



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda 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, Joanna Polanco, 286-2366
Fax: 286-3456, jpolan@milwaukee.gov
Legislative Liaison, Richard Withers, 286-8532,
rwith@milwaukee.gov

Monday, January 9, 2012

1:30 PM

Room 301-B, City Hall

Amended 1/5/12 - Items #3 (111254) and #26 (111233) have been added to the agenda.

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, January 9th, 2012 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.

1. [111236](#) Appointment of Jessie Spraggins to the Ethics Board by the Mayor. (15th Aldermanic District)
Sponsors: THE CHAIR

2. [111221](#) Appointment of Marvin Bynum to the Ethics Board by the Mayor. (8th Aldermanic District)
Sponsors: THE CHAIR

3. [111254](#) Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.
Sponsors: THE CHAIR

4. [101578](#) Substitute resolution relating to the City of Milwaukee's position on the Western Milwaukee County Electric Reliability Project.
Sponsors: Ald. Murphy

5. [111220](#) Resolution amending Common Council File Number 110204 relating to implementation of state voter registration and voter identification requirements and election costs.
Sponsors: Ald. Coggs

6. [111151](#) Resolution authorizing payment of the claim of Michael Paynter.

- Sponsors:** THE CHAIR
7. [111133](#) Resolution authorizing payment of the claim of Cathedral Place, LLC.
Sponsors: THE CHAIR
8. [111160](#) Resolution authorizing the proper City officials to execute an amendment to the contract between the City and Harris & Harris for the collection of overdue Municipal Court judgments.
Sponsors: THE CHAIR
9. [110971](#) Resolution relating to an appeal from Gerald Jones for property damage. (5th Aldermanic District)
Sponsors: THE CHAIR
10. [111062](#) Resolution relating to an appeal from Loretta Hays-Powell for property damage. (5th Aldermanic District)
Sponsors: THE CHAIR
11. [111104](#) Resolution relating to the claim of Atty. Mark Schoenfeldt on behalf of Matt Sisson for personal injuries.
Sponsors: THE CHAIR
---\$150,000.00
12. [111103](#) Resolution relating to the claim of Ken Wolf for personal injuries. (6th Aldermanic District)
Sponsors: THE CHAIR
---\$150,000.00
13. [111066](#) Resolution relating to an appeal from Loretta Bailey for property damage. (15th Aldermanic District)
Sponsors: THE CHAIR
14. [111193](#) Substitute resolution authorizing the return of real estate located at 2959-2959 N 22nd Street, in the 7th Aldermanic District to its former owner. (Rodney Manns)
Sponsors: THE CHAIR
15. [111192](#) Substitute resolution authorizing the return of real estate located at 5061- 5061 N 31st Street, in the 1st Aldermanic District to its former owner. (Darrell Hubbard)
Sponsors: THE CHAIR
16. [111218](#) Substitute resolution authorizing the return of real estate located at 1908- A S 12th Street, in the 12th Aldermanic District to its former owner. (Rebecca Mitich on behalf of Adalberto Lozano)
Sponsors: THE CHAIR

17. [111217](#) Substitute resolution authorizing the return of real estate located at 3026 W Mitchell Street, in the 8th Aldermanic District to its former owner. (Christine Heming for the Estate of George Rekowski, Jr.)
Sponsors: THE CHAIR
18. [111216](#) Substitute resolution authorizing the return of real estate located at 3929-3933 W North Ave, in the 15th Aldermanic District to its former owner. (Jeffrey Simms, agent for MAJAS LLC)
Sponsors: THE CHAIR
19. [111215](#) Substitute resolution authorizing the return of real estate located at 4668 N Parkway Ave, in the 1st Aldermanic District to its former owner. (Micah Investments LLC)
Sponsors: THE CHAIR
20. [111214](#) Substitute resolution authorizing the return of real estate located at 1936 S Muskego Ave, in the 8th Aldermanic District to its former owner. (Gabirela Olaiz (Lazaro Perez))
Sponsors: THE CHAIR
21. [111145](#) Substitute resolution authorizing the return of real estate located at 2330 N 19th Street, in the 15th Aldermanic District to its former owner. (Annie Nixon)
Sponsors: THE CHAIR
22. [111144](#) Substitute resolution authorizing the return of real estate located at 1917 N 55th Street, in the 10th Aldermanic District to its former owner. (Patrick Brohm)
Sponsors: THE CHAIR
23. [110995](#) Substitute resolution authorizing the return of real estate located at 3002 W Juneau Ave, in the 4th Aldermanic District to its former owner. (Deidre Cox)
Sponsors: THE CHAIR
24. [111171](#) Resolution providing for continuance of deferred payment of assessments for worthy indigent resident property owners and appropriating funds for this purpose with the City cost to be \$2,260.89 with a six-year total of the deferred properties being \$ 11,313.77.
Sponsors: THE CHAIR
25. [111219](#) Resolution directing the Department of Administration - Intergovernmental Relations Division to lobby the United States Attorney General to issue new regulations relating to the safe disposal of pharmaceutical controlled substances.
Sponsors: Ald. Bohl
26. [111233](#) A substitute ordinance relating to revisions of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.
Sponsors: THE CHAIR

27. [110458](#) Resolution relating to legislative bills.

Sponsors: THE CHAIR

--- Update on the status of bills reported to the Government Accountability Board during the 2011-2012 Legislative Session.

This meeting will be webcast live at www.milwaukee.gov/channel25.

Common Council members who are not members of this committee may attend this meeting to participate or to gather information. This meeting may constitute a meeting of the Common Council or any of its standing committees although no formal action will be taken at this meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For assistance contact the Legislative Services ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Parking for persons attending City Hall meetings is available at reduced rates (5 hour limit) at the Milwaukee Center (southwest corner of E. Kilbourn Ave. and N. Water St.) Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code are required to register with the City Clerk's License Division. Lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at www.milwaukee.gov/lobby.



Legislation Details (With Text)

File #: 111236 **Version:** 0

Type: Appointment **Status:** In Committee

File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Appointment of Jessie Spraggins to the Ethics Board by the Mayor. (15th Aldermanic District)

Sponsors: THE CHAIR

Indexes: APPOINTMENTS, ETHICS BOARD

Attachments: Appointment Letter, Resume, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

111236

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Appointment of Jessie Spraggins to the Ethics Board by the Mayor. (15th Aldermanic District)

Drafter

Mayor

TB

12/20/11

December 20, 2011

To the Honorable, the Common Council
of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to appoint Ms. Jessie Spraggins, 2136 North 46th Street, to replace Ms. Martha Toran to represent the NAACP on the Ethics Board. This appointment is pursuant to Section 303-15 of the Milwaukee Code of Ordinances. Ms. Spraggins's term will commence upon taking of the oath of office.

I trust this appointment will have the approval of your Honorable Body.

Respectfully submitted,

A handwritten signature in black ink that reads "Tom Barrett". The signature is written in a cursive style with a large, sweeping initial "T".

