



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. James Bohl, Jr., Ald. Joe Davis, Sr., and Ald. Robert Donovan

Staff Assistant, Linda Elmer, (414) 286-2232

Fax: (414) 286-3456, E-mail: lelmer@milwaukee.gov

File Specialist: Charlotte Rodriguez, 286-8797, E-mail: crodri@milwaukee.gov

Monday, February 23, 2009

1:30 PM

Room 301-B, City Hall

Meeting convened: 1:40 P.M.

Present 4 - Hamilton, Witkowski, Bohl, Donovan

Excused 1 - Davis

Roll call taken at 1:38 P.M.

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

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, February 23, 2009 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 is rendering advice with respect to Item #1...Resolution authorizing settlement of the lawsuit entitled *Schalanda Long v. Madrina De La Cruz, et al.*, for the total amount of \$35,000; and Item # 2...Resolution authorizing settlement of a lawsuit against Zurich American Insurance Company in connection with damage to certain Milwaukee water distribution facilities during the demolition of the Park East freeway; and then will go into open session for the rest of the agenda.

*Ald. Witkowski moved that 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 is rendering advice with respect to Item #1...Resolution authorizing settlement of the lawsuit entitled *Schalanda Long v. Madrina De La Cruz, et al.*, for the total amount of \$35,000; and Item # 2...Resolution authorizing settlement of a lawsuit against Zurich American Insurance Company in connection with damage to certain Milwaukee water distribution facilities during the demolition of the Park East freeway; and then will go into open session for the rest of the agenda.*

Roll call:

Ayes: Ald. Bohl, Ald. Donovan, Ald. Witkowski and Ald. Hamilton - 4

Excused: Ald. Davis

Ald. Davis arrived during the closed session at 1:38 P.M.

Individuals present:

Sue Lappen, Jan Smokowicz and Megan Crump - City Attorney's Office

Earl Smith - Water Works

1. [081396](#) Resolution authorizing settlement of the lawsuit entitled Schalanda Long v. Madrina De La Cruz, et al., for the total amount of \$35,000.

Sponsors: THE CHAIR

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

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

No 0

2. [081446](#) Resolution authorizing settlement of a lawsuit against Zurich American Insurance Company in connection with damage to certain Milwaukee water distribution facilities during the demolition of the Park East freeway.

Sponsors: THE CHAIR

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

Aye 3 - Hamilton, Witkowski and Donovan

No 2 - Bohl and Davis

2:00 P.M.

3. [081475](#) An ordinance relating to notice of actions subject to the review of the administrative review appeals board.

Sponsors: Ald. Hamilton

A motion was made by ALD. WITKOWSKI that this Ordinance be RECOMMENDED FOR PASSAGE. The motion PREVAILED by the following vote:

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

No 0

4. [081411](#) Resolution relative to various legislative bills.

Sponsors: THE CHAIR

*Individuals present:
Paul Vornholt - Intergovernmental Relations
Sharon Robinson - Dept. of Administration*

A motion was made by ALD. WITKOWSKI that this Resolution be HELD TO CALL OF THE CHAIR. The motion PREVAILED by the following vote:

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

No 0

5. [081378](#) Substitute resolution directing the Intergovernmental Relations Division-Department of Administration to seek introduction and passage of state legislation amending provisions relating to a First Class City School System to create a citywide elective position of Chief Executive Officer and abolish the position of Superintendent of Schools, and establish the terms of office of both School Board members and the Chief Executive Officer to run and expire concurrently with those of the city's Mayor and Common Council.

Sponsors: Ald. Bohl

Held at the request of the sponsor.

A motion was made by ALD. BOHL that this Resolution be HELD TO CALL OF THE CHAIR. The motion PREVAILED by the following vote:

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

No 0

2:15 P.M.

6. [081432](#) Resolution approving the transfer of money from the contingent fund to the remission of taxes fund and approving and authorizing the execution of a settlement agreement for real estate and personal property taxes in the matter of In Re Tower Automotive Inc. for property located at 3533 N. 27th Street.

