



# 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, Linda Elmer, (414)-286-2232**  
**Fax: 286-3456, E-mail: lelmer@milwaukee.gov**  
**File Specialist: Joanna Polanco, 286-3926, E-mail: jpolan@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, May 16, 2005

9:00 AM

Room 301-B, City Hall

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**Meeting convened: 9:17 A.M.**

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

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*Ald. Hamilton moves that the Judiciary and Legislation Committee go into closed session pursuant to Section 19.85 (1)(g), Wisconsin Statutes, 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 Items # 1... Resolution authorizing settlement of in-rem action against Molecular Biology Resources, Inc., #2...Resolution to authorize settlement of alleged discrimination case based upon disability filed in the United States District Court for the Eastern District of Wisconsin entitled Dean Monfre v. City of Milwaukee, Case No. 04-C-0352, #3...Resolution authorizing settlement of the lawsuit entitled Holmon v. City of Milwaukee, Case No. 04C0046, #4....Resolution authorizing settlement of the lawsuit entitled Hampton v. City of Milwaukee, Case No. 04C0164 and #5...Resolution authorizing settlement of the lawsuit entitled Beason v. City of Milwaukee (Water Works), ERD Case No. 200001547; EEOC Case No. 200001547, and in-rem litigation involving the Police Athletic League and then will go into open session for the regular agenda.*

*Roll call:*

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

*- 5*

*Individuals present:*

*Pat McDonnell - City Attorney's Office*

*Gregg Hagopian - City Attorney's Office*

*Leonard Tokus - City Attorney's Office*  
*MaryNell Regan - City Attorney's Office*  
*Kim Montgomery - Mayor's Office*

1) [050064](#)

Substitute resolution authorizing settlement of in rem action against Molecular Biology Resources, Inc.

[City Atty. Letter.PDF](#)

[Letter to Elmer & Hartman.DOC](#)

[Fiscal Note.DOC](#)

[Settlement Stipulation & Order.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) [050007](#)

Resolution to authorize settlement of alleged discrimination case based upon disability filed in the United States District Court for the Eastern District of Wisconsin entitled Dean Monfre v. City of Milwaukee, Case No. 04-C-0352. (City Attorney)

[City Atty. Letter.DOC](#)

[Fiscal Note.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

3) [050086](#)

Resolution authorizing settlement of the lawsuit entitled Holmon v. City of Milwaukee, Case No. 04C0046. (City Attorney)

[City Atty. Letter.DOC](#)

[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

4) [050085](#)

Resolution authorizing settlement of the lawsuit entitled Hampton v. City of Milwaukee, Case No. 04C0164. (City Attorney)

[City Atty. Letter.DOC](#)

[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

5) [050084](#)

Resolution authorizing settlement of the lawsuit entitled Beason v. City of Milwaukee (Water Works) ERD Case No. 200001547; EEOC Case No. 200001547. (City Attorney)

[City Atty. Letter.DOC](#)

[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

**10:15 A.M.**

*RECESS: 10:02 A.M.*

*RECONVENE: 10:20 A.M.*

6) [041707](#)

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

7) [050061](#)

Resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation amending statutory provisions to cease payment of salary and benefit compensation of police officers in cities of the First Class after termination from employment by the Chief of Police.

[Fiscal note.doc](#)

[memorandum.pdf](#)

*Ald. Michael McGee*  
*Captain Anna Ruzinski - Milwaukee Police Department*  
*Jennifer Gonda - Intergovernmental Relations Division*  
*Mark Ramion - Legislative Reference Bureau*  
*David Heard - Fire and Police Commission*  
*John Balsack - Milwaukee Police Association*  
*Sharon Cook - Intergovernmental Relations Division*  
*Galeta Hunter - self-declared victim of police brutality*

*Make a memo dated 5/2/05 from Mark Ramion - Legislative Reference Bureau, part of the record, by Ald. Murphy. Prevailed. 5-0*

*Mr. Heard was asked to provide, since 1980, the number of terminations as well as the number of terminations overturned by the courts or the Fire and Police Commission. He was also asked to provide the average time from termination to hearing, as well as information related to the percentage of times an officer asks for an adjournment, and the length of that adjournment. This information needs to be provided to Committee members prior to Friday's Common Council meeting.*

**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

8) [050090](#)

Substitute resolution expressing the City of Milwaukee's support for U.S. House Bill 1631, the Rail Infrastructure Development and Expansion Act for the 21st Century.

[Fiscal Note.doc](#)

[2 Fisca Note.doc](#)

**A motion was made by Ald. Bauman 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

9) [050089](#)

Substitute resolution expressing the City of Milwaukee's support for U.S. House Bill 1630, the Amtrak Reauthorization Act of 2005.