Tom Barrett
Mayor

Jessie M. Spraggins
2136 North 46th Street
Milwaukee, Wisconsin 53208
(414) 444-7842
Jessie.spraggins@yahoo.com

Professional Work Experience

11/12 to Present Job Development Resale Center, LLC (JDRC)
CEO/Director of Operations/Owner of Center to incentive and motivate individuals with barriers to employment in a Resale Training environment. Job Development of connecting individuals needing employment with the community by providing a link to employment,

12/97 to 04/11 **Goodwill Industries of SE WI Milwaukee, Wisconsin**
(Nation's largest comprehensive workforce development agency – Goodwill provides work opportunities and skill development for people with barriers to employment.)

Corporate Manager of Benefits, Compensation and Wellness (2009 – Present)
Responsible for the Administration of corporate benefits, review of all 403b plan documents, record minutes of Retirement fiduciary responsibility, monitor and review medical plans and usage, set up and implement wellness program to reduce benefits costs, monitor billing for all benefit costs, administer COBA, review and negotiable with vendors in reference to the richness and cost of broker recommended plans, monitor and analyze salary surveys, meet with vendors and analyze products; contract vendors for prevailing wage studies, write and review administrative policies, analyze and write job positions for level, exempt/non-exempt status, Duties also included Facilities Security Officer, etc.

Director of Human Resources – Great Lakes (5/2006 – 1/2009)
Same duties as Assistant Director except responsibility included more writing of Standard Operating Procedures, Employee Relations training for supervisor and managers, policy handbook writing and training for employees, preparation for government and state audits; benefit administration at Great Lakes, oversight for the administration of benefits based on various contracts.

Assistant Director of Human Resources (2003 – 2006)
Responsible for Human Resources (1700 employees) at Goodwill – Great Lakes, Illinois Mediate and negotiate employee claims with IDHR, outside legal counsel and employees. Represent Goodwill at unemployment hearings and employee relation's matters. Review and monitor Worker's compensation return to work and follow up treatment visits as needed. Responsible for recruitment and staffing (700 individuals hired in 3 months to service a new Food-Service contract.) Direct report staff was responsible for corrective action review, supervisory and sexual harassment training. Investigate and recommend solutions to EEOC charges. Attend monthly employee meetings to facilitate, motivate and build employee's morale. Orientation for staff at all levels to familiarize employees with the agency. Advice and counsel managers and supervisors in reference to employee's relations issue.

Spraggins – page 2

Consult with management in reference to organizational structure, promotions and terminations. Write/update and evaluate job descriptions. Conduct and respond to salary surveys. Monitor and advise safety team. Review and monitor the validity of safety claim documentation. Lost time decreased by 27% with a 19% employee increase. Review and update safety SOP.

Update and Create employee handbooks. Support benefits initiatives. In this position directly responsible for four (4) professional positions and one (1) support position.

Manager of Human Resources – Goodwill Great Lakes (99 – 2003)

Position consisted of extensive employee relations, recruitment, employee orientation and benefit interpretation.

1997 – 1999 Goodwill - Employment Solutions, Inc,

Responsible for extensive recruitment, interviewing and employee relations support in reference to Job Center North, Goodwill Stores and the opening of Job Center – Northwest. Created and updated employee handbook.

5/94 to 12/97 Homes for Independent Living (HIL) Waukesha, Wisconsin - a division of Oconomowoc Residential Programs – Waukesha/Milwaukee County based organization specialized in Group Homes for individuals with disabilities and supported living for seniors.

Employment supervisor

Responsibility included recruitment of Group Home counselors and managers for supervising and supporting individuals with developmental disabilities.

Rehabilitation counselor – This position involved helping residents with daily living skills to make positive life choices. Reviewed and updated Individual plans. Assisted and helped residents to integrate into the community through jobs or community activities.

5/93 to present Set-up Federal ID number for **Career Academy Resource (CAR)** – too provided interviewing skill development, counseling and self-esteem coaching for unemployed or underemployed individuals to make positive career or job choices. Some of the assignments have included “HR Consultant” for the opening of “Milwaukee Job Development,” Microsoft Excel and Word instructor for MATC for AC-Delco; substitute teacher at Milwaukee Spectrum alternative school for at risk high school students.

5/72 – 5/93 **Banking Industry, Milwaukee Wisconsin** – (Banc One (stated as Marine Bank, now Chase) – **Human Resources Officer** and FIRSTAR (started as First Wisconsin) – **HR Consultant**) Started in operation’s area processing checks, payroll and accounting. The career advancement track includes the following promotions: Personnel records, HRIS systems specialist, Jr. Staffing Specialist, HR Generalist, HR Officer and Consultant throughout the 15 years in banking.

Spraggins – page 3

HR duties included personnel records, interviewing, college recruitment, exit interviews, retirement benefits calculations and review, AAP, exit interviews, training, HRIS system data set-up and update, community activities, safety and training, etc. Additional responsibilities were in payroll, accounting A/R, and A/P.

Educational Experience

Cardinal Stritch University – Milwaukee, Wisconsin.

Master Degree in Management – Thesis emphasis on individual motivation and morale
Bachelor Degree – Personnel Management

Marquette University – Milwaukee, Wisconsin
(Undergraduate credits)

MATC - Milwaukee, Wisconsin

Associate in Arts – Banking and Finance

MPS (Milwaukee Public School)

Military

Wisconsin Army National Guard

Personnel Specialist – Reviewed and updated personnel files and retirement service records; typed orders

NCOIC in charge of Chemical; NCOIC of Labor relations (Several awards and Ribbons – Lasting Response – California, Major Richard I. Bong Award, Noncommissioned Officers (NCOIC) diploma, Battalion Training Management System (BTMS) - Trainer

Other Community and business organizations

WELCOA (Wellness Organization of America)
SHRM (Society of Human Resource Management)
Milwaukee Branch NAACP
City of Milwaukee Ethics Board
North Chicago Chamber of Commerce
Milwaukee Urban League
MATC – Business Advisors
United Ushers Chorus
Fifer Community Choir
Corinth MBC – Ushers and Nurses
UPAF

Certificates and Awards

NISH – Institute for Leadership, Performance & Development
(Federal Compliance)

Advance Human Resources Symposium - Certificate

Goodwill - Most Valuable Performers – 700 hired and dedication to teamwork.

