



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. Joe Davis, Sr., Ald. Robert Puente, and Ald. Robert
Donovan**
Staff Assistant, Joanna Polanco, 286-2366
Fax: 286-3456, jpolan@milwaukee.gov
Legislative Liaison, Richard Withers, 286-8532,
rwith@milwaukee.gov

Monday, October 28, 2013

1:30 PM

Room 301-B, 3rd Fl., City Hall

Meeting called to order at 1:38 P.M.

Present 4 - Hamilton, Davis, Puente, Donovan

Excused 1 - Witkowski

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, October 28, 2013 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. Puente moved the Judiciary and Legislation Committee may 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:

Ald. Hamilton, Puente, Davis, Donovan

Also present:

Jan Smokowicz - Asst City Atty

Jm Thur - DPW Sewer Maintenance Fund

Clifton Crump - Mayor's Office

Patricia Fricker - Asst City Atty

Richard Withers - LRB

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

Ald. Witkowski arrived during Closed Session

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

1. [130863](#) Resolution authorizing settlement of the lawsuit entitled Whitley Bay Marina, Inc. v. City of Milwaukee, for the total amount of \$4,000, inclusive of all statutory interest.
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, Davis, Puente and Donovan
No 0

2. [130860](#) Resolution cancelling real estate taxes levied against certain parcels bearing various key numbers on the 2009, 2010, 2011 and 2012 tax rolls, plus interest applicable to date of repayment, if appropriate.
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, Davis, Puente and Donovan
No 0

3. [130472](#) Substitute resolution relating to amending the U.S. Constitution to permit the U.S. Congress and state and local legislatures to limit corporate influence and expenditures in public elections, and urging the Wisconsin Legislature and Milwaukee County Board of Supervisors to submit the question to voters.
Sponsors: Ald. Zielinski, Ald. Kovac, Ald. Perez and Ald. Hamilton
Apearing:
Richard Withers - LRB
Ald. Kovac - Co sponsor
Ald. Murpy - co Sponsor
Ms. Mary Laan - Co-Chair of Move to Amend of Southeast Wisconsin

Mr. Withers presented an amendment moved by Ald. David to amend the first "Resolved Clause" with the addition of the phrase "and that permissible contributions and expenditures shall be publically disclosed" to read:

Resolved, By the Common Council of the City of Milwaukee, that the U.S. Congress is urged to propose an amendment to the U.S. Constitution, for ratification by the states, reversing the decision of the U.S. Supreme Court in the case of Citizens United v. Federal Election Commission and establishing principles in the U.S. Constitution that only human beings--not corporations, unions, nonprofit organizations, or similar associations--are endowed with constitutional rights, that limiting political contributions and spending is not equivalent to restricting political speech---and that permissible contributions and expenditures shall be publically disclosed and, be it

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

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

No 0

[130472](#)

Substitute resolution relating to amending the U.S. Constitution to permit the U.S. Congress and state and local legislatures to limit corporate influence and expenditures in public elections, and urging the Wisconsin Legislature and Milwaukee County Board of Supervisors to submit the question to voters.

Sponsors: Ald. Zielinski, Ald. Kovac, Ald. Perez and Ald. Hamilton

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, Davis, Puente and Donovan

No 0

4. [130855](#)

Resolution authorizing the return of real estate located at 7115 W. Adler Street in the 10th Aldermanic District to former owner, Sandra Genne.

Sponsors: THE CHAIR

Apearing:

Sandra Genne

Karen Tylor - DCD

Lynn Steffen - DNS

Carrie urban - Treasurer

*2009-2012 Delinquent taxes if paid in November \$12,382.62
if paid by December 5, 2013 \$12,510.77*

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, Davis, Puente and Donovan

No 0

5. [130896](#) Resolution authorizing the return of real estate located at 2476-2478 S. 13th Street in the 12th Aldermanic District to former owner, Jan Stojek.

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Carrie Urban - Treasurer

Mr. Jan Stojek

The Department of Neighborhood Services does not object to the return of this property provided the applicant pays pending REinspection Fees of \$100.70 and Recording Enforcement Fees of \$304.20, for a total of \$404.90 no later than Monday, November 4, 2013 by noon.

