



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,
rwithe@milwaukee.gov

Monday, October 7, 2013

1:30 PM

Room 301-B, City Hall

Meeting called to order at 1:37 P.M.

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

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, October 7, 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.

At 1:39 P.M. Ald. Witkowski moved 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.

Present:

Ald. Donovan, Davis, Hamilton, Witkowski and Puente

*Rudolph Konrad - Deputy City Atty
Stuart Mukamal - Asst City Atty
Richard Withers - LRB
Clifton Crump - Mayor's Office
Patricia Fricker - Asst City Atty
Sue Lappen - Asst City Atty*

At 2:30 p.m. Ald. Davis moved the Judiciary and Legislation committee reconvened into open session.

1. [130536](#) Resolution authorizing settlement of the claims raised by plaintiffs, Harvest Covenant Church and Pastor Darnell D. Robinson, in the lawsuit entitled Harvest Covenant Church, et al. v. City of Milwaukee.

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 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

2. [130682](#) Resolution authorizing payment of the claim of John Hefley, in the amount of \$60,000.

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

3. [130692](#) Communication from the City Attorney relative to expenditures from the 2013 Outside Counsel/Expert Witness SPA.

Sponsors: THE CHAIR

Appearing:
Deputy city Atty - Rudy Konrad

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

Aye 4 - Hamilton, Witkowski, Davis and Puente

No 0

Excused 1 - Donovan

4. [130472](#) 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.

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

A motion was made by ALD. WITKOWSKI 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

5. [130201](#) Resolution relating to an appeal from Randy Parlee, agent for Great

West Casualty Company, for property damage.

Sponsors: THE CHAIR

Claimant withdrew this appeal.

Ald. Donovan moved to placed on file.

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

6. [130658](#)

Resolution authorizing the return of real estate located 3774 S. 27th Street, in the 13th Aldermanic District to former owner, Eleonore Klug.

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Jim Klajbor - Treasurer

Ms. Eleonore Klug

*2009-2012 taxes if paid in October \$317,623.14
if paid by November 14, 2013 \$321,029.01*

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

7. [130660](#)

Resolution authorizing the return of real estate located 2213 N. Martin L. King Jr. Drive, in the 6th Aldermanic District to former owner, 2213 Properties (application made by HPC US Fund 2 LP, mortgagee).

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Jim Klajbor - Treasurer

Mr. Greenberg - Law Office of Atty. Martin Greenberg, LLC

*2009-2012 taxes if paid in October \$83,065.07
if paid by November 14, 2013 \$83,999.96*

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

8. [130758](#)

Resolution authorizing the return of real estate located at 1706-1708 N. 32nd Street in the 15th Aldermanic District to former owner, Long Xiong.

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Jim Klajbor - Treasurer

Mr. Long Xiong

*210-2012 taxes if paid in October \$5,303.77
if paid by November 14, 2013 \$5,364.36*

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

9. [130759](#)

Resolution authorizing the return of real estate located at 2558 N. 34th Street in the 15th Aldermanic District to former owner, Zena Emerson (Application made by Milwaukee Habitat for Humanity, Inc., mortgagee).

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Jim Klajbor - Treasurer

Quarles & Brady - Atty. Patrick Schoen on behalf of Habitat for Humanity

*2010-2012 taxes if paid in October \$2,471.42
if paid by November 14, 2013 \$2,500.88*

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, Davis, Puente and Donovan

No 0

10. [130760](#)

Resolution authorizing the return of real estate located at 2476 W. Garfield Avenue in the 15th Aldermanic District to former owner, Zofa Smith (Application made by Milwaukee Habitat for Humanity, Inc., mortgagee).

Sponsors: THE CHAIR

Appearing:

Karen Taylor - DCD

Lynn Steffen - DNS

Jim Klajbor - Treasurer

Quarles & Brady - Atty. Patrick Schoen on behalf of Habitat for Humanity

2010-2012 taxes if paid in October \$1,706.94

if paid by November 14, 2013 \$1,723.57

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

11. [130111](#)

Resolution relating to an appeal from Atty. Julius Andriusis on behalf of Jorge Martinez and Cristina Vera-Queveda for property damage. (12th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Asst City Atty, Pat Fricker

Atty. Julius Andriusis

Claimant, Cristina Vera-Queveda

Jason Blasiola - Fleet Services

Based on testimony of City department, Ald. Donovan moved denial.