Spraggins – page 4

ServSafe Certification – National Restaurant Association
Department of Health and Social Services – CBRF Fire Safety
FIRSTAR – Business of Human Resources
United Ushers Association of Wisconsin – Transportation co-chairperson
Illinois Dept of Human Rights – Conflict Resolution/Interpersonal Skills
Illinois Dept of Human Rights – EEO Non-Discrimination Workshop
Illinois Dept of Employment Security – Employee Drug Use Recognition
Private industry Council – Job fair overwhelming success
H&R Block – Basic Income Tax Preparation
YWCA – Careers in Banking
Data Base, Inc.
MATC – Banking and Financial Services Advisory Committee
FPMA – Board Member
Milwaukee Habitat for Humanity, Inc. – Volunteer
Central City Project – Job fair participation
Junior Achievement – HS Recruiter
Black Leadership Conference
Toastmasters International – Charter Member
Girl Scouts of America – Park lawn – Leader



Legislation Details (With Text)

File #: 111221 **Version:** 0

Type: Appointment **Status:** In Committee

File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Appointment of Marvin Bynum to the Ethics Board by the Mayor. (8th Aldermanic District)

Sponsors: THE CHAIR

Indexes: APPOINTMENTS, ETHICS BOARD

Attachments: Appointment Letter, Resume, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

111221

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Appointment of Marvin Bynum to the Ethics Board by the Mayor. (8th Aldermanic District)

Drafter

Mayor

TB

12/20/11

December 19, 2011

To the Honorable Members of the Common Council
of the City of Milwaukee

Honorable Members of the Common Council:

I am pleased to appoint Mr. Marvin C. Bynum II, 1306 S. 30th Street, Milwaukee, Wisconsin 53215, to represent the Public Policy Forum on the Ethics Board. This appointment is pursuant to Section 303-15 of the Milwaukee Code of Ordinances. Mr. Bynum's term will commence upon taking of the oath of office.

I trust this appointment will have the approval of your Honorable Body.

Respectfully submitted,

A handwritten signature in black ink that reads "Tom Barrett". The signature is written in a cursive style with a large, sweeping initial "T".

Tom Barrett
Mayor

MARVIN C. BYNUM II
1306 S. 30TH ST. • MILWAUKEE, WI 53215 • 414/383-4285 •
MBYNUM@GKLAW.COM

PROFESSIONAL EXPERIENCE

Godfrey & Kahn, S.C.

Milwaukee, Wisconsin

Associate, September 2010 – present

Summer Associate, May – August 2008 and July – August 2009

- Real Estate Practice Group, Member
 - Negotiate and coordinate sales and acquisitions of commercial real estate throughout the country, including sales of distressed assets.
 - Represent both landlords and tenants in sophisticated leasing transactions of office, industrial and retail space.
 - Serve as counsel to borrowers in real estate acquisition financing and debt restructuring transactions.
 - Prepare and negotiate construction documents for tenant improvement projects.
- Marquette Fellowship Committee, Member

Athletic Business Publications Inc.

Madison, Wisconsin

Associate Editor, September 2001 – August 2007

PUBLICATIONS

Testing the Waters: Assessing Wisconsin's Regulatory Climate for Offshore Wind Projects, 93 MARQ. L. REV. 1533 (2010)
(<http://scholarship.law.marquette.edu/mulr/vol93/iss4/44/>)

EDUCATION

Marquette University Law School

Milwaukee, Wisconsin

Juris Doctor, May 2010

Cum Laude G.P.A.: 3.480/4.000

- Activities:
 - *Marquette Law Review*, Editor in Chief
 - Associate Dean and Associate Professor Matthew J. Parlow, Research Assistant
 - Academic Success Program, Student Leader
 - Street Law Project, Student Teacher
 - Black Law Students Association, Treasurer
 - Environmental Law Society, Member
- Honors:
 - Godfrey & Kahn Fellow in Law (included three-year full-tuition scholarship)
 - Dean's List, Fall 2007, Fall 2008 and Fall 2009
 - Senior Speaker, May 2010 Commencement

Arizona State University

Tempe, Arizona

Bachelor of Arts in English Literature, Minor in History, December 2006

- Honors: Dean's List, Fall 1998 and Spring 2000

SERVICE

Marquette University Law School

Milwaukee, Wisconsin

Member, Annual Minority Alumni/ Student Reception Committee, June 2010 – present

Attorney Mentor, Street Law Program, September 2010 – present

Milwaukee Fatherhood Initiative

Milwaukee, Wisconsin

Special Event Coordinator, February – September 2007

Layton Boulevard West Neighbors

Milwaukee, Wisconsin

30th Street Block Captain, September 2006 – August 2007



Legislation Details (With Text)

File #: 111254 **Version:** 0

Type: Communication **Status:** In Committee

File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

Sponsors: THE CHAIR

Indexes: CITY ATTORNEY, CONSULTANTS

Attachments: Cover letter, Outside Counsel/Expert Report, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111254
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title

Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

Requestor

Drafter
CC-CC
jp
1/5/11

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNDR
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
CHRISTINE M. QUINN
MARGARET C. DAUN
JEREMY R. MCKENZIE
MARY L. SCHANNING
Assistant City Attorneys

January 5, 2012

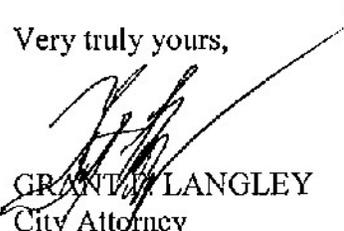
Alderman Ashanti Hamilton, Chair
Judiciary & Legislation Committee
City Hall – Room 205

Re: Expenditures for Outside Counsel and Experts

Dear Alderman Hamilton:

Pursuant to Common Council FN 030083, I am enclosing for your information an itemization of 2011 expenditures posted year-to-date from the Outside Counsel/Expert Witness Fund Special Purpose Account. Please contact me if you have any questions.

Very truly yours,


GRANT F. LANGLEY
City Attorney

Enclosures
GFL:bgw
#176827

OFFICE OF THE CITY ATTORNEY

2011 OUTSIDE COUNSEL/EXPERT WITNESS SPECIAL PURPOSE ACCOUNT YEAR-TO-DATE EXPENDITURES
 January 5, 2012

Account	Dep	Class	Amount	ShortName	Desc	Bud Ref	Year
634005	1490	S157	1,836.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	1,596.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	1,659.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	1,881.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	1,602.00	BLOCK, PETER	JUDE v. CITY	2010	2011
634005	1490	S157	1,737.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	1,596.00	BLOCK, PETER	ADJ TO PO 0000132314	2010	2011
634005	1490	S157	-1,596.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	1,518.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	69.00	BLOCK, PETER	JUDE v. CITY	2010	2011
634005	1490	S157	1,893.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	1,998.00	BLOCK, PETER	JUDE v. CITY	2010	2011
634005	1490	S157	1,857.00	BLOCK, PETER	JUDE v. CITY	2010	2011
634005	1490	S157	1,476.00	BLOCK, PETER	JUDE v. CITY	2010	2011
634005	1490	S157	1,992.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	1,902.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	1,785.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	1,920.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	2,055.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	1,596.00	BLOCK, PETER	ADJ TO 01066527	2011	2011
634005	1490	S157	-1,596.00	BLOCK, PETER	ADJ TO 01066527	2010	2011
634005	1490	S157	1,830.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	1,986.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	1,941.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	2,457.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	535.00	BLOCK, PETER	JUDE v. CITY	2011	2011
634005	1490	S157	1,490.00	BLOCK, PETER	JUDE v. CITY	2011	2011

