



City of Milwaukee
Meeting Minutes
JUDICIARY & LEGISLATION
COMMITTEE

City Hall
200 East Wells Street
Milwaukee, WI 53202

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

Staff Assistant, Linda Elmer, (414)-286-2232
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File Specialist: Joanna Polanco, 286-3926, E-mail: jpolan@milwaukee.gov

Monday, November 7, 2005

1:30 PM

Room 301-B, City Hall

Amended 11-4-05

Meeting convened: 1:38 P.M.

Present 4 - D'Amato, Hamilton, Bauman , Murphy

Excused 1 - Bohl

2:15 P.M.

1. [050721](#) Resolution to authorize settlement of alleged discrimination case based upon sex or gender and retaliation, filed in the Equal Rights Division, Department of Workforce Development, ERD Case No. CR200303860 and also filed with the United States Equal Employment Opportunity Commission, EEOC Case No. 26GA4000061.

Sponsors: THE CHAIR

Attachments: [City Atty. Letter.DOC](#)
[Fiscal Note.DOC](#)
[Settlement.PDF](#)
[Communication from Ald. D'Amato](#)

A motion was made by ALD. BAUMAN that this Resolution be RECOMMENDED FOR PLACING ON FILE This motion PREVAILED by the following vote:

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

2. [050901](#) Substitute resolution relative to various legislative bills.

Sponsors: THE CHAIR

Attachments: [Legislative Hearing Calendar](#)
[Fiscal note](#)
[Memo from Deputy CA, Rudolph Konrad](#)

Individuals present:

Amended 11-4-05

*Sharon Cook and Jennifer Gonda - Intergovernmental Relations
Rudy Konrad - City Attorney's Office
Peter Earl - counsel for Steven Thomas in the Mallick case
Terry Perry - new employee in Intergovernmental Relations
Mario Wells - intern in Intergovernmental Relations*

Ald. Bauman moves for opposition to AB-788/SB- 402. Prevailed. 4-0

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

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

3. [050699](#) Resolution directing the Intergovernmental Relations Division- Department of Administration to seek introduction and passage of state legislation permitting parking in certain residential T-intersections.

Sponsors: Witkowski

Attachments: [Fiscal Note](#)
[Letter from Department of Public Works](#)

Held to see if an alternative could be work out between all parties.

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 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

2:45 P.M.

4. [050823](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2004 tax roll, plus interest applicable to date of repayment, if appropriate.

Sponsors: THE CHAIR

Attachments: [Assessment Reduction Letters.PDF](#)
[Assessor's Cover Letter.DOC](#)
[Fiscal Note.doc](#)
[Table of Assessment Reductions.XLS](#)

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

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

Amended 11-4-05

5. [050840](#) Resolution relative to the cancellation of a special improvement bill placed on the 2005 Tax Roll.

Sponsors: THE CHAIR

Attachments: [Fiscal Note.doc](#)

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

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

6. [041127](#) Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

Sponsors: THE CHAIR

Attachments: [2005 Expenditures through 3-1-05.PDF](#)
[2005 Expenditures through 1-14-05.pdf](#)
[2005 Expenditures through 5-31-05.pdf](#)
[Letter from ALD. D'Amato.pdf](#)
[2005 Expenditures through 4-19-05.PDF](#)
[2005 Expenditures through 9-13-05.pdf](#)
[Retention of expert witness](#)
[Retention of outside counsel](#)

A motion was made by ALD. HAMILTON that this Communication be RECOMMENDED FOR PLACING ON FILE This motion PREVAILED by the following vote:

Aye 3 - Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

Abstain 1 - D'Amato

7. [050528](#) Communication from the City Attorney transmitting a semiannual report as to the determination and disposition of all claims filed from January 1, 2005 through June 30, 2005 pursuant to Section 304-7, Milwaukee Code of Ordinances.

Sponsors: THE CHAIR

Attachments: [Semi-annual report](#)
[Cover letter for Revised Semi-annual report](#)
[Revised Semi-annual report of all claims pending and closed](#)
[Revised Semi-annual report of closed matters](#)

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

Aye 3 - D'Amato, Hamilton Bauman

Amended 11-4-05

No 0

Excused 2 - Murphy Bohl

8. [050545](#) Substitute resolution authorizing the return of real estate located at 2062-64 N. 28th 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. (Tony Brookens)

Sponsors: THE CHAIR

Attachments: [Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[City Treasurer's Reply.PDF](#)
[DNS Reply.pdf](#)
[DCD Letter](#)
[health dept letter](#)
[Treasurer Office](#)
[Health Dept Letter 10-4-05](#)
[rev DCD Letter](#)
[Updated Treasurer's response](#)
[DNS Response - 11/2/05](#)

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

Aye 3 - D'Amato, Hamilton Bauman

No 0

Excused 2 - Murphy Bohl

9. [050672](#) Substitute resolution authorizing the return of real estate located at 1422 W. Wright 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. (Cornelius Onyemachi)

