



# City of Milwaukee Meeting Minutes

200 E. Wells Street  
Milwaukee, Wisconsin  
53202

## JUDICIARY & LEGISLATION COMMITTEE

**ALD. MICHAEL S. D'AMATO, CHAIR**  
**Ald. Ashanti Hamilton, Vice-Chair**  
**Ald. Robert Bauman, Ald. Michael Murphy, Ald. James Bohl, Jr.**

**Staff Assistant, Kathy Marquardt**  
**Fax: (414) 286-2231, E-mail: [kmarqu@milwaukee.gov](mailto:kmarqu@milwaukee.gov)**  
**File Specialist, Marian Hartner, 286-3926, E-mail: [mhartn@milwaukee.gov](mailto: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.*

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Monday, October 18, 2004

9:00 AM

Room 301-B, City Hall

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**Meeting Convened: 9:12 A.M.**

**Members Present:** ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

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*Ald. Hamilton moved that the committee convene into closed session pursuant to Section 19.85 (1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who is rendering advice concerning strategy to be adopted by the City with respect to pending litigation in which the City is involved relative to Item # 1- File No. 040797... Rex v. City of Milwaukee, et. al., Case No. 03-C-0109 as well as other pending litigation pursuant to s. 19.85(1)(g), Wis. Stats. and then will go into open session for the regular agenda.*

*Roll Call:*

*Ayes: Ald. Hamilton, Bauman, Bohl, Murphy and D'Amato - 5*

*Staff present: Sue Lappen and Rudy Konrad - City Attorney's Office*

*Recessed: 9:45 A.M.*

*Reconvened: 10:04 A.M.*

**Items below will be heard no sooner than 10:00 A.M.:**

1) [040797](#)

Resolution authorizing settlement of the lawsuit entitled Candy Rex v. City of Milwaukee, et al., Case No. 03-C-0109. (City Attorney)

[Fiscal Note.DOC](#)

[City Atty Letter.DOC](#)

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

**following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

2) [040899](#)

Communication from the Executive Director of the Election Commission relating to preparations for the November 2, 2004, presidential election.

*---Received*

*Speakers:*

*Lisa Artison - Executive Director of the Election Commission*

*E. Michael McCann - District Attorney*

*Mike Mahoney - Assistant District Attorney*

*Tim McMurtry - President Hines's Office*

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

3) [040900](#)

Substitute resolution expressing support for the continued presence of the U.S. Air Force Reserve 440th Airlift Wing and the Wisconsin National Guard 128th Air Refueling Wing in the Milwaukee community.

[Fiscal Note.doc](#)

*Speakers:*

*Steve Piotrowski - Sen. Kohl's Office*

*Linda Ryan - Cudahy-South Milwaukee Dinner Dance (used to represent the Cudahy-South Milwaukee area)*

*Ron Spear - Chair of the 440th Community Counsel (volunteer organization)*

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

4) [040683](#)

Substitute resolution authorizing the return of real estate located at 2038-2040 N. 34th St., in the 15th 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. (Fred Strutz, dba Realty Improvements)

[City Treasurer Letter.PDF](#)

[Request for Vacation of In Rem Judgment.PDF](#)

[Fiscal Note.doc](#)

[City Attorney Reply.pdf](#)

[Treasurer's Reply.pdf](#)

[DCD Letter.doc](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

5) [040678](#)

Resolution authorizing return of real estate located at 3209 N. 80th Street, in the 5th Aldermanic District of the City of Milwaukee, to Stevan Feltes 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.

[Request for Vacation of In Rem Judgment.PDF](#)

[City Treasurer Letter.PDF](#)

[Fiscal Note.doc](#)

[City Attorney Reply.pdf](#)

[Treasurer's Reply.pdf](#)

[DCD Letter.doc](#)

[Updated Treasurer's Report.pdf](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

6) [040679](#)

Substitute resolution authorizing the return of real estate located at 2824-2826 N. 34th St., in the 15th 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. (Richard Ewers)

[City Treasurer Letter.PDF](#)  
[Request for Vacation of In Rem Judgment.PDF](#)  
[Fiscal Note.doc](#)  
[City Attorney Reply.pdf](#)  
[Treasurer's Reply.pdf](#)  
[DCD Letter.doc](#)  
[Updated Treasurer's Report.pdf](#)