2011 OUTSIDE COUNSEL/EXPERT WITNESS SPECIAL PURPOSE ACCOUNT YEAR-TO-DATE EXPENDITURES
 January 5, 2012

Account	Dept	Class	Amount	ShortName	Descr	Bud Ref	Year
634005	1490	S157	1,875.00	BLOCK, PETER	JUDE v. CITY	2011	2011
			40,890.00				
634005	1490	S157	3,350.04	BOARDMAN, SUHR, CURRY & FIELD	OUTSIDE COUNSEL - MILW STREET	2011	2011
634005	1490	S157	657.65	BOARDMAN, SUHR, CURRY & FIELD	OUTSIDE COUNSEL - MILW STREET	2011	2011
			4,007.69				
634005	1490	S157	9,018.75	EB JACOBS	EXPERT WITNESS (JUDE v. CITY)	2011	2011
634005	1490	S157	15,981.25	EB JACOBS	EXPERT WITNESS (JUDE v. CITY)	2011	2011
634005	1490	S157	29,425.00	EB JACOBS	EXPERT WITNESS (JUDE v. CITY)	2011	2011
634005	1490	S157	5,575.00	EB JACOBS	EXPERT WITNESS (JUDE v. CITY)	2011	2011
634005	1490	S157	10,193.75	EB JACOBS	EXPERT WITNESS (JUDE v. CITY)	2011	2011
634005	1490	S157	3,400.00	EB JACOBS	EXPERT WITNESS (JUDE v. CITY)	2011	2011
			73,593.75				
634005	1490	S157	289.42	GRZECA LAW GROUP	QADDAH, DIAB	2011	2011
634005	1490	S157	10.01	GRZECA LAW GROUP	KHUBBAR, MANJEET	2011	2011
634005	1490	S157	166.88	GRZECA LAW GROUP	QADDAH, DIAB	2011	2011
634005	1490	S157	9.79	GRZECA LAW GROUP	KHUBBAR, MANJEET	2011	2011
634005	1490	S157	200.75	GRZECA LAW GROUP	QADDAH, DIAB	2011	2011
634005	1490	S157	1,800.00	GRZECA LAW GROUP	KHUBBAR, MANJEET	2011	2011
			2,476.85				
634005	1490	S157	65.00	GUNTA REAK	JACOBY v. DUDLEY	2011	2011
634005	1490	S157	2,256.10	GUNTA REAK	JUDE v. CITY (BELMORE)	2011	2011
634005	1490	S157	-2,256.10	GUNTA REAK	ADJ TO PO 0000126445	2011	2011
634005	1490	S157	2,256.10	GUNTA REAK	Jude v. City	2009	2011
634005	1490	S157	158.75	GUNTA REAK	JUDE v. CITY (BELMORE)	2010	2011
634005	1490	S157	2,076.25	GUNTA REAK	JUDE v. CITY (BELMORE)	2010	2011
634005	1490	S157	4,717.90	GUNTA REAK	JACOBY v. DUDLEY	2010	2011

2011 OUTSIDE COUNSEL/EXPERT WITNESS SPECIAL PURPOSE ACCOUNT YEAR-TO-DATE EXPENDITURES
 January 5, 2012

Account	Dept	Class	Amount	ShortName	Descr	Bud Ref	Year
634005	1490	S157	844.60	GUNTA REAK	JACOBY v. Dudley	2010	2011
634005	1490	S157	1,167.50	GUNTA REAK	JACOBY v. Dudley	2010	2011
634005	1490	S157	1,128.50	GUNTA REAK	JACOBY v. DUDLEY	2011	2011
634005	1490	S157	25.85	GUNTA REAK	Jude v. City	2011	2011
634005	1490	S157	1,306.65	GUNTA REAK	Jude v. City	2009	2011
634005	1490	S157	414.50	GUNTA REAK	Jude v. City	2009	2011
634005	1490	S157	4,577.15	GUNTA REAK	JACOBY v. DUDLEY	2011	2011
634005	1490	S157	282.10	GUNTA REAK	JACOBY v. DUDLEY	2010	2011
634005	1490	S157	1,248.65	GUNTA REAK	Jude v. City	2011	2011
634005	1490	S157	1,934.75	GUNTA REAK	JACOBY v. DUDLEY	2011	2011
634005	1490	S157	389.00	GUNTA REAK	JACOBY v. DUDLEY	2011	2011
634005	1490	S157	3,038.75	GUNTA REAK	Jude v. City	2011	2011
634005	1490	S157	49.25	GUNTA REAK	JACOBY v. DUDLEY	2011	2011
C:\Documk	1490	S157	279.75	GUNTA REAK	JUDE v. CITY (BELMORE)	2010	2011
634005	1490	S157	209.00	GUNTA REAK	JACOBY v. DUDLEY	2011	2011
634005	1490	S157	5,023.15	GUNTA REAK	Jude v. City	2011	2011
634005	1490	S157	1,435.25	GUNTA REAK	Jude v. City	2011	2011
634005	1490	S157	52.25	GUNTA REAK	JACOBY v. DUDLEY	2011	2011
634005	1490	S157	8,071.63	GUNTA REAK	JUDE v. CITY (BELMORE)	2010	2011
634005	1490	S157	2,702.05	GUNTA REAK	Jude v. City	2011	2011
634005	1490	S157	2,375.30	GUNTA REAK	JACOBY v. DUDLEY	2011	2011
			45,829.63				
634005	1490	S157	401.50	HARLEY, GREG	Haas v COM trial testimony	2011	2011
			401.50				
634005	1490	S157	3,026.60	HAYE, THOMAS	OUTSIDE CONSULTANT	2011	2011
634005	1490	S157	2,175.66	HAYE, THOMAS	OUTSIDE CONSULTANT	2011	2011

