



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Minutes JUDICIARY & LEGISLATION COMMITTEE

ALD. MICHAEL S. D'AMATO, CHAIR
Ald. Donald F. Richards, Vice Chair
Ald. Marlene E. Johnson-Odom, Ald. Michael J. Murphy,
Ald. Fredrick G. Gordon

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**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.*

Monday, September 16, 2002

9:00 AM

Room 301-B, City Hall

Present 5 - D'Amato, Richards, Johnson-Odom, Murphy, Gordon

9:00 A.M.; Meeting Convened 9:12 A.M.

- 1) [020663](#) Appointment of Martha Toran to the City Ethics Board by the Mayor. (10th Aldermanic District)
A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR CONFIRMATION. The motion carried by the following vote:
Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
No 0
- 2) [020774](#) Communication from Ald. Michael D'Amato, Chair, Judiciary and Legislation Committee, requesting that the Election Commission prepare a report as to the changes being made for a fair and efficient election process.
A motion was made by Ald. Murphy that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:
Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
No 0
- 3) [020759](#) Resolution authorizing the Office of the City Attorney to resolve various Milwaukee Municipal Court cases, either through permanent stay of the forfeiture or dismissal. (City Attorney)
A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:
Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon
No 0

Ald. Johnson-Odom moved that the JUDICIARY AND LEGISLATION COMMITTEE convene 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 litigation in which the City is involved relative to Item #4 - File Number 020768 - Resolution approving and authorizing stipulation with United Apostolic Church of God, Inc. ("United") concerning in personam liability for 1992-2000 taxes against 2916 West Hopkins and then go into open session for the regular agenda.

Roll Call:

Ayes: Ald. Murphy, Gordon, Johnson-Odom and D'Amato-4.

Noes: 0.

(Prevailed)

CLOSED SESSION

Ald. Johnson-Odom moved that the Committee reconvene into open session.

(Prevailed)

- 4) [020768](#) Substitute resolution approving and authorizing stipulation with United Apostolic Church of God, Inc. ("United") concerning in personam liability for 1992-2000 taxes against 2516-2522 West Hopkins (10th Aldermanic District).

A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 5) [020770](#) Substitute resolution appropriating funds from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining outside counsel to represent the interests of the Fire & Police Commission in the matter of Anderer v. City of Milwaukee Fire & Police Commission, Case No. 02-CV-007711.

A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 6) [020716](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2001 tax roll, plus interest applicable to date of repayment, if appropriate. (Assessor's Office)

A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 7) [020241](#) Substitute resolution relating to continuation of biennial property revaluations by the

Assessor's Office.

A motion was made by Ald. Gordon that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 8) [020648](#) Resolution to cancel real estate taxes levied against a certain parcel identified by Tax Key No. 361-0872-110-8, 431 N. 5th Street, Milwaukee, Wisconsin, on the 2000 tax roll, plus interest applicable to date of repayment, if appropriate. (Assessor's Office)

A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

9:40 A.M.

- 9) [020680](#) Resolution authorizing return of real estate located at 6815 W. Fond du Lac Avenue, in the 2nd Aldermanic District of the City of Milwaukee, to Ge Vang 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.

(Non-appearance)

A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR PLACING ON FILE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 10) [020705](#) Substitute resolution authorizing the return of real estate located at 5366 N. 66th Street, in the 2nd 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. (Aldred Walters)

A motion was made by Ald. Murphy that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 11) [020677](#) Substitute resolution authorizing the return of real estate located at 2436 N. Weil Street, 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. (Robert A. Payne)

A motion was made by Ald. Murphy that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 12) [020683](#) Substitute resolution authorizing the return of real estate located at 2434 N. 23rd Street, in the 7th 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. (Otis Brown)

A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 13) [020704](#) Substitute resolution authorizing the return of real estate located at 2538-2540 North 37th Street, in the 7th 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. (Dewayne Jelks)

A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 14) [020682](#) Resolution authorizing return of real estate located at 2532 W. Locust Street, in the 7th Aldermanic District of the City of Milwaukee, to Anna Yaeger for Carrie Buchanan 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.