[Fiscal Note.doc](#)

[2 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

10) [041619](#)

Substitute resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation relating to prohibition of loud sounds emitting from radios and other electric sound amplification devices in motor vehicles.

[Fiscal Note.doc](#)

[Communication and Complaint form from Ald. D'Amato.PDF](#)

[City Attorney's Opinion.PDF](#)

*Individuals present:*

*Captain Anna Ruzinski - Milwaukee Police Department*

*Kathryn Zalewski - City Attorney's Office*

**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

**The items below will be heard no earlier than 11:00 A.M.**

11) [050010](#)

Resolution relating to a claim from William Mitchell for damages.

[Claim For Mitchell.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

12) [050065](#)

Resolution relating to the appeal of Kimberly Klein relative to a claim for property damage. (4th Aldermanic District)

[City Atty. Letter.PDF](#)

[Appeal.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

13) [050013](#)

Resolution relating to the appeal of William Murphy relative to a claim for property damage. (11th 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

14) [050008](#)

Resolution relating to a claim from Action Law Offices, S.C. on behalf of Connie Williams for personal injuries.

[City Atty. Letter.DOC](#)

[Claim For Williams.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

15) [050009](#)

Resolution relating to a claim from Action Law Offices, S.C. on behalf of Margaret Lazarevich for personal injuries.

[City Atty. Letter.DOC](#)

[Claim For Lazarevich.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) [050015](#)

Resolution relating to the appeal of Pamela Myers relative to a claim for property damage. (9th 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

17) [050012](#)

Resolution relating to the appeal of Noah Thomas relative to a claim for property damage. (7th 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

18) [050011](#)

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

[City Atty. Letter.PDF](#)

[Appeal.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

19) [050066](#)

Resolution relating to the appeal of Robert Holland, Sr. 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

050066

Resolution relating to the appeal of Robert Holland, Sr. 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 RECONSIDERED. The motion carried by the following vote:**

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

050066

Resolution relating to the appeal of Robert Holland, Sr. 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 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

20) 050014

Resolution relating to the appeal of Sheila Milton relative to a claim for property damage. (15th 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

21) 050029

Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2003 and 2004 tax rolls, plus interest applicable to date of repayment, if appropriate. (Assessor's Office)



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

**A motion was made by Vice Chair Hamilton 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: 0

Abstain: 1 - ALD. BOHL

22) [050028](#)

Resolution authorizing payment of the claim of Jon Osowski, Case No. 03CV000666. (City Attorney)

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

23) [050006](#)

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

[Claim For Burch.PDF](#)  
[Claim For Dederich And Miller.PDF](#)  
[Claim For Dineen.PDF](#)  
[Claim For Fischer.PDF](#)  
[Claim For Lutz And Newport.PDF](#)  
[Claim For Sheehan And Bohlen.PDF](#)  
[Claim For Trczinski.PDF](#)  
[Claim For Wilhelm, Schulz, Rnadow and Ederesinghe.PDF](#)  
[Claim For Young.PDF](#)  
[Claim For Mucha And Lutz.PDF](#)  
[Fiscal Note.doc](#)

*Ald. Hamilton moves to amend the file by removing the following payments:*

*Tom Fischer - \$385*

*Michael Lutz and Dean Newport - \$2,355*

*Jason Mucha and Michael Lutz - \$858*

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

Ayes: 1 - ALD. HAMILTON  
Noes: 4 - ALD. D'AMATO, ALD. BAUMAN, ALD. MURPHY and ALD.  
BOHL

050006

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

[Claim For Burch.PDF](#)

[Claim For Dederich And Miller.PDF](#)

[Claim For Dineen.PDF](#)

[Claim For Fischer.PDF](#)

[Claim For Lutz And Newport.PDF](#)

[Claim For Sheehan And Bohlen.PDF](#)

[Claim For Trczinski.PDF](#)

[Claim For Wilhelm, Schulz, Rnadow and Ederesinghe.PDF](#)

[Claim For Young.PDF](#)

[Claim For Mucha And Lutz.PDF](#)

[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: 4 - ALD. D'AMATO, ALD. BAUMAN, ALD. MURPHY and ALD.  
BOHL

Noes: 1 - ALD. HAMILTON

**This meeting can be viewed in its entirety in the web-casting archives found at [www.milwaukee.gov/channel25](http://www.milwaukee.gov/channel25).**

*Meeting Adjourned: 11:42 A.M.*

*Linda M. Elmer*

*Staff Assistant*