2011 OUTSIDE COUNSEL/EXPERT WITNESS SPECIAL PURPOSE ACCOUNT YEAR-TO-DATE EXPENDITURES
 January 5, 2012

Account	Dept	Class	Amount	ShortName	Descr	Bud Ref	Year
634005	1490	S157	895.94	HAYE, THOMAS	OUTSIDE CONSULTANT	2010	2011
634005	1490	S157	2,952.60	HAYE, THOMAS	OUTSIDE CONSULTANT	2011	2011
			9,050.80				
634005	1490	S157	5,130.90	ICE MILLER	DEFERRED COMP CONSULTATION	2011	2011
			5,130.90				
634005	1490	S157	2,425.50	MICHAEL BEST	BOZA Appeals Case No. 28710	2010	2011
634005	1490	S157	2,649.50	MICHAEL BEST	BOZA Appeals Case No. 28710	2011	2011
634005	1490	S157	517.50	MICHAEL BEST	BOZA Appeals Case No. 28710	2010	2011
634005	1490	S157	713.56	MICHAEL BEST	BOZA Appeals Case No. 28710	2011	2011
634005	1490	S157	6,561.94	MICHAEL BEST	BOZA Appeals Case No. 28710	2011	2011
634005	1490	S157	7,511.56	MICHAEL BEST	BOZA Appeals Case No. 28710	2011	2011
634005	1490	S157	5,075.00	MICHAEL BEST	BOZA Appeals Case No. 28710	2011	2011
			25,454.56				
634005	1490	S157	1,500.00	NAHMUD, SHELDON	METROPOLITAN ASSOC V COM	2011	2011
			1,500.00				
634005	1490	S157	16,668.75	RAWWSKI, ROBERT	EXPERT WITNESS (JUDE V. CITY)	2011	2011
634005	1490	S157	8,331.25	RAWWSKI, ROBERT	EXPERT WITNESS (JUDE V. CITY)	2011	2011
634005	1490	S157	28,493.75	RAWWSKI, ROBERT	EXPERT WITNESS (JUDE V. CITY)	2011	2011
			53,493.75				
634005	1490	S157	23,799.48	REINHART BOERNER	OUTSIDE COUNSEL - PENSION OPIN	2011	2011
			23,799.48				
634005	1490	S157	40,600.00	SEIBEL LAW OFFICE	U.S. Oil v. City Appeal	2011	2011
634005	1490	S157	175.00	SEIBEL LAW OFFICE	U.S. Oil v. City Appeal	2010	2011
634005	1490	S157	1,137.50	SEIBEL LAW OFFICE	U.S. Oil v. City Appeal	2010	2011
634005	1490	S157	1,102.50	SEIBEL LAW OFFICE	U.S. Oil v. City Appeal	2011	2011
634005	1490	S157	15,590.00	SEIBEL LAW OFFICE	U.S. Oil v. City Appeal	2010	2011

2011 OUTSIDE COUNSEL/EXPERT WITNESS SPECIAL PURPOSE ACCOUNT YEAR-TO-DATE EXPENDITURES
 January 5, 2012

Account	Dept	Class	Amount	ShortName	Descr	Bdd/Ref	Year
634005	1490	S157	9,400.00	SEIBEL LAW OFFICE	U.S. Oil v. City Appeal	2011	2011
634005	1490	S157	7,782.50	SEIBEL LAW OFFICE	U.S. Oil v. City Appeal	2011	2011
634005	1490	S157	15,925.00	SEIBEL LAW OFFICE	U.S. Oil v. City Appeal	2011	2011
634005	1490	S157	4,322.50	SEIBEL LAW OFFICE	U.S. Oil v. City Appeal	2011	2011
634005	1490	S157	962.50	SEIBEL LAW OFFICE	U.S. Oil v. City Appeal	2011	2011
			96,997.50				
634005	1490	S157	303.75	WEBER, ROBERT	GRABOWSKI V VOLKERT	2011	2011
634005	1490	S157	168.75	WEBER, ROBERT	LOGAN V HAGEN	2011	2011
			472.50				
			383,098.91	Grand Total			



Legislation Details (With Text)

File #: 101578 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 4/12/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution relating to the City of Milwaukee’s position on the Western Milwaukee County Electric Reliability Project.

Sponsors: ALD. MURPHY

Indexes: MILWAUKEE COUNTY, UTILITIES

Attachments: Proposed Route Options Map.pdf, Hearing Notice List, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
4/12/2011	0	COMMON COUNCIL	ASSIGNED TO		
5/11/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
12/7/2011	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
12/7/2011	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
101578
Version
SUBSTITUTE 1
Reference

Sponsor
ALD. MURPHY
Title

Substitute resolution relating to the City of Milwaukee’s position on the Western Milwaukee County Electric Reliability Project.

Analysis

This resolution expresses the City of Milwaukee’s opposition to construction of an overhead high-voltage electric transmission line along the east side of U.S. Highway 45 in the vicinity of Blue Mound Road and Wisconsin Avenue as part of the American Transmission Company’s Western Milwaukee County Electric Reliability Project. It further states that the City is not opposed to construction of an underground transmission line along either 95th Street or 92nd Street in the same area. In addition, this resolution states that if the American Transmission Company decides to proceed with construction of only one of the proposed high-voltage transmission lines in the City of Milwaukee, the

City supports construction of the less-costly of the 2 underground options.

Body

Whereas, The proposed Western Milwaukee County Electric Reliability Project consists of 2 components:

1. Construction of a new We Energies substation adjacent to the existing Milwaukee County Substation and Milwaukee County Power Plant at 93rd Street and Watertown Plank Road in the City of Wauwatosa.
2. Construction, by American Transmission Company ("ATC"), of 2 2-mile, 138,000-volt transmission lines to serve the new substation. Several underground and overhead route options in both the City of Milwaukee and the City of Wauwatosa have been proposed.

; and

Whereas, ATC plans to submit a project approval application, including 2 or more route options, to the Wisconsin Public Service Commission in early 2012 and hopes to perform final design and easement acquisition in 2013, commence construction in 2014 and place the new facilities in service in 2015; and

Whereas, ATC is soliciting public comment on the proposed transmission line project, including the various route options; and

Whereas, Because 3 of the 8 currently-proposed route variations -- an overhead line along the east side of U.S. Highway 45, an underground line primarily along 95th Street and an underground line primarily along 92nd Street, all roughly from Interstate 94 to Wisconsin Avenue -- would traverse City of Milwaukee neighborhoods, it is appropriate for the City of Milwaukee to express its position on the transmission line project; and

Whereas, Because residents and institutions along 95th Street just east of Highway 45 (including Milwaukee Montessori School, St. Therese Catholic Church and St. Mark's Lutheran Church) are already subjected to high levels of noise, air and aesthetic pollution stemming from the proximity of major freeways and the Zoo Interchange, and because of the possible harmful human health effects of overhead power transmission lines, the Common Council finds that the proposed Highway 45 overhead alignment is an unacceptable route option for one of ATC's proposed transmission lines; and

Whereas, The Common Council further finds that the Highway 45 overhead route option is undesirable because overhead power lines are more likely to cause weather-related power failures than underground lines; and

Whereas, The Common Council also finds that both proposed underground route options through the City of Milwaukee are acceptable and that if ATC is going to construct only one route through the City, it should -- in the interest of electricity rate-payers -- proceed with construction of whichever of these 2 underground options is less costly; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee opposes the proposed Highway 45 route option for the Western Milwaukee County Electric Reliability Project (shown as "Route C HWY 45 (Overhead)" on the "Proposed Route Options" map prepared by ATC,

which is attached to this Common Council file); and, be it

Further Resolved, That the City of Milwaukee does not oppose the construction either of the proposed underground routes through the City of Milwaukee for the Western Milwaukee County Electric Reliability Project (shown as "Route C 95th St. (Underground)" and "Route D (Underground)" on the "Proposed Route Options" map); and, be it

