



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Minutes JUDICIARY & LEGISLATION COMMITTEE

ALD. ASHANTI HAMILTON, CHAIR

Ald. Terry Witkowski, Vice-Chair

**Ald. James Bohl, Jr., Ald. Joe Davis, Sr., and Ald. Robert
Donovan**

Staff Assistant, Joanna Polanco, 286-2366

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**Legislative Liaison, Richard Withers, 286-8532,
rwith@milwaukee.gov**

Monday, October 24, 2011

1:30 PM

Room 301-B, City Hall

Meeting called to order at 1:40 P.M.

Present 5 - Hamilton, Witkowski, Bohl, Davis, Donovan

Also present:

Jan Smokowicz - Asst City Atty

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, October 24th, 2011 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 will go into open session for the regular agenda.

Ald. Witkowski 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 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 will go into open session for the regular agenda.

Roll call at 1:41 P.M.

Alds. Davis, Bohl, Donovan, Witkowski and Hamilton

Individuals present:

Donald Schrieffer - Asst. City Atty.

Kim Montgomery - Mayor's Office

Ald. Witkowski moved that the Judiciary and Legislation Committee convene into Open session.

Roll call at P.M.

Alds. Hamilton, Donovan, Bohl, Witkowski and Hamilton

1. [110848](#)

Resolution authorizing settlement of Barbara Mauhar vs. the City of Milwaukee.

Sponsors: THE CHAIR

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

2. [110825](#)

Resolution authorizing payment of the claim of Cynthia Montgomery, in the amount of \$17,000.

Sponsors: THE CHAIR

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

3. [110294](#)

Resolution relating to an appeal from Francisco Guerrido for property damage. (8th Aldermanic District)

Sponsors: THE CHAIR

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

4. [110398](#)

Resolution relating to an appeal from Lena Roby for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

5. [110399](#)

Resolution relating to an appeal from Danny McFadden for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

Individuals present:

Asst. City Atty - Jan Smokowicz

Chuck Schumacher - Fleet Services

Mr. McFadden - Claimant

Mr. Schumacher provided members with additional pictures.

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

6. [110415](#) Resolution relating to the claim of Sharon Megna relating to property damage. (6th Aldermanic District)

Sponsors: THE CHAIR

applicant was not present.

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

7. [110777](#) Resolution relating to the claims of Erin Karlin, agent for State Farm Insurance Company on behalf of Oakbrook Village Condo Association for property damage.

Sponsors: THE CHAIR

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

8. [110824](#) Resolution relating to an appeal from Patricia Paige for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

Individuals present:

Claimant - Patricia Page

Jeff Dellemann - DPW Infrastructure

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

Aye 3 - Hamilton, Witkowski and Davis

No 1 - Bohl

Abstain 1 - Donovan

9. [110829](#) Resolution relating to the claim of Vincent Tony for personal injuries. (1st Aldermanic

District)

Sponsors: THE CHAIR

Individual present:
Vincent Tony - Claimant

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

10. [110793](#)

Resolution authorizing the return of real estate located at 3615 N. 50th Street, in the 7th Aldermanic District to Anchor Bank.

Sponsors: THE CHAIR

Individuals present:
Loretta Bunke - VP for Anchor Bank
Lynn Stefen - DNS
Karen Taylor - DCD
Jim Klajbor - Treasurer
If paid in November \$27,528.11 taxes due
If paid by Decemkber 2, 2011 \$27,808.69 taxes due
DNS charges in the amount of \$675.00 for Property Recording Enforcement fees.

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

11. [110794](#)

Resolution authorizing the return of real estate located at 3554-3556 N. Teutonia Avenue, in the 6th Aldermanic District to Anchor Bank.

Sponsors: THE CHAIR

Individuals present:
Lorietta Bunke - VP for Anchor Bank
Lynn Stefen - DNS
Karen Taylor - DCD
Jim Klajbor - Treasurer

If paid in November \$21,508.10 taxes due
If paid by December 2, 2011 \$21,734.67 taxes due

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

12. [110795](#)

Resolution authorizing the return of real estate located at 3237 N. Buffum Street, in the 6th Aldermanic District to Anchor Bank.

