



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Minutes JUDICIARY & LEGISLATION COMMITTEE

ALD. WAYNE P. FRANK, CHAIR
Ald. Donald F. Richards, Vice Chair
Ald. Marvin E. Pratt, Ald. Fredrick G. Gordon, Ald. Thomas G. Nardelli

Staff Assistant, Kathleen Marquardt, 286-2231

Monday, December 8, 1997

9:00:00 AM

Room 301-B of City Hall, 200 E. Wells Street

9:00 A.M.

- 1) [971230](#) Substitute resolution authorizing settlement of the lawsuit entitled Bernadette Enders v. City of Milwaukee, et al., Milwaukee County Circuit Court Case No. 94-CV-011347.

Sponsors: THE CHAIR

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

Aye 4 - Frank, Richards, Pratt and Nardelli

No 0

Excused 1 - Gordon

- 2) [971232](#) Appeal of Marilyn Cox relative to claim for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

ALD. PRATT moved to settle for \$395. The motion failed by the following vote: Ayes: Ald. Pratt and Richards.

Noes: Ald. Nardelli and Frank. (2-2)

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

Aye 3 - Frank, Richards and Nardelli

No 1 - Pratt

Excused 1 - Gordon

- 3) [971233](#) Appeal of Francis Maio relative to claim for property damage. (13th Aldermanic District)

Sponsors: THE CHAIR

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 4 - Frank, Richards, Pratt and Nardelli

No 0

Excused 1 - Gordon

- 4) [970735](#) Appeal of Larry Webb relative to claim for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

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

Aye 4 - Frank, Richards, Pratt and Nardelli

No 0

Excused 1 - Gordon

- 5) [971237](#) Appeal of Isie Kilgore relative to claim for property damage. (10th Aldermanic District)

Sponsors: THE CHAIR

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

Aye 4 - Frank, Richards, Pratt and Nardelli

No 0

Excused 1 - Gordon

- 6) [971311](#) Appeal of Thomas Dueppen relative to claim for property damage.

Sponsors: THE CHAIR

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

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

- 7) [970738](#) Appeal of Lydia Karczewski relative to claim for property loss. (14th Aldermanic District)

Sponsors: THE CHAIR

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

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

- 8) [970739](#) Appeal of Sean Hayes relative to claim for property loss. (17th Aldermanic District)

Sponsors: THE CHAIR

Attorney Stein appeared.

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

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

- 9) [970718](#) Communication from the City Attorney's Office transmitting a communication from Bernice Zuern relative to claim for personal injuries.

Sponsors: THE CHAIR

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

Aye 4 - Frank, Richards, Pratt and Gordon

No 1 - Nardelli

9:30 A.M.

- 10) [971267](#) Communication from the Ethics Board relative to effectuating various changes to the positions Ordinance.

Sponsors: THE CHAIR

Approve

A motion was made by Ald. Nardelli that this matter be ASSIGNED TO to the FINANCE & PERSONNEL COMMITTEE. The motion carried by the following vote:

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

- 11) [971255](#) Resolution authorizing the City Treasurer to deposit up to \$250,000 with the State of Wisconsin Department of Revenue while the City appeals a Sales Tax Levy. (Comptroller)

Sponsors: THE CHAIR

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

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

- 12) [971031](#) Resolution authorizing the cancellation of Support Services Invoice No. 41963 billed to Darin Fisher and American Family Insurance in the amount of \$5,833.39 for repair of City of Milwaukee police vehicle no. 66070. (Support Services)

Sponsors: THE CHAIR

City Attorney needed more information.

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 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

- 13) [971215](#) Resolution authorizing payment of the claim of Jody Young, C.I. File No. 96-L-139. (City Attorney)

Sponsors: THE CHAIR

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

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

- 14) [971219](#) Resolution authorizing payment of the claim of Maria Benitez, C.I. File No. 96-L-139. (City Attorney)

Sponsors: THE CHAIR

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

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

- 15) [971220](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 1996 tax roll, plus interest applicable to date of repayment, if appropriate. (Assessor's Office)

Sponsors: THE CHAIR

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

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

- 16) [971243](#) Resolution to settle claim of Attorney John F. Fuchs for defense of a Police Officer.

Sponsors: THE CHAIR

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

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

9:45 A.M.

- 17) [971136](#) Resolution approving revised Municipal Court deposit schedule.
-

Sponsors: THE CHAIR

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

Aye 3 - Frank, Richards and Pratt

No 0

Excused 2 - Gordon and Nardelli

[971104](#)

A substitute charter ordinance creating the position of municipal court commissioner, amending the prohibition against municipal judges and the chief court administrator engaging in an outside business or profession, and creating an additional position of bailiff as part of the municipal court staff.

Sponsors: Ald. Frank

To add no outside activity while court is in session, by Ald. Richards. Prevailed

18) [971104](#)

A substitute charter ordinance creating the position of municipal court commissioner, amending the prohibition against municipal judges and the chief court administrator engaging in an outside business or profession, and creating an additional position of bailiff as part of the municipal court staff.

Sponsors: Ald. Frank, Ald. Richards and Ald. Gordon

Add Ald. Richards and Gordon as co-sponsors.

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

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

19) [970669](#)

A charter ordinance relating to participation of municipal judges in certain outside employment.

Sponsors: Ald. Frank

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

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

20) [971324](#)

Substitute resolution creating a special committee to study the judicial resources of the Municipal Court system.

Sponsors: Ald. Frank

Further Resolved, That the study committee be composed of 3 members and the President of the Common Council, the Chair of the Judiciary and Legislation Committee and the Mayor shall each appoint one member.

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

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

[971324](#)

Substitute resolution creating a special committee to study the judicial resources of the Municipal Court system.

Sponsors: Ald. Frank

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

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

21) [971206](#)

Resolution providing for continuance of deferred payment of assessments for worthy indigent resident property owners. (Infrastructure Services Div.)

Sponsors: THE CHAIR

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

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

10:00 A.M.

22) [971074](#)

Substitute resolution authorizing the return of real estate located at 2512 North 35th 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.

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

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

Aye 4 - Frank, Richards, Pratt and Gordon

No 1 - Nardelli

23) [971207](#)

Substitute resolution authorizing the return of real estate located at 2650 North 19th 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.

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

Deny, by Ald. Nardelli; WITHDRAWN

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

Aye 4 - Frank, Richards, Pratt and Gordon

No 1 - Nardelli

10:15 A.M.

24) [971238](#) Substitute resolution relative to various legislative bills.

Sponsors: JUDICIARY & LEGISLATION COMMITTEE

A-614 Support, by Ald. Nardelli. Prevailed;

A-448 Oppose, by Ald. Frank. Prevailed (4-1) (Ald. Nardelli opposed)

A-470 Support, by Ald. Nardelli. Prevailed

S-287 Oppose, by Ald. Nardelli. Prevailed

A-405 Support, by Ald. Richards. Prevailed.

Discussion on 1997 State Budget Bill - Wis. Act. 27

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

Aye 5 - Frank, Richards, Pratt, Gordon and Nardelli

No 0

ADJOURNED: 12:07 PM

CHRISTINE TODD, Staff Assistant