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

Aye 4 - Hamilton, Davis, Puente and Donovan

No 0

Excused 1 - Witkowski

12. [130457](#) Resolution relating to the claim of Tina Polk for personal injuries. (15th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Asst City Atty. Pat Fricker

DPW Infrastructure - Jeff Delleman

Ms. Tina Polk - Claimant

Based on city department testimony, Ald. Davis moved denial

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

Aye 4 - Hamilton, Davis, Puente and Donovan

No 0

Excused 1 - Witkowski

13. [130532](#) Resolution relating to the claim of Joshua Meisenhelder for personal injuries. (11th Aldermanic District)

Sponsors: THE CHAIR

Asst City Attorney, Pat Fricker informed the committee that Mr. Meisenhelder had withdrew his claim, therefore Ald. Puente moved to be placed on file

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

Aye 4 - Hamilton, Davis, Puente and Donovan

No 0

Excused 1 - Witkowski

14. [130508](#) Resolution relating to the claim of Howard Halliburton for personal injuries.

Sponsors: THE CHAIR

Based on non appearance Ald. Donovan moved denial

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

Aye 4 - Hamilton, Davis, Puente and Donovan

No 0

Excused 1 - Witkowski

15. [130482](#) Resolution relating to the claim of Kristine and Larry Thimmesch for personal injuries.

Sponsors: THE CHAIR

Based on non appearance, Ald. Puente moved denial

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

Aye 4 - Hamilton, Davis, Puente and Donovan

No 0

Excused 1 - Witkowski

16. [130473](#) Resolution relating to the claim of Atty. Jeffrey Zarzynski on behalf of Phyllis Graves for personal injuries and damages. (1st Aldermanic District)

Sponsors: THE CHAIR

Based on non appearance, Ald. Puente moved denial

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

Aye 4 - Hamilton, Davis, Puente and Donovan

No 0

Excused 1 - Witkowski

17. [130486](#) Resolution relating to the appeal of Stephen Dye for property damage. (8th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Asst City Atty - Pat Fricker

DPW Infrastructure - Jeff Delleman

Appellant - Mr. Stephen Dye

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

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

Aye 3 - Davis, Puente and Donovan

No 1 - Hamilton

Excused 1 - Witkowski

18. [130744](#) Reappointment of Robert Spindell, Jr. to the Board of Election Commissioners by the Mayor (4th Aldermanic District)

Sponsors: THE CHAIR

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

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

No 0

19. [130761](#) Resolution relative to legislative bills.

Sponsors: THE CHAIR

Appearing:

Jennifer Gonda - Director IRD

Ald. Coggs - 6th Aldermanic District

Richard Cohn - Retired MPS Principal

Sanderal McKinney - MPS Foster Parent

David Wineguard - MPS Teacher Association

Robert Beker - Young Voters

Stephanie Findley

Milton Vaughn

Ms. NSRose

318 - Authorizing the City of Milwaukee to sell eligible school facilities to eligible purchasers.

Ald. Witkowski moved to hold a position to opposed Bill 318

Prevailed 5-0

SB - 261 Witness address required for valid absentee ballot.

Ald. Davis moved to take a position to opposed SB 261

Prevailed 5-0

Appeared:

Brand Wood - CC CC

Jennifer Gonda - Director IRD

Neil Albrecht - Election Commission

SB 297/AB 396 Absentee voting at residential care facilities
Ald. Puente moved to take a position to opposed SB 297/AB 296
Prevailed 5-0

Appearing:
Kim Montgomery - IRD
SB 230/SB 191 Animal believed to have been involved in fighting or being held as evidence.
Ald. Puente moved to take a posiiton to support AB 230/SB 191
Prevailed 5-0

SB 252/AB 289 Authorizing a city or village to require the Department of Revenue to redetermine the value of the tax incremental base on certain tax incremental districts.
Ald. Witkowski moved to take a position to watch and report
Prevailed 5-0

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

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

No 0

[130761](#)

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 5 - Hamilton, Witkowski, Davis, Puente and Donovan

No 0

Meeting adjourned at 4:28 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>.