



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, Kathy Marquardt
Fax: (414) 286-2231, E-mail: kmarqu@milwaukee.gov
File Specialist, Marian Hartner, 286-3926, E-mail: mhartn@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.*

Monday, December 13, 2004

9:00 AM

Room 301-B, City Hall

Meeting Convened: 9:05 A.M.

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

Ald. Hamilton moved that the 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 pending litigation involving Options for Community Growth, Inc. et al vs. City of Milwaukee et al, Case No. 03-C-1275, 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.

Noes: 0.

Also present:

Jan Smokowitz - City Attorney's Office

Craig Zetley and Clifton Crump - Board of Zoning Appeals

9:30 A.M.

1) [031604](#)

A substitute ordinance relating to the regulation of lobbyists.

[City Atty Opinion.pdf](#)

[Ethics Board Comments.pdf](#)

[Fiscal Note.pdf](#)

[Sub Fiscal Note.pdf](#)

A motion was made by Vice Chair Hamilton that this matter be

AMENDED. The motion carried by the following vote:

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

Noes: 0

031604

A substitute ordinance relating to the regulation of lobbyists.

[City Atty Opinion.pdf](#)

[Ethics Board Comments.pdf](#)

[Fiscal Note.pdf](#)

[Sub Fiscal Note.pdf](#)

Speakers:

Mayor Tom Barrett

City Attorney Grant Langley

Jim Owczarski - City Clerk's Office

Orville Seymer - Apartment Association of Southeastern Wisconsin

Ald. Murphy moved to amend sub. 3 to eliminate the 2-hour threshold provision related to paid lobbyists. Failed. 1-4 (Ald. Hamilton, Bohl, Bauman and D'Amato voting "no")

A motion was made by Ald. Murphy that this matter be AMENDED. The motion failed by the following vote:

Ayes: 1 - ALD. MURPHY

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

031604

A substitute ordinance relating to the regulation of lobbyists.

[City Atty Opinion.pdf](#)

[Ethics Board Comments.pdf](#)

[Fiscal Note.pdf](#)

[Sub Fiscal Note.pdf](#)

A motion was made by Chair D'Amato that this matter be RECOMMENDED FOR PASSAGE. The motion carried by the following vote:

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

Noes: 1 - ALD. BAUMAN

2) **041066**

Resolution authorizing an agreement between the City of Milwaukee and MZA Property Investors, LLC for assignment under Wisconsin Statute Section 75.106 of the City's right to an in rem foreclosure judgment against 1120 South Barclay Street in the 12th Aldermanic District (DCD-Real Estate)

[City Atty Cover Letter.DOC](#)

[Fiscal Note.DOC](#)

[Contract.DOC](#)

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

3) [040889](#)

Substitute resolution directing the Budget and Policy Division - Department of Administration to seek introduction and passage of state legislation to increase forfeitures relating to speeding.

[Fiscal Note.doc](#)

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

4) [040060](#)

Substitute resolution directing the Budget and Policy Division - Department of Administration to seek introduction and passage of state legislation making various changes to the membership and selection of the board of fire and police commissioners.

[Fiscal Note.doc](#)

[Exhibit 1.pdf](#)

Make memo from the Legislative Reference Bureau dated 12/10/04 part of the record, by Ald. Bauman. Prevailed. 5-0 (Exhibit 1)

Speakers:

David Heard - Fire and Police Commission

Crystal Miller - 2803 N. 45th St.

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

Ayes: 1 - ALD. HAMILTON

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

040060

Substitute resolution directing the Budget and Policy Division - Department of Administration to seek introduction and passage of state legislation making various changes to the membership and selection of the board of fire and police commissioners.

[Fiscal Note.doc](#)

[Exhibit 1.pdf](#)

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

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

Noes: 0

5) 041023

Substitute resolution authorizing and directing the Intergovernmental Relations Division-Department of Administration to lobby for passage of a State of Wisconsin environmental insurance reform bill.

[Fiscal Note.doc](#)

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

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

Noes: 0

041023

Substitute resolution authorizing and directing the Intergovernmental Relations Division-Department of Administration to lobby for passage of a State of Wisconsin environmental insurance reform bill.

[Fiscal Note.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

Items below will be heard no sooner than 10:45 A.M.:

6) 041027

Resolution relating to the appeal of Michael Unrein relative to a claim for loss of property. (11th 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

7) [041026](#)

Resolution relating to the appeal of Scott Larson for JMS Transportation Co., Inc. relative to a claim for property damage. (6th 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

8) [041090](#)

Resolution relating to a claim from Ivorena Taylor for loss of property and emotional distress.

[Claim.PDF](#)

[City Atty Letter.DOC](#)

[Police CAD Report.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

9) [041087](#)

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

[Appeal.PDF](#)

[City Atty Letter.DOC](#)

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

Ayes: 3 - ALD. D'AMATO, ALD. BAUMAN and ALD. MURPHY

Noes: 2 - ALD. HAMILTON and ALD. BOHL

10) [041089](#)

Resolution relating to the appeal of Paxton McClendon relative to a claim for towing, storage fees and property damage. (10th Aldermanic District)

[City Atty Letter.DOC](#)

[Appeal.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

Items below will be heard no sooner than 11:15 A.M.:

11) [041088](#)

Resolution relating to the appeal of James Groh relative to a claim for towing, storage fees and property damage. (3rd Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.DOC](#)

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

[041088](#)

Resolution relating to the appeal of James Groh relative to a claim for towing, storage fees and property damage. (3rd Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.DOC](#)

A motion was made by Vice Chair Hamilton 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

[041088](#)

Resolution relating to the appeal of James Groh relative to a claim for towing, storage fees and property damage. (3rd Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.DOC](#)

A motion was made by Ald. Bauman 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

12) [041092](#)

Resolution relating to the appeal of Arman Ghahremani relative to a claim for property damage. (3rd Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.DOC](#)

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) [040907](#)

Resolution relating to appeal of Philip George Sikes relative to a claim for property damage. (13th Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.PDF](#)

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

14) [040904](#)

Resolution relating to appeal of Mount Carmel Lutheran Church relative to a claim for property damage. (5th Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.PDF](#)

Note: Claimant amends his claim to \$2,808.05 to reflect all costs.

Individuals present:

Douglas Mann - President of Mount Carmel Lutheran Church

Samir Amin - Dept. of Public Works

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

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

15) [040730](#)

Resolution relating to appeal of Atty. John Crump on behalf of Doris Deputy relative to a claim for property damage. (9th Aldermanic District)

[Appeal.PDF](#)

[City Atty Letter.PDF](#)

[Atty Crump Letter dated 11-11-04.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

16) [041113](#)

Reappointment of Frank Sepic to the Administrative Review Appeals Board by the Mayor. (10th Aldermanic District)

[Appt. Letter.doc](#)

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

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

Noes: 0

Meeting Adjourned: 12:21 PM

*Linda M. Elmer
Staff Assistant*