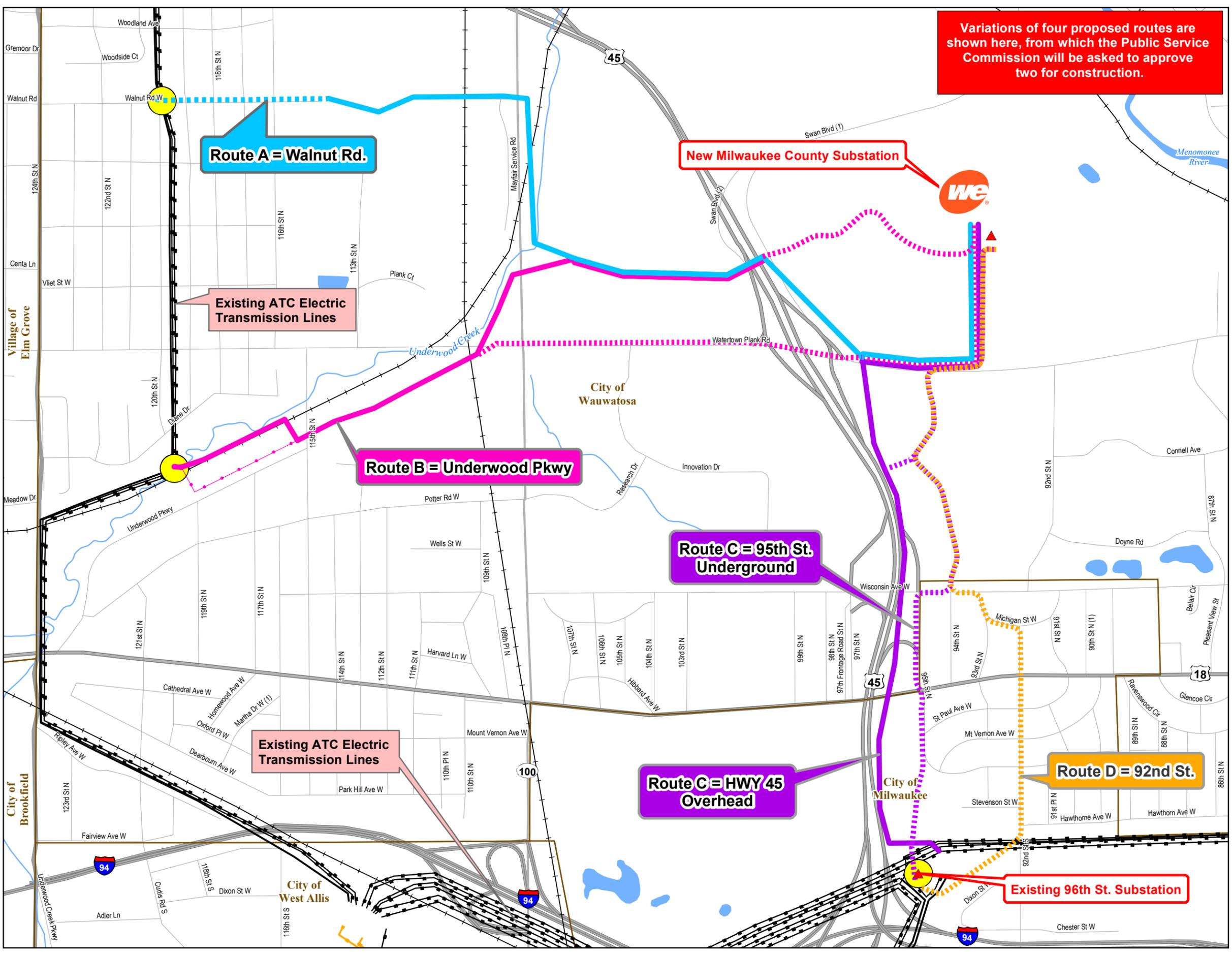
Further Resolved, That if the American Transmission Company decides to proceed with construction of only one of the proposed high-voltage transmission lines in the City of Milwaukee, the City supports construction of the less-costly of the 2 underground options; and, be it

Further Resolved, That the City Clerk shall send copies of this resolution to the American Transmission Company and the Wisconsin Public Service Commission.
Requestor

Drafter
LRB127044-2
Jeffrey D. Osterman
11/22/2011

Western Milwaukee County Electric Reliability Project

Variations of four proposed routes are shown here, from which the Public Service Commission will be asked to approve two for construction.

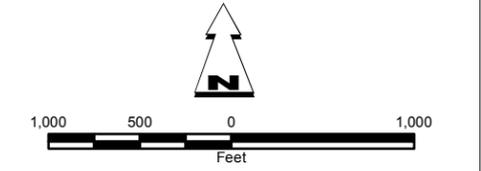


- ### Proposed Route Options
- Connection options to existing transmission system
 - End Point
 - Route A (Overhead)
 - Route A (Underground)
 - Route B (Overhead)
 - Route B Alternative (Overhead)
 - Route B (Underground)
 - Route C HWY 45 (Overhead)
 - Route C 95th St. (Underground)
 - Route D (Underground)

- ### Existing ATC Facilities
- Substations
 - 138 kV
 - Multiple circuit line

In order to operate two transmission lines reliably:

- Only one of the two proposed power lines can come from the west.
- At the point of entry to the new We Energies substation, at least one of the lines must be placed underground.



The information presented in this map document is advisory and is intended for reference purposes only. American Transmission Company owned and operated facility locations are approximate. Data Sources: WDNR - Trout Streams, Exceptional Resource Waterways, Wetlands, PSCW, WDOT

MICHAEL J. MURPHY

ALDERMAN, 10TH DISTRICT

City Hall, Room 205
200 East Wells Street
Milwaukee, WI 53202

Phone (414) 286-3763
Fax (414) 286-3456

e-mail: mmurph@mllwaukee.gov
website: www.mllwaukee.gov/district10



CHAIR:
Finance & Personnel Committee
Employee Retirement System Investment Committee
Housing Trust Fund Advisory Board
Milwaukee Arts Board

MEMBER:
Steering & Rules Committee
Zoning, Neighborhoods & Development
Deferred Compensation Plan Board

December 20, 2011

Pete Holtz
Routing and Siting Manager
American Transmission Company
P.O. Box 47
Waukesha, WI 53187-0047

Dear Mr. Holtz,

I respectfully request that the American Transmission Company provide the financial cost for an amended Route C of electric transmission lines for the Western Milwaukee County Electric Reliability Project. This amended route would be located underground along 95th Street from the existing 96th Street Substation to Wisconsin Avenue and then proceed above ground to the new Milwaukee County Substation. This route would be supported by Milwaukee Montessori School, St. Therese Parish and the surrounding neighborhood, but could be less costly than Route C which is entirely underground.

I appreciate you adding Route C as an option to be submitted to the Public Service Commission of Wisconsin, as this was a route that I proposed. However, upon further review of the map and in the spirit of reducing costs, I believe that amending underground Route C by including transmission lines that begin above ground at Wisconsin Avenue and travel north would be less costly and provide the same benefits for the entire project.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael J. Murphy'.

