



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Minutes JUDICIARY & LEGISLATION COMMITTEE

ALD. MICHAEL S. D'AMATO, CHAIR

Ald. Ashanti Hamilton, Vice-Chair

Ald. Robert Bauman, Ald. Michael Murphy, Ald. James Bohl, Jr.

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Monday, March 10, 2008

9:00 AM

Room 301-B, City Hall

Meeting convened: 9:20 A.M.

Present 3 - Hamilton, Bauman, Bohl

Excused 2 - D'Amato, Murphy

The Judiciary and Legislation Committee may convene into closed session at 9:00 A.M. on Monday, March 10, 2008 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 legal counsel who is rendering advice concerning strategy to be adopted with respect to litigation in which the city is or is likely to become involved and for item #1....Resolution authorizing City entry into a settlement agreement with Kilbourn Tower, LLC regarding amounts owed under an Agreement for Sale and a Note concerning the parcel at 923 E. Kilbourn Street and a vacated right-turn bypass that the City sold to Kilbourn Tower, LLC in 2003, and then will go into open session for the regular agenda.

Ald. Bauman moves that the Judiciary and Legislation Committee convene into closed session pursuant to s. 19.85(1)(g), Wis. Stats., for the purpose of conferring with legal counsel who is rendering advice concerning strategy to be adopted with respect to litigation in which the city is or is likely to become involved and for item #1....Resolution authorizing City entry into a settlement agreement with Kilbourn Tower, LLC regarding amounts owed under an Agreement for Sale and a Note concerning the parcel at 923 E. Kilbourn Street and a vacated right-turn bypass that the City sold to Kilbourn Tower, LLC in 2003, and then will go into open session for the regular agenda.

Roll call:

Ayes - Ald. Bauman, Ald. Bohl and Ald. Hamilton - 3

Individuals present:

Gregg Hagopian - City Attorney's Office

Dave Misky - Dept. of City Development

Kim Montgomery - Mayor's Office

Mary Dziewiontkoski - Dept. of Public Works

Jan Smokowicz - City Attorney's Office

Kim Montgomery - Mayor's Office

Ald. Murphy arrived during the closed session at 9:43 A.M.

Roll call taken at 9:43 A.M.

Present 4 - Hamilton, Bauman, Murphy, Bohl

Excused 1 - D'Amato

1. [071478](#) Resolution authorizing City entry into a settlement agreement with Kilbourn Tower, LLC regarding amounts owed under an Agreement for Sale and a Note concerning the parcel at 923 E. Kilbourn Street and a vacated right-turn bypass that the City sold to Kilbourn Tower, LLC in 2003.

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

Aye 3 - Hamilton, Bauman and Murphy

No 1 - Bohl

Excused 1 - D'Amato

9:15 A.M.

2. [071470](#) Resolution relative to various legislative bills.

Individuals present:

Paul Vornholt and Jennifer Gonda - Intergovernmental Relations Division

Held as the committee received updates, but took no formal action.

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

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

3. [050275](#) Substitute resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation relating to property tax relief.

Accepted Proposed Substitute A

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

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

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

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

9:45 A.M.

4. [071452](#)

Resolution authorizing an appropriation of \$460,000 from the Common Council Contingent Fund to the Remission of Taxes Special Purpose Account and directing payment of a civil judgment in favor of U.S. Bank against the City in the amount of \$440,430.03, plus simple interest at 0.8% from January 1-31, 2008, and simple interest at 1.0% thereafter until date of payment.

Amended at the table to add the year at the request of the Comptroller's Office.

A motion was made by ALD. BOHL that this Resolution be AMENDED. The motion PREVAILED by the following vote:

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

A motion was made by ALD. MURPHY that this Resolution be RECOMMENDED FOR ADOPTION AND ASSIGNED TO the FINANCE & PERSONNEL COMMITTEE . The motion PREVAILED by the following vote:

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

5. [071469](#)

Substitute Resolution to settle claim of Cermele & Associates for defense of various police officers.

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

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

6. [071495](#)

Communication from the City Attorney transmitting a semiannual report as to the determination and disposition of all claims pending and closed through December 31, 2007.

A motion was made by ALD. MURPHY that this Communication-Report be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

7. [071509](#) Resolution authorizing in-rem foreclosure of properties at 2835 W. Kilbourn Avenue, 2841 W. Highland Boulevard and 2809 W. Highland Boulevard.

Held at the request of the sponsor.

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

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

10:00 A.M.

8. [071259](#) Resolution relating to the claim of Rose Patterson for property damage. (7th Aldermanic District)

Claimant not present.

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

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

9. [071448](#) Resolution relating to the claim of Denise Berndsen for personal injuries and property damage.

Individuals present:

Att. Fredrick Neumaier and Diane Berndsen

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

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

10. [071476](#) Resolution relating to the claim of Suzanne Zakry, Agent for Irgens Development Partners, LLC for property damage. (4th Aldermanic District)

Claimant not present.

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

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

11. [071447](#) Resolution relating to the claim of Daniel Wiken, Tania Cook and American Family Insurance for property damage.

Claimant not present.

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

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

12. [071461](#) Resolution relating to a claim from Sanford Parsons regarding revocation of an occupancy permit. (3rd Aldermanic District)

Claimant not present, but Ron Roberts present for the Dept. of Neighborhood Services.

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

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

Claimant now present.

A motion was made by ALD. BAUMAN that this Resolution be RECONSIDERED. The motion PREVAILED by the following vote:

Aye 3 - Hamilton, Bauman and Bohl

No 0

Excused 2 - D'Amato and Murphy

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

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

13. [071507](#) Resolution relating to the claim by Attorney Alan Eisenberg on behalf of Emma Jean Glass and Sammie Lee Glass regarding harassment charges by the Department of Neighborhood Services.

Individuals present:

Att. Alan Eisenberg and Emma Jean and Sammie Lee Glass, claimants.

Ron Roberts - Dept. of Neighborhood Services

The claimant is going to speak with the City Attorney's Office related to this claim.

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

Aye 4 - Hamilton, Bauman, Murphy and Bohl

No 0

Excused 1 - D'Amato

14. [071443](#) Resolution authorizing payment of the claim of Russell Sommer.

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

Aye 3 - Hamilton, Murphy and Bohl

No 0

Excused 2 - D'Amato and Bauman

15. [071444](#) Resolution authorizing payment of the claim of Brian Maletzke.

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

Aye 3 - Hamilton, Murphy and Bohl

No 0

Excused 2 - D'Amato and Bauman

16. [071445](#) Resolution authorizing payment of the claim of Randy Paszkiewicz.

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

Aye 3 - Hamilton, Murphy and Bohl

No 0

Excused 2 - D'Amato and Bauman

Meeting adjourned: 11:09 A.M.

*Linda M. Elmer
Staff Assistant*

*This meeting can be viewed in its entirety in the web-casting archives found at
www.milwaukee.gov/channel25.*