(Non-appearance)

A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR PLACING ON FILE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 15) [020681](#) Substitute resolution authorizing the return of real estate located at 5422 N. 36th Street, in the 9th 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. (Pearlie Dean)

A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 16) [020679](#) Substitute resolution authorizing the return of real estate located at 5456-58 N. 38th Street, in the 9th 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. (Lee D. Beans)

A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 17) [020703](#) Substitute resolution authorizing the return of real estate located at 6309 W. Spokane Street, in the 9th 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. (Yvonne Erdman)

A motion was made by Ald. Johnson-Odom that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 18) [020619](#) Substitute resolution authorizing the return of real estate located at 3812 North 26th Street, in the 10th 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. (Theresa King)

A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 19) [020678](#) Substitute resolution authorizing the return of real estate located at 2214-16 W. Keefe Avenue, in the 10th 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. (True Church of the First Born Apostolic Faith)

A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

10:15 A.M.

- 20) [020747](#) Communication from the City Attorney's Office transmitting a communication from Dineo Black, President on behalf of Dino's Contracting Service, Inc. relative to a claim

for breach of contract.

Motion by Ald. Gordon to adopt a substitute resolution to authorize payment to the claimant of \$21,288. The motion failed by the following vote:

Ayes: Ald. Gordon and Johnson-Odom-2.

Noes: Ald. Murphy, D'Amato and Richards-3.

A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 1 - Gordon

- 21) [020690](#) Appeal of Betty Smith relative to a claim for property damage. (6th Aldermanic District)

A motion was made by Vice Chair Richards that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 22) [020011](#) Communication from the City Attorney's Office transmitting a communication from Miller Brewing Company relative to claim for property damage.

A motion was made by Ald. Murphy that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 23) [020367](#) Communication from the City Attorney's Office transmitting a communication from Irene Taylor relative to claim for property damage.

A motion was made by Vice Chair Richards that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 24) [020748](#) Communication from the City Attorney's Office transmitting a communication from Michele Ray relative to a claim for loss of her dog.

A motion was made by Ald. Gordon that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 25) [020746](#) Communication from the City Attorney's Office transmitting a communication from Brian Blattler relative to a claim for property damage.

A motion was made by Ald. Gordon that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 26) [020691](#) Appeal of Elroy Cade relative to a claim for property damage. (4th Aldermanic District)

A motion was made by Ald. Gordon that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 27) [020749](#) Communication from the City Attorney's Office transmitting a communication from Tammy Brown relative to a claim for property damage.

A motion was made by Ald. Gordon that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 28) [020708](#) Appeal of Annetta Winters Howard relative to a claim for property damage. (15th Aldermanic District)

A motion was made by Ald. Gordon that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

10:45 A.M.

- 29) [020687](#) Communication from the City Attorney's Office transmitting a communication from Pamela Weindling relative to a claim for personal injuries.

A motion was made by Vice Chair Richards that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 30) [020483](#) Communication from the City Attorney's Office transmitting a communication from Atty. Richard Frederick on behalf of Good Hope/Pilgrim Rest Cemetery Corp. relative to a claim for property damage.

A motion was made by Vice Chair Richards that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 31) [020750](#) Communication from the City Attorney's Office transmitting a communication from Atty.

Randall Rozek on behalf of Matthew Antoniewicz relative to a claim for personal injuries.

A motion was made by Vice Chair Richards that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

32) [020688](#)

Communication from the City Attorney's Office transmitting a communication from Henry Jackson relative to a claim for property damage.

A motion was made by Ald. Gordon that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

33) [020706](#)

Appeal of Adam Wilson relative to a claim for property damage. (10th Aldermanic District)

Ald. Gordon moved for adoption of a substitute resolution authorizing payment to the claimant of \$459.00. The motion failed by the following vote:

Ayes: Ald. Gordon and D'Amato - 2.

Noes: Ald. Richards, Johnson-Odom and Murphy - 3.

A motion was made by Vice Chair Richards that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 1 - Gordon

34) [020689](#)

Communication from the City Attorney's Office transmitting a communication from Atty. Kevin Haass on behalf of Robert Bence relative to a claim for personal injuries.

A motion was made by Ald. Gordon that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

35) [020692](#)

Appeal of Tom Haas relative to a claim for property damage. (13th Aldermanic District)

A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

36) [020707](#)

Appeal of Gloria Madison relative to a claim for property damage. (15th Aldermanic District)

A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

A motion was made by Ald. Gordon that this matter be RECONSIDERED. The motion carried by the following vote:

Aye 3 - D'Amato, Johnson-Odom and Gordon

No 2 - Richards and Murphy

A motion was made by Vice Chair Richards that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

11:00 A.M.

37) [020802](#)

Substitute resolution supporting the "Religious Institutions in a Democracy" Project to foster religious freedom and tolerance in the Philippines.

A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

Meeting Adjourned: 11:52 A.M.

*Kathleen M. Marquardt
Staff Assistant*