Sponsors: THE CHAIR

Individuals present:

Loretta Bunke - VP for Anchor Bank

Lynn Stefen - DNS

Karen Taylor - DCD

Jim Klajbor - Treasurer

If paid in November \$6,663.71 taxes due

If paid by Decemkber 2, 2011 \$6,733.57 taxes due

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

Aye 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

13. [110796](#)

Resolution authorizing the return of real estate located at 2236 N. 39th Street, in the 15th Aldermanic District to former owner, Shannon McElroy.

Sponsors: THE CHAIR

Individuals present:

Mr. Jerry Blalock - Property Manager and father of owner

Lynn Stefen - DNS

Karen Taylor - DCD

Jim Klajbor - Treasurer

If paid in November \$10,504.48 taxes due

If paid by Decemkber 2, 2011 \$10,620.97 taxes due

Pending reinspection charge of \$125 from DNS for property located at 5977 N 62nd St, that need to be pay by noon on November 1, 2011

Owner also has 3 other properties within the City; two are paid in full, the third is in foreclosure. Redemption date is 11/30/11, therefore, this property will be return to Ms. McElroy not sooner than November 30, 2011

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

Aye 4 - Hamilton, Witkowski, Bohl and Donovan

No 0

Excused 1 - Davis

14. [110817](#)

Resolution authorizing the return of real estate located at 2412 N. 33rd Street, in the 15th Aldermanic District to former owner, Genghiskhan Xiong.

Sponsors: THE CHAIR

Individuals present:

Mr. Xiong - foremer owner

Lynn Stefen - DNS

Karen Taylor - DCD

Jim Klajbor - Treasurer

If paid in November \$8,129.82 taxes due

If paid by December 2, 2011 \$8,219.47 taxes due

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

Aye 4 - Hamilton, Witkowski, Bohl and Donovan

No 0

Excused 1 - Davis

15. [110592](#)

Communication from the Comptroller's Office relating to the Annual Outstanding Receivables Report.

Sponsors: THE CHAIR

Individuals present:

Craig Kammholz - Comptroller Office Adm

Linda Radmer - Comptroller Office Auditing

Cindy Angelos - DPW Adm

Kristine Hinrichs - Muni Court

Jennifer Gonda - Intergovernmental Relation Division

Jim Klajbor - Treasurer Office

Ald. Witkowski requested this file be heard in 3 months.

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

Aye 3 - Hamilton, Witkowski and Bohl

No 0

Excused 2 - Davis and Donovan

16. [110764](#)

Resolution directing the Department of Administration - Intergovernmental Relations Division to lobby the state to allow agent agreements to enforce regulations in joint overlapping or similar jurisdictions.

Sponsors: Ald. Bohl and Ald. Witkowski

Individuals present:

Ron Roberts- Dept of Neighborhood Services

JoeMar Hooper - Intergovernmental Relations Division

Ald. Witkowski requested to be added as co sponsor of this resolution. There were no objections.

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

Aye 4 - Hamilton, Witkowski, Bohl and Donovan

No 0

Excused 1 - Davis

17. [110149](#) Resolution relative to legislative bills.

Sponsors: THE CHAIR

Individuals present:

*Intergovernmental Relations Division: Jennifer Gonda, Paul Vornholt, Brenda Wood,
JoeMar Hooper*

Eric Gass, Anna Benton - Health Dept Adm

Ald. Coggs

Kein Burton - RACM, Adm

Mary Reavey and Peter Weissenfluh - Assessor's Office

SB-175/ Restricting eligibility for the homestead tax credit.

AB-244

*Motion by Ald. Bohl to oppose Senate Bill 175/Assembly Bill 244. Prevailed 4-0 (Ald.
Davis Excused)*

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

Aye 4 - Hamilton, Witkowski, Bohl and Donovan

No 0

Excused 1 - Davis

*SB-182/ Excluding permits and licenses from the definition of real property for
AB-262 property tax purposes.*

*Motion by Ald. Bohl to oppose SEnate Bill 182/Assembly Bill 262. Prevailed 3-0 (Ald.
Donovan and Davis Excused)*

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

Aye 3 - Hamilton, Witkowski and Bohl

No 0

Excused 2 - Davis and Donovan

*AB-295 Requiring a referendum before a municipality or county may impose a local
motor vehicle registration fee.*

*Motion by Ald. Witkowski to oppose Assembly Bill 295. Prevailed 3-0 (Alds. Donovan
and Davis Excused)*

**A motion was made by ALD. WITKOWSKI that this Resolution be AMENDED.
This motion PREVAILED by the following vote:**

Aye 3 - Hamilton, Witkowski and Bohl

No 0

Excused 2 - Davis and Donovan

SB-237 Providing instruction in human growth and development.