Michael J. Murphy
Alderman, 10th District



CORPORATE HEADQUARTERS: P.O. BOX 47 ■ WAUKESHA, WI 53187-0047
PHONE: 282-506-6700 ■ TOLL FREE: 866-899-3204 ■ FAX: 282-506-6124 ■ www.atc.com

December 22, 2011

Michael J. Murphy
Alderman, 10th District
200 East Wells Street, Room 205
Milwaukee, WI 53202

Dear Alderman Murphy,

I appreciate your support of the residents living in the 95th Street area. As we discussed, ATC has completed its analysis of alternative routes for the Western Milwaukee County Electric Reliability Project. Transmission line routing involves trade-offs between a variety of factors including environmental impacts, constructability, current and future land use, project costs and specific electric system needs.

On December 16, we have filed our Project Plan with the Wisconsin Department of Natural Resources, which is the initial step in the application process. This Plan includes the route alternatives that we have been presenting to the public since October of this year and will be included in our formal application to the Wisconsin Public Service Commission in February.

We previously provided your office with the cost information for the three alternatives located in the 95th Street area:

- Option 1: 95th St. - All Overhead along Hwy. 45 to the west of the apartment, Montessori School and the St. Theresa, continuing as close to the freeway as possible to Watertown Plank : \$ 5.3 million.
- Option 2: 95th St. - Overhead along Hwy. 45 to a point mid-way between Wisconsin Avenue and Watertown Plank Rd. and then underground through the MRMC property: \$10.1 million
- Option 3: 95th St. - All underground along in 95th Street and running through the MRMC property on 94th Street: \$19 million

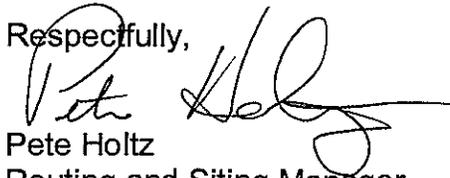
The route and line configuration you proposed is technically feasible. And while we have not developed formal cost estimates for your proposed option, we expect the cost would be comparable to Option 2. As we have said publicly, because undergrounding transmission lines are more expensive to construct initially and can result in lengthy and costly outages in the event of a problem, we are only proposing underground lines in those cases where an overhead line cannot be constructed, where physical constraints

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prevent an overhead line or for a technical reason, such as preserving the reliability of service to the medical complex. The route option you are advocating on behalf of the residents in the area does not meet those criteria. The request you made in your December 20, 2011, letter will be included as part of our filing with the Public Service Commission, but will not be proposed by ATC. As the regulatory review process moves forward, you, the City of Milwaukee, Montessori School or St. Therese Church can advocate for and request that the PSCW consider and evaluate your proposal.

The PSC issued a new docket number for this project which will include We Energies' application for approval to construct their substation. The new docket number is 5-CE-139.

Respectfully,

A handwritten signature in black ink, appearing to read "Pete Holtz", with a long horizontal flourish extending to the right.

Pete Holtz
Routing and Siting Manager
American Transmission Company

..Number

101578

..Version

PROPOSED SUBSTITUTE

..Reference

..Sponsor

ALD. MURPHY

..Title

Substitute resolution relating to the City of Milwaukee's position on the Western Milwaukee County Electric Reliability Project.

..Analysis

The proposed Western Milwaukee County Electric Reliability Project calls for the construction, by American Transmission Company, of 2 2-mile, 138,000-volt transmission lines to serve a new electric substation on the Milwaukee County Grounds. Several underground and overhead transmission-line route options in both the City of Milwaukee and the City of Wauwatosa have been proposed. This resolution states that, with regard to the siting of new transmission lines in the City of Milwaukee portion of the project area, the City of Milwaukee supports a route consisting of an underground transmission line along 95th Street between the existing 96th Street Substation and Wisconsin Avenue and an overhead transmission line from Wisconsin Avenue to the new Milwaukee County Substation.

..Body

Whereas, The proposed Western Milwaukee County Electric Reliability Project consists of 2 components:

1. Construction of a new We Energies substation adjacent to the existing Milwaukee County Substation and Milwaukee County Power Plant at 93rd Street and Watertown Plank Road in the City of Wauwatosa.
2. Construction, by American Transmission Company ("ATC"), of 2 2-mile, 138,000-volt transmission lines to serve the new substation. Several underground and overhead transmission-line route options in both the City of Milwaukee and the City of Wauwatosa have been proposed.

; and

Whereas, ATC plans to submit a project approval application, including 2 or more route options, to the Wisconsin Public Service Commission in early 2012 and hopes to perform final design and easement acquisition in 2013, commence construction in 2014 and place the new facilities in service in 2015; and

Whereas, ATC is soliciting public comment on the proposed transmission line project, including the various route options; and

Whereas, Because 3 of the 8 currently-proposed route variations -- an overhead line along the east side of U.S. Highway 45, an underground line primarily along 95th Street and an underground line primarily along 92nd Street, all roughly from Interstate 94 to Wisconsin

Avenue -- would traverse City of Milwaukee neighborhoods, it is appropriate for the City of Milwaukee to express its position on the transmission line project; and

Whereas, Because residents and institutions along 95th Street just east of Highway 45 (including Milwaukee Montessori School, St. Therese Catholic Church and St. Mark's Lutheran Church) are already subjected to high levels of noise, air and aesthetic pollution stemming from the proximity of major freeways and the Zoo Interchange, and because of the possible harmful human health effects of overhead power transmission lines, the Common Council finds that the proposed Highway 45 overhead alignment is an unacceptable route option for one of ATC's proposed transmission lines; and

Whereas, The Common Council further finds that the Highway 45 overhead route option is undesirable because overhead power lines are more likely to cause weather-related power failures than underground lines; and

Whereas, The Common Council also finds that the route through the City of Milwaukee that is most acceptable is a transmission line that would be located underground along 95th Street between the existing 96th Street Substation and Wisconsin Avenue and overhead from Wisconsin Avenue to the new Milwaukee County Substation; and

Whereas, This route is preferable to the other City of Milwaukee routes proposed by ATC because it is:

1. Supported by the Milwaukee Montessori School, St. Therese Parish and residents of the surrounding neighborhood.
2. Technically feasible to construct and operate, according to the American Transmission Company.
3. Several million dollars less expensive to construct than an all-underground route along 95th Street or 92nd Street, thereby producing significant savings for We Energies rate-payers.

; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that with regard to the Western Milwaukee County Electric Reliability Project and the siting of new transmission lines in the City of Milwaukee portion of the project area, the City of Milwaukee supports a route consisting of an underground transmission line along 95th Street between the existing 96th Street Substation and Wisconsin Avenue and an overhead transmission line from Wisconsin Avenue to the new Milwaukee County Substation; and, be it

Further Resolved, That the City Clerk shall send copies of this resolution to the American Transmission Company and the Wisconsin Public Service Commission.