*2010-2012 delinquent taxes due if paid in November, \$12,940.48
If paid by December 5, 2013, \$13,086.72*

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

Aye 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

6. [130674](#) Resolution relating to the appeal of Jeanette Harris for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Jeanette Harris

Patricia Fricker - Asst City Atty

Randy Krouse - Forestry Section

Based on department testimony, Ald. Witkowski moved denial.

Prevailed 4-0

Donovan excused

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

Aye 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

7. [130895](#) Resolution relating to the claim of Emily Donohue, agent for Travelers Home and Marine Insurance Company on behalf of Kevin Thomas, for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

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

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

No 0

8. [130893](#) Resolution relating to the claim of Fran Krueger, agent for Church Mutual Insurance Company on behalf of the Village Church for property damage. (3rd Aldermanic District)

Sponsors: THE CHAIR

Based on non appearance, Ald. Witkowski moved denial.

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, Davis, Puente and Donovan

No 0

9. [130675](#) Resolution relating to the claim of Nilda Quiroz for personal injuries. (13th Aldermanic District)

Sponsors: THE CHAIR

Based on non appearance, Ald. Witkowski moved denial.

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, Davis, Puente and Donovan

No 0

10. [130802](#)

Resolution relating to the claim of Vida Washington for personal injuries. (6th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Ms. Vida Washington

Jeff Dellemann - DPW Infrastructure

Patricia Fricker - Asst City Atty

Based on the city department testimony, Ald. Puente moved denial.

Prevailed 5-0

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

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

No 0

11. [130818](#)

Resolution relating to the appeal of Surasack Bounmy for property damage. (4th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Surasack Bounmy

Nancy Alvarado - Sewer and Maintenance

Patricia Fricker - Asst City Atty

Based on testimony from city department, Ald. Puente moved denial.

Prevailed 5-0

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

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

No 0

12. [130859](#) Resolution relating to the appeal of Mary Beth Heiter for personal injuries. (11th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Mary Beth Heiter

Jeff Dellemann - DPW Infrastructure

Patricia Fricker - Asst City Atty

Based on city department's testimony Ald. Witkowski moved denial of this claim.

Prevailed 5-0

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, Davis, Puente and Donovan

No 0

13. [130819](#) Resolution relating to the appeal of Lynn Arendt for property damage.

Sponsors: THE CHAIR

Based on non appearance, Ald. Witkowski moved denial.

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, Davis, Puente and Donovan

No 0

14. [130816](#) Resolution relating to the appeal of Michael Thomas for loss of property. (2nd Aldermanic District)

Sponsors: THE CHAIR

Apearing:

Michael Thomas

Srgt Michelle Pagan - MPD

Patricia Fricker - Asst City Atty

Based on city department testimony's Ald. Puente moved denial.

Prevailed 5-0

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

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

No 0

15. [130817](#) Resolution relating to the appeal of Jerry Dzemske for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Jerry Dzemske

Patricia Fricker - Asst City Atty

Ald. Puente moved to settle this claim in the amount of \$1,936.54

Prevailed 5-0

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

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

No 0

15. [130817](#) Substitute resolution relating to the appeal of Jerry Dzemske for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

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

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

No 0

16. [120653](#) Resolution relating to publication of electoral campaign finance reports.

Sponsors: Ald. Coggs

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

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

No 0

17. [130882](#) Resolution relative to legislative bills.

Sponsors: THE CHAIR

Appearing:
Paulina DeHaan - IRD

--- AB-445/SB-353 Identification presentation and monitoring for certain prescription drugs.

Ald. Puente moved to Support AB 445/SB-353
Donvan excused

--- AB-446/SB-252 Training agreements for administering the drug naxolone, requiring emergency medical technicians to carry naxolone, and immunity for certain individuals who administer naxolone.

Ald. Witkowski moved to Support AB-446/SB-252
Prevailed 4-0
Donovan Excused

--- AB-447/SB-350 Granting immunity from certain criminal prosecutions for offenses relating to a controlled substance or a controlled substance analog.

Ald. Davis moved to Support AB-447/SB-350

--- AB-448/SB-351 Programs for the disposal of drugs, including controlled substances, and certain medical or drug-related items, and the regulation of prescription drugs.

Ald. Puente moved to Support AB-448/SB-351

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

Aye 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

[130882](#) Substitute resolution relative to legislative bills.

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 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

Meeting Adjourned at 4:15 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>.