Sponsors: THE CHAIR

Attachments: [Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[Treasurer Office Reply](#)
[Health Dept letter 10-4-05](#)
[DNS letter](#)
[DCD Letter](#)
[Updated treasurer's response](#)
[DNS Response - 11/02/05](#)

A motion was made by ALD. HAMILTON that this Resolution be RECOMMENDED FOR PLACING ON FILE This motion PREVAILED by the following vote:

Aye 3 - D'Amato, Hamilton Bauman

No 0

Amended 11-4-05

Excused 2 - Murphy Bohl

10. [050670](#) Substitute resolution authorizing the return of real estate located at 907 W. Atkinson Ave., 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. (Lincoln Creek Development, Inc. and KSB Construction Development, LLC)

Sponsors: THE CHAIR

Attachments: [Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[Treasurer Office](#)
[Health Dept letter 9-29-05](#)
[DNS LETTER](#)
[DCD Letter 1](#)
[Updated Treasurer's response](#)
[DNS Response - 11/2/05](#)

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

Aye 3 - D'Amato, Hamilton Bauman

No 0

Excused 2 - Murphy Bohl

11. [050538](#) Substitute resolution authorizing the return of real estate located at 2454-56 W. Keefe Ave., 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. (Florance Hess)

Sponsors: THE CHAIR

Attachments: [Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[City Treasurer's Reply.PDF](#)
[DNS Reply.pdf](#)
[DCD Letter](#)
[Health dept letter](#)
[Treasurer Office](#)
[Health Dept letter 9-29-05](#)
[Updated treasurer's response](#)
[DNS Response 11/3/05](#)

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

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

Amended 11-4-05

12. [050673](#) Substitute resolution authorizing the return of real estate located at 2635-37 N. 37th 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. (Kym Gregory)

Sponsors: THE CHAIR

Attachments: [Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[Treasurer Office Reply](#)
[Health Dept letter 9-29-05](#)
[DNS letter](#)
[DCD Letter](#)
[Updated treasurer's response](#)
[DNS Response 11/3/05](#)

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

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

---Please Note: Item #13 will not be heard at this time.

13. [050675](#) Substitute resolution authorizing the return of real estate located at 831-33 E. Clarke St., in the 3rd 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. (HMS Grocery, LLC)

Sponsors: THE CHAIR

Attachments: [Request for Vacation of In Rem Judgment.PDF](#)
[Fiscal Note.doc](#)
[Treasurer Office](#)
[Health Dept letter 9-29-05](#)
[DNS letter](#)
[DCD Letter](#)
[Updated treasurer's response](#)
[DNS Response - 11/2/05](#)
[Letter from Gimbel-Reilly-Guerin-Brown Law Office](#)

This Resolution was NOT ACTED ON

Items below will be heard no earlier than 3:00 P.M.:

14. [050877](#) Resolution relating to the appeal of Bill and Judy Janicek relative to a claim for property damage. (14th Aldermanic District)

Sponsors: THE CHAIR

Amended 11-4-05

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

A motion was made by ALD. MURPHY that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

15. [050797](#) Resolution relating to the appeal of Antonio Jones relative to a claim for property loss. (7th Aldermanic District)

Sponsors: THE CHAIR

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

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 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

16. [050802](#) Resolution relating to the appeal of Robert Jones relative to a claim for property damage. (4th Aldermanic District)

Sponsors: THE CHAIR

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

A motion was made by ALD. BAUMAN that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

17. [050801](#) Resolution relating to the appeal of Prudence Holland relative to a claim for property damage. (6th Aldermanic District)

Sponsors: THE CHAIR

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

A motion was made by ALD. HAMILTON that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:

Aye 4 - D'Amato, Hamilton, Bauman Murphy

Amended 11-4-05

No 0

Excused 1 - Bohl

18. [050886](#) Resolution relating to a claim from Beverly Bothe for loss of property.

Sponsors: THE CHAIR

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

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 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

19. [050876](#) Resolution relating to the appeal of Bernard Harvieux relative to a claim for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [Appeal.PDF](#)
[City Atty. Letter.PDF](#)
[Estimates](#)

A motion was made by ALD. BAUMAN that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

20. [050873](#) Resolution relating to a claim from Carolyn Northern for property damage.

Sponsors: THE CHAIR

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

A motion was made by ALD. BAUMAN that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

RECESS: 3:10 P.M.

RECONVENE: 3:37 P.M.