Sponsors: THE CHAIR

Individuals present: Tom Gartner and Megan Crump - City Attorney's Office

A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR ADOPTION AND ASSIGNED TO the FINANCE & PERSONNEL COMMITTEE . The motion PREVAILED by the following vote:

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

No 0

7. [081394](#) Communication from the Comptroller's Office relating to a report relative to the creation of a City website to report potential fraud, waste and abuse within City government.

Sponsors: THE CHAIR

Individuals present: Jim Michalski and Dennis Smith - Comptroller's Office

A motion was made by ALD. WITKOWSKI that this Communication-Report be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:

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

No 0

8. [060638](#) Communications from various departments relative to recommendations of the Outstanding Debt Task Force.

Sponsors: THE CHAIR

Individuals present: Captain Diana Rowe and Gordon Gripe - Milwaukee Police Dept.

A motion was made by ALD. WITKOWSKI that this Communication-Report be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:

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

No 0

Items below will be heard no earlier than 2:30 P.M.:

9. [081385](#) Resolution relating to the claim of Zoilo Melendez for property damage. (12th Aldermanic District)
- Sponsors:** THE CHAIR
- Claimant not present.*
- A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the following vote:
- Aye** 5 - Hamilton, Witkowski, Bohl, Davis and Donovan
- No** 0
10. [081403](#) Resolution relating to an appeal from Jason Woll for property damage. (3rd Aldermanic District)
- Sponsors:** THE CHAIR
- Deny, based on non-appearance, by Ald. Witkowski. Withdrawn.*
- A motion was made by ALD. DONOVAN that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the following vote:
- Aye** 5 - Hamilton, Witkowski, Bohl, Davis and Donovan
- No** 0
11. [081258](#) Resolution relating to an appeal from Robert Skalla for property damage and lost wages.
- Sponsors:** THE CHAIR
- Held at the request of the claimant.*
- A motion was made by ALD. DAVIS that this Resolution be HELD TO CALL OF THE CHAIR. The motion PREVAILED by the following vote:
- Aye** 5 - Hamilton, Witkowski, Bohl, Davis and Donovan
- No** 0
12. [081384](#) Resolution relating to the claim of James Mikecz and Theresa Costello for property damage. (11th Aldermanic District)
- Sponsors:** THE CHAIR
- Individuals present:*
-

Jeff Bader - Forestry
Earl Smith - Water Works
Nancy Wroblewski - Sewers

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

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

No 0

13. [081449](#) Resolution relating to the claim of Euranna Odom for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

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

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

No 0

14. [081395](#) Resolution relating to an appeal from Candace Martin for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

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

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

No 0

15. [081402](#) Resolution relating to an appeal from Shelly Field for property damage. (3rd Aldermanic District)

Sponsors: THE CHAIR

Held at the request of the claimaint.

A motion was made by ALD. DONOVAN that this Resolution be HELD TO CALL OF THE CHAIR. The motion PREVAILED by the following vote:

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

No 0

16. [081260](#) Resolution relating to an appeal from Isaiah Bowie, Jr. for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the

following vote:

Aye 4 - Witkowski, Bohl, Davis and Donovan

No 1 - Hamilton

17. [081386](#)

Resolution relating to an appeal from Isaiah Bowie, Jr. for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

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

Aye 4 - Witkowski, Bohl, Davis and Donovan

No 1 - Hamilton

18. [081255](#)

Resolution relating to an appeal from Mamie Ward-Wilson for property damage. (9th Aldermanic District)

Sponsors: THE CHAIR

Held at the request of the claimant.

A motion was made by ALD. WITKOWSKI that this Resolution be HELD TO CALL OF THE CHAIR. The motion PREVAILED by the following vote:

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

No 0

Meeting adjourned: 4:42 P.M.

Linda M. Elmer

Staff Assistant

This meeting can be viewed in its entirety in the web-casting archives found at www.milwaukee.gov/channel25.