..Requestor

..Drafter
LRB127044-3
Jeffrey D. Osterman
01/05/2012



Legislation Details (With Text)

File #: 111220 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution amending Common Council File Number 110204 relating to implementation of state voter registration and voter identification requirements and election costs.

Sponsors: ALD. COGGS

Indexes: ELECTIONS, VOTER REGISTRATION

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111220
Version
ORIGINAL
Reference
110204
Sponsor
ALD. COGGS
Title

Resolution amending Common Council File Number 110204 relating to implementation of state voter registration and voter identification requirements and election costs.

Analysis

The legislature enacted 2011 Wisconsin Act 23 (Act 23) on May 25, 2011, effective June 10, 2011. Act 23 revised state election laws relating to: requiring identification to vote at a polling place or to obtain an absentee ballot; absentee voting; late voter registration; proof of residence; a requirement that electors provide signatures when voting in person at an election; the duration and location of residency for voting purposes; and other matters.

This resolution amends Common Council File Number 110204 which, among other things, requires the Election Commission to report, "as soon as is practicable," the numbers of rejected ballots after each election held beginning in 2012. The amendment replaces that requirement and directs the Election Commission to provide its report to the Common Council within 30 days of each general election for both regular elections and recall elections, if any.

The resolution provides further amendments directing the Election Commission to provide the Common Council with information detailing the numbers of individuals who are denied registration or who are denied ballots due to the new documentation requirements of Act 23, including proof of residency and photo identification requirements.

The resolution provides a final amendment directing the Election Commission to report the direct and indirect costs of implementing Act 23 for all elections held in 2012.

Body

Whereas, 2011 Wisconsin Act 23 (Act 23), enacted May 25, 2011 and effective June 10, 2011, revised state election laws relating to: requiring identification to vote at a polling place or to obtain an absentee ballot; absentee voting; late voter registration; proof of residence; a requirement that electors provide signatures when voting in person at an election; the duration and location of residency for voting purposes; and other matters; and

Whereas, The nonpartisan Wisconsin Legislative Fiscal Bureau has estimated that the costs to the state over the 2011-2013 biennium for implementation of Act 23, not including the costs of recall elections, will be \$7 million, including lost revenue resulting from the issuance of free voter identification cards to qualified individuals; and

Whereas, The 2011-2013 Wisconsin Budget has appropriated \$1.8 million for implementation of Act 23; and

Whereas, Municipalities bear the general costs of implementing Act 23 in their respective jurisdictions, including the direct and indirect costs of educating the public, training poll workers, language translation, processing registration and other election data, maintaining and storing documentation, quality assurance and compliance activities; and

Whereas, The registration and residency requirements of Act 23 will be implemented in all elections held in 2012 and thereafter; and

Whereas, Changes in voter registration and voting procedures as a result of Act 23 implementation may adversely impact the elderly, the infirm and individuals disadvantaged due to poverty and lack of education, and the changes include the following provisions:

1. Requiring proof of residency within a ward for 28 days rather than 10 days prior to voter registration.
2. Requiring proof of identification when voting at the polls or when submitting and voting an absentee ballot.
3. Requiring that the name of the individual on the proof of identification conforms to the name on voter registration records.
4. Requiring photo identification in the form of an operator's license issued by the Wisconsin Department of Transportation (DOT), an identification card issued by the DOT, an identification card issued by a U.S. uniformed service, or a U.S. passport only if the photo identification has not expired prior to the previous election.
5. Eliminating acceptance of an out-of-state driver's license as proof of

identification.

6. Requiring that an elector sign the poll list, supplemental list, or other separate list when voting.

7. Requiring that registration forms include information identifying the previous residence address of the elector and the elector's current and license number, if any. valid driver's

8. Requiring that proof of residence of a university, college or technical college student include a photo identification card and fee receipt dated within 9 months of the election.

; and

Whereas, Acceptable documentation for obtaining photo identification under Act 23, including birth certificates, may be difficult or impossible to obtain and creates a financial obstacle for some potential voters; and

Whereas, Campaigns to recall state various officials have been initiated, petitions for recall elections have been circulated and recall elections may be scheduled and conducted in 2012; and

Whereas, The Common Council finds that the Election Commission has the capacity to report on matters related to the conduct of primary and general elections within 30 days of each general election; and

Whereas, The final clause in the Common Council Resolution File Number 110204 provides: "Further Resolved, That, beginning in 2012 and for 4 years thereafter, the Election Commission shall provide the Common Council with a report as soon as is practicable after each election detailing the numbers, or estimate of numbers, of individuals submitting ballots that were not counted, including the reason or reasons that ballots were not counted"; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council File Number 110204, adopted on July 26, 2011, is amended by deleting the last "Further Resolved" clause and by adding the following "Further Resolved" clauses:

"Further Resolved, That, beginning in 2012 and for 4 years thereafter, the Election Commission shall provide a report to the Common Council within 30 days after each regular general election, or recall election, detailing the numbers, or estimate of numbers, of individuals submitting ballots that were not counted, including the reason or reasons that ballots were not counted in the general election or recall election, and in any related primary election; and be it

"Further Resolved, That all other resolved clauses articulated in Common Council File Number 110204 shall remain in full force and effect; and, be it

"Further Resolved, That the report provided by the Election Commission following each general election shall include the numbers of persons denied registration in the course of the election due to failure to present sufficient documentation or other proof of residency required under Act 23 including information identifying the particular requirements of Act 23 that were not met; and, be it

“Further Resolved, That the report provided by the Election Commission following each general election shall include the numbers of persons denied a ballot in the course of the election due to failure to present sufficient photo identification or other documentation of identity required under Act 23 including information identifying the particular requirements of Act 23 that were not met; and, be it

“Further Resolved, That any report provided by the Election Commission in compliance with this resolution for elections held in 2012 shall describe the costs to the Election Commission, and other City agencies, associated with implementing Act 23, including reasonable estimates of both indirect and direct costs incurred after the effective date of Act 23; and, be it

“Further Resolved, That the Election Commission may include in its reports such other and additional information relating to the effects of implementation upon the City and the public as the Election Commission determines may be of interest to the Common Council, including cost savings, if any.”

Drafter

LRB135711-1

Richard L. Withers

12/19/2011



Legislation Details (With Text)

File #: 111151 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing payment of the claim of Michael Paynter.

Sponsors: THE CHAIR

Indexes: CLAIMS PAYMENT

Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111151
Version
ORIGINAL
Reference

Sponsor
THE CHAIR

Title
Resolution authorizing payment of the claim of Michael Paynter.

Analysis
This resolution authorizes payment of the claim of Michael Paynter in the amount of \$10,707.04.

Body
Whereas, The claimant, Michael Paynter, C.I. File No. 11-L-64, has filed a claim against the City of Milwaukee in the amount of \$14,413.84, and

Whereas, The City has agreed to settle the claim in the amount of \$\$10,707.04, and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to pay this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that proper city officers be and hereby are authorized and directed to issue a City check in the amount of \$\$10,707.04, payable to the order of Michael Paynter, 2924 North