*Motion by Ald. Witkowski to oppose Senate Bill 237. Prevailed 3-0 (Ald. Bohl
abstained, Ald. Davis Excused.)*

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

Aye 3 - Hamilton, Witkowski and Donovan

No 0

Excused 1 - Davis

Abstain 1 - Bohl

AB-234 Ordinances, regulations, resolutions, or other restrictions of local governmental units that restrict hunting with a bow and arrow.

- *Per Legislative Package support for maintaining local control.*
- *Prohibits the city from restricting "urban bow hunting" citywide but continues to allow restrictions on local government owned property or areas with 150 yards of an occupied building.*

SB-207 Permitting an employer to refuse to employ or to bar or terminate from employment an individual who has been convicted of a felony and who has not been pardoned for that felony and preempting cities, etc.

- *Per Legislative Package support for creating employment opportunities for city residents.*
- *Reduces the ability of felons to obtain and retain employment.*

AB-311 Creating a sporting recruitment and retention council, programs to encourage recruitment of hunters and trappers, restrictions on expenditures under the Warren Knowles-Gaylord Nelson stewards program, reduced fees for certain first-time hunting and trapping approvals, high school credit under and administration of the hunter and trapper education programs, waiving fishing license requirements for a weekend ice fishing event, and sturgeon spearing license age requirements.

- *Per Legislative Package support for improving quality of life and increasing public safety.*
- *Prohibits DNR from acquiring land under the stewardship program unless hunting will be allowed on the land or unless every member of the natural resources board approves the land acquisition.*

Motion by Ald. Bohl to opposed:

Assembly Bill 234

Senate Bill 207

Assembly Bill 311

Prevailed 3-0 (Alds. Donovan and Davis Excused)

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

Aye 3 - Hamilton, Witkowski and Bohl

No 0

Excused 2 - Davis and Donovan

AB-269 Prohibitions against contacting certain persons and providing penalties.

- *Per city commitment to the Commission on Domestic Violence and Sexual Assault.*
- *Expands no contact orders to family members.*

SB-201 An income and franchise tax credit for hiring unemployed individuals.

- *Per Legislative Package support for creating employment opportunities for city residents.*
- *Provides businesses with an incentive to hire unemployed individuals.*

AB-263 Costs associated with providing false information to a law enforcement officer.

- *Per Legislative Package support for diversifying revenue capacity.*
- *Allows MPD to recover costs related to investigations of false information reports.*

AB-288/ Adoption by governmental units of a maintenance program that applies to SB-199 private sewage systems.

- *Per Legislative Package support for maintaining local control.*
- *Extends the deadline for meeting this state mandate.*

SB-196 Excluding from the calculation of expenditure restraint payments expenditures made pursuant to a purchasing agreement with a school district.

- *Per Legislative Package support for service consolidation efforts.*
- *Removes a potential barrier to joint purchasing efforts with MPS.*

AB-179 Authorizing the creation of a multijurisdictional tax incremental financing district.

- *Per Legislative Package support for business growth and the Aerotropolis project.*
- *Allows municipalities to create joint TID's in border areas.*

Motion by Ald. Witkowski to support:

Assembly Bill 269

Senate Bill 201

Assembly Bill 263

Assembly Bill 288/Senate Bill 199

Senate Bill 196

Assembly Bill 179

Prevailed 3-0 (Alds. Donovan and Davis Excused)

A motion was made by ALD. WITKOWSKI that this Resolution be AMENDED.

This motion PREVAILED by the following vote:

Aye 3 - Hamilton, Witkowski and Bohl

No 0

Excused 2 - Davis and Donovan

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

Aye 3 - Hamilton, Witkowski and Bohl

No 0

Excused 2 - Davis and Donovan

18. [091369](#)

Communication related to the 2010 activities of the Ethics Board.

Sponsors: THE CHAIR

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

Aye 3 - Hamilton, Witkowski and Bohl

No 0

Excused 2 - Davis and Donovan

Meeting adjourned at 4:36 P.M.

Joanna Polanco

Staff Assistant

This meeting can be viewed in its entirety through the City's Legislative Research Center at <http://milwaukee.legistar.com/calendar>.