Amended 11-4-05

Items below will be heard no earlier than 3:30 P.M.:

21. [050835](#) Substitute resolution relating to Atty. Werner Reis, on behalf of Jennifer Reis relative to a claim for property damage. (4th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [Appeal.PDF](#)
[City Atty. Letter.PDF](#)
[Sub Fiscal Note](#)

Ald. Bauman moves to settle for \$2,500, which is the Blue Book value of the vehicle. Prevalled. 3-1 (Ald. Murphy voting "no")

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

Aye 3 - D'Amato, Hamilton Bauman

No 1 - Murphy

Excused 1 - Bohl

22. [050799](#) Substitute resolution relating to the appeal of Antonio Mann relative to a claim for property loss. (5th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [Appeal.PDF](#)
[City Atty. Letter.PDF](#)
[Sub Fiscal Note](#)

Charles Bell - 5164 N. 64th St. (cousin of the appellant)

Ald. Bauman moves to settle the claim in the amount of \$750. Failed. 2-2 (Ald. Murphy and Ald. D'Amato voting 'no')

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

Aye 2 - Hamilton Bauman

No 2 - D'Amato Murphy

Excused 1 - Bohl

Sponsors: THE CHAIR

Attachments: [Appeal.PDF](#)
[City Atty. Letter.PDF](#)
[Sub Fiscal Note](#)

Charles Bell - 5164 N. 64th St. (cousin of the appellant)

A motion was made by ALD. MURPHY that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion FAILED by the following vote:

Aye 2 - D'Amato Murphy

Amended 11-4-05

No 2 - Hamilton Bauman

Excused 1 - Bohl

050799

Substitute resolution relating to the appeal of Antonio Mann relative to a claim for property loss. (5th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [Appeal.PDF](#)
[City Atty. Letter.PDF](#)
[Sub Fiscal Note](#)

Charles Bell - 5164 N. 64th St. (cousin of the appellant)

Ald. Bauman moves to settle in the amount of \$500. Prevailed. 3-1 (Ald. Murphy voting "no")

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

Aye 3 - D'Amato, Hamilton Bauman

No 1 - Murphy

Excused 1 - Bohl

23. 050885

Resolution relating to a claim from Atty. James Hall, Jr. on behalf of Loretta Graham for personal injuries.

Sponsors: THE CHAIR

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

A motion was made by ALD. BAUMAN that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

24. 050878

Resolution relating to the appeal of Goran Filipovic relative to a claim for property damage. (11th Aldermanic District)

Sponsors: THE CHAIR

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

A motion was made by ALD. HAMILTON that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Amended 11-4-05

Excused 1 - Bohl

25. [050872](#) Resolution relating to a claim from Attorney Jerome Hierseman on behalf of Ada Sprewer for personal injuries.

Sponsors: THE CHAIR

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

A motion was made by ALD. BAUMAN that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

26. [050798](#) Resolution relating to the appeal of Daphne Jackson relative to a claim for property damage. (4th Aldermanic District)

Sponsors: THE CHAIR

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

A motion was made by ALD. MURPHY that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

27. [050869](#) Resolution relating to a claim from Brian and Jo Ellen Wichman for property damage.

Sponsors: THE CHAIR

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

A motion was made by ALD. BAUMAN that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

28. [050887](#) Resolution relating to claims from Carmen Falcon for property damage and personal injuries.

Sponsors: THE CHAIR

Amended 11-4-05

Attachments: City Atty. Letter.DOC
[Claim.PDF](#)
[City Atty. Letter for Property Damage.DOC](#)

A motion was made by ALD. HAMILTON that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

29. [050870](#) Resolution relating to a claim from MetLife Auto and Home Economy Premier Assurance Company on behalf of Gary Taxman for property damage.

Sponsors: THE CHAIR

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

A motion was made by ALD. HAMILTON that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:

Aye 3 - D'Amato, Hamilton Murphy

No 0

Excused 2 - Bauman Bohl

30. [050816](#) Resolution relating to the appeal of Paul Gorzalski relative to a claim for property damage.

Sponsors: THE CHAIR

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

A motion was made by ALD. HAMILTON that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

31. [050849](#) Substitute resolution relating to the appeal of Stevo Matic relative to a claim for property damage. (6th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [Appeal.PDF](#)
[City Atty. Letter.PDF](#)
[Sub Fiscal Note](#)

Ald. Murphy moves to settle in the amount of \$1,305. Prevailed. 4-0

Amended 11-4-05

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

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

32. [050800](#)

Resolution relating to the appeal of Leon Wanzo relative to a claim for property damage. (2nd Aldermanic District)

Sponsors: THE CHAIR

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

A motion was made by ALD. MURPHY that this Resolution be RECOMMEND TO DISALLOW & INDEF. POSTPONE This motion PREVAILED by the following vote:

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

33. [050871](#)

Resolution authorizing payment of the claim of We Energies (2005162495), C.I. File No. 05-S-167.

Sponsors: THE CHAIR

Attachments: [City Atty. Letter.DOC](#)
[Claim.PDF](#)
[Fiscal Note.DOC](#)

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

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

34. [050880](#)

Resolution Authorizing the Settlement of Lawsuit regarding Options for Community Growth, Inc., et al. v. City of Milwaukee, et al., Case No. 03-C-1275.

Sponsors: THE CHAIR

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

Aye 4 - D'Amato, Hamilton, Bauman Murphy

No 0

Excused 1 - Bohl

Amended 11-4-05

Meeting adjourned: 4:32 P.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.**