*Mr. Ewer's son-in-law present: Patrick Eveland - 423 Sunny Ave., Sparta WI*

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

7) [040681](#)

Substitute resolution authorizing the return of real estate located at 1002-1004 W. North Ave., in the 15th 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. (Moresse Davis)

[City Treasurer Letter.PDF](#)  
[Request for Vacation of In Rem Judgment.PDF](#)  
[Fiscal Note.doc](#)  
[City Attorney Reply.pdf](#)  
[Treasurer's Reply.pdf](#)  
[DCD Letter.doc](#)  
[Updated Treasurer's Report.pdf](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

8) [040589](#)

Substitute resolution authorizing the return of real estate located at 3365 N. 24th Street, in the 6th 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. (Johnny Stokes)

[City Treasurer Letter.PDF](#)  
[Request for Vacation of In Rem Judgment.PDF](#)  
[DCD Reply.pdf](#)  
[DNS Reply.pdf](#)  
[City Treasurer's Reply.pdf](#)  
[Fiscal Note.doc](#)  
[City Attorney Reply.pdf](#)  
[Mr. Stokes' Letter.pdf](#)  
[Updated Treasurer's Report.pdf](#)  
[Owner Request for Extension.pdf](#)

*Mr. Stokes not available; his son, Darius Stokes - 3743 N. 27th St., present.  
Mr. Stokes must pay all items contained in the letter provided by the Dept. of  
Neighborhood Services, by Nov. 3rd.*

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD.  
MURPHY and ALD. BOHL  
Noes: 0

9) [040676](#)

Substitute resolution authorizing the return of real estate located at 5033 N.  
19th Pl., in the 1st 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. (Mary  
Louise Reese)

[City Treasurer Letter.PDF](#)  
[Request for Vacation of In Rem Judgment.PDF](#)  
[Fiscal Note.doc](#)  
[City Attorney Reply.pdf](#)  
[Treasurer's Reply.pdf](#)  
[DCD Letter.doc](#)  
[Updated Treasurer's Report.doc](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD.  
MURPHY and ALD. BOHL  
Noes: 0

10) [040888](#)

Resolution to settle claim of Attorney Laurie A. Eggert for defense of various  
police officers. (City Attorney)

[Claim for Elser and Rehbein.PDF](#)  
[Claim for Hutchinson.PDF](#)  
[Claim for Lopez.PDF](#)  
[Claim for Puente.PDF](#)  
[Fiscal Note.doc](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

**040888**

Resolution to settle claim of Attorney Laurie A. Eggert for defense of various police officers. (City Attorney)

[Claim for Elser and Rehbein.PDF](#)  
[Claim for Hutchinson.PDF](#)  
[Claim for Lopez.PDF](#)  
[Claim for Puente.PDF](#)  
[Fiscal Note.doc](#)

**A motion was made by Vice Chair Hamilton that this matter be RECONSIDERED. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

**040888**

Resolution to settle claim of Attorney Laurie A. Eggert for defense of various police officers. (City Attorney)

[Claim for Elser and Rehbein.PDF](#)  
[Claim for Hutchinson.PDF](#)  
[Claim for Lopez.PDF](#)  
[Claim for Puente.PDF](#)  
[Fiscal Note.doc](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

**11) 040799**

Resolution authorizing payment of the claim of Alfremon Flowers, C.I. File No. 03-L-95. (City Attorney)

[City Atty Letter.DOC](#)  
[Fiscal Note.DOC](#)  
[Draft Settlement Request.DOC](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

12) [040829](#)

Resolution authorizing payment of the claim of Cemex, Inc., File No. 04-L-107. (City Attorney)

[City Atty. Letter.DOC](#)

[Fiscal Note.DOC](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

13) [040770](#)

Substitute resolution expressing opposition to tax breaks, trade agreements and other policies that encourage companies in the United States to export jobs overseas.

[Fiscal Note.doc](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

**Items below will be heard no sooner than 10:15 A.M.:**

14) [040530](#)

Resolution relating to appeal of SBC relative to a claim for property damage. (6th Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.DOC](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

15) [040707](#)

Communication from the City Attorney's Office transmitting a communication from Mark Anderson, Claims Investigator on behalf of We Energies relative to a claim for property damage.

[City Atty Letter.DOC](#)

[Claim.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

16) [040540](#)

Communication from the City Attorney's Office transmitting a communication from American Family Insurance Group on behalf of Sheku and Janet Kamara relative to a claim for property damage.

[City Atty Letter.DOC](#)

[Claim.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

17) [040539](#)

Communication from the City Attorney's Office transmitting a communication from American Family Insurance Group on behalf of Jason and Beth Weber relative to a claim for property damage.

[City Atty Letter.DOC](#)

[Claim.PDF](#)

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

Ayes: 4 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN and ALD. MURPHY

Noes: 1 - ALD. BOHL

18) [040494](#)

Communication from the City Attorney's Office transmitting a communication from American Family Insurance Group on behalf of Ronald and Michelle Allen relative to a claim for property damage.

[City Atty Letter.PDF](#)

[Claim.PDF](#)

**A motion was made by Ald. Murphy that this matter be RECOMMEND**



**TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:**

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

19) [040524](#)

Communication from the City Attorney's Office transmitting a communication from Encompass Insurance on behalf of Wilfred and Cathy Kaszuba relative to a claim for property damage.

[City Atty Letter.DOC](#)

[Claim.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

**Items below will be heard no sooner than 10:45 A.M.:**

20) [040821](#)

Resolution relating to appeal of Nicole Cage relative to a claim for property damage and loss of property. (4th Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

21) [040798](#)

Communication from the City Attorney's Office transmitting a communication from Joseph Stusik and Rosalina Arteaga relative to a claim for property damage.

[Claim.PDF](#)

[City Atty Letter.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL  
Noes: 0

22) [040693](#)

Resolution relating to appeal of Norman Nadolinski relative to a claim for property damage. (12th Aldermanic District)

[Appeal.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL  
Noes: 0

23) [040692](#)

Resolution relating to appeal of Deloris Walton relative to a claim for property damage. (4th Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL  
Noes: 0

**Items below will be heard no sooner than 11:00 A.M.:**

24) [040531](#)

Resolution relating to appeal of Tristram Drager relative to a claim for property damage. (4th Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL  
Noes: 0

25) [040595](#)

Resolution relating to appeal of Anna Owen relative to a claim for personal injuries. (5th Aldermanic District)

[Appeal.PDF](#)  
[City Atty Letter.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

26) [040729](#)

Resolution relating to appeal of Shirley Frazier relative to a claim for property damage. (9th Aldermanic District)

[Appeal.PDF](#)  
[City Atty Letter.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

27) [040708](#)

Communication from the City Attorney's Office transmitting a communication from Barbara McMahon, Kathleen McMahon, Ariel Gonzalez and Anastasia Luciano relative to a claim for property damage and personal injuries.

[City Atty Letter.DOC](#)  
[Claim.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

28) [040730](#)

Resolution relating to appeal of Atty. John Crump on behalf of Doris Deputy relative to a claim for property damage. (9th Aldermanic District)

[Appeal.PDF](#)  
[City Atty Letter.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

Items below will be heard no sooner than 11:30 A.M.:

29) [040728](#)

Resolution relating to appeal of Terry Dixon relative to a claim for loss of property. (6th Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

30) [040740](#)

Communication from the City Attorney's Office transmitting a communication from Anita Cherry relative to a claim for property damage.

[City Atty Letter.DOC](#)

[Claim.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

31) [040739](#)

Substitute resolution to settle claim of Leslie Sanders for property damage.

[Appeal.PDF](#)

[City Atty Letter.PDF](#)

[Fiscal Note.doc](#)

*Ald. Murphy moved to settle the claim for \$1,000.*

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

Ayes: 4 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN and ALD. MURPHY

Noes: 1 - ALD. BOHL

32) [040873](#)

Substitute resolution to settle claim of Al Adrian for property damage.

[Appeal.pdf](#)

[Fiscal Note.doc](#)

*Ald. Murphy moved to grant appeal for \$100.*

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

33) [040822](#)

Resolution relating to appeal of Dean Kind relative to a claim for property damage. (9th Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.PDF](#)

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

34) [031504](#)

Resolution relative to various legislative bills.

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

Ayes: 5 - ALD. D'AMATO, ALD. HAMILTON, ALD. BAUMAN, ALD. MURPHY and ALD. BOHL

Noes: 0

*Meeting Adjourned: 12:12 P.M.*

*Linda M. Elmer*

*Staff Assistant*