appearing:

*Jordan Schettle - CA
Ms. Paula Nelson
Mr. Jeff Kluslow - Forestry*

Ald. Spiker read an email provided by Ms. Nelson for a communication between her and Mr. Curtis Gelhar DPW Forestry

Based on the City Attorney's recommendation and Forestry section testimony, Ald. Spiker moved denial.

A motion was made by ALD. SPIKER that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This motion PREVAILED by the following vote:

Aye 2 - Murphy, and Spiker

No 1 - Borkowski

Excused 3 - Bauman, Dimitrijevic, and Perez

19. [220428](#) Resolution relating to the claim of Steve Reupert.

*Appearance
Jordan Schettle - ACA
Jeff Laufenberg - Forestry Section
Mr. Steve Reupert*

A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

20. [220491](#) Resolution relating to the claim of Curtis L. Craig.

A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

21. [220397](#) Resolution relating to the appeal of Matthew J. Gunderson, agent for Laketown Moving, Inc. for property damage.

*Appearing:
Jordan Schettle - ACA
Jason Sanders - DPW Sewer
Mr. Mathew Gunderson*

A motion was made by ALD. SPIKER that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

22. [200483](#) Resolution relating to the appeal of Danielle Wilson for property damage. (5th Aldermanic District)

A motion was made by ALD. SPIKER that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

23. [220429](#) Resolution relating to the claim of Paul Premetz.

Appearing:
Jordan Schettle -ACA
Sanders - Sewer
Mr. Paul Premetz

Based on the City Attorney's recommendation and Sewer section testimony, Ald. Murphy moved denial.

A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

24. [220543](#) Resolution relating to the claim of OPTUM.

Appearing:
Jordan Schettle - ACA
no representative from OPTUM was present when called

A motion was made by ALD. MURPHY that this Resolution be HELD TO CALL OF THE CHAIR. This motion PREVAILED by the following vote:

Aye 3 - Borkowski, Murphy, and Spiker

No 0

Excused 3 - Bauman, Dimitrijevic, and Perez

25. [220469](#) Resolution relating to the appeal of Randa McGowan for property damage.
- Appearing:*
Jordan Schettle - ACA
Bryan Field - Fleet
Randa McGowan
- Based on City Attorney's recommendation and Fleet section testimony, Ald. moved denial.*
- A motion was made by ALD. MURPHY that this Resolution be HELD TO CALL OF THE CHAIR. This motion PREVAILED by the following vote:**
- Aye** 3 - Borkowski, Murphy, and Spiker
- No** 0
- Excused** 3 - Bauman, Dimitrijevic, and Perez

Committee recessed at 10:55 A.M.

Committee resumed at 11:00 A.M.

26. [220327](#) Resolution relating to the appeal of Dawayne Gatzow for property damage.
- A motion was made by ALD. SPIKER that this Resolution be HELD TO CALL OF THE CHAIR. This motion PREVAILED by the following vote:**
- Aye** 3 - Borkowski, Murphy, and Spiker
- No** 0
- Excused** 3 - Bauman, Dimitrijevic, and Perez
27. [220887](#) Resolution approving the settlement of the lawsuit entitled Royce Redell Flowers Nash II v. City of Milwaukee, et al., E.D. Wisc. Case No. 21-CV-101, in the amount of \$400,000.
- Appearing:*
ACA Katherine Headley
- A motion was made by ALD. SPIKER that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**
- Aye** 3 - Borkowski, Murphy, and Spiker
- No** 0
- Excused** 3 - Bauman, Dimitrijevic, and Perez

The Judiciary and Legislation Committee may convene into closed session on Monday, October 24th, 2022 in Room 301-B, City Hall, 200 E. Wells St., Milwaukee, Wisconsin, pursuant to s. 19.85(1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who will render oral or written advice with respect to litigation in which the city is or is likely to become involved and then may go into open session for the regular agenda.

This meeting will be webcast live at www.milwaukee.gov/channel25.

Meeting adjourned at 12:40

Joanna Polanco

Staff Assistant

NOTA: Para los clientes de cable de Spectrum que deseen ver subtítulos en español, ya están disponibles en el Canal de la Ciudad. En su control remoto de cable Spectrum, presione “MENÚ.” Seleccione “SUBTÍTULOS/CAPTIONS.” Use la flecha hacia abajo hasta “ESTÁNDAR/STANDARD,” luego use la flecha hacia arriba y cambie a “CC3.”

In the event that Common Council members who are not members of this committee attend this meeting, this meeting may also simultaneously constitute a meeting of the Common Council or any of the following committees: Community and Economic Development, Finance and Personnel, Judiciary and Legislation, Licenses, Public Safety and Health, Public Works, Zoning, Neighborhoods & Development, and/or Steering and Rules. Whether a simultaneous meeting is occurring depends on whether the presence of one or more of the Common Council member results in a quorum of the Common Council or any of the above committees, and, if there is a quorum of another committee, whether any agenda items listed above involve matters within that committee’s realm of authority. In the event that a simultaneous meeting is occurring, no action other than information gathering will be taken at the simultaneous meeting.

Times for specific agenda items are estimations. If items cannot be heard at their specified times, they will be heard as soon as practicable thereafter.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For assistance contact the Legislative Services ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

City Hall and the Zeidler Municipal Building are accessible by "The Hop" City Hall Stations, the MCTS Green Line, Gold Line, 14, 15, 18, 19, 30, 33, and 57 bus routes. Visit <https://www.ridemcts.com/> for more information.

Bike racks are available on Water Street, Market Street, and Broadway, and a Bublr Bike Share station is located on the northeast corner of Kilbourn Avenue and Water Street.

Limited parking for persons attending meetings is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of Kilbourn Avenue and Water Street. Parking tickets must be validated in the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code are required to register with the City Clerk's License Division. Lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at <http://city.milwaukee.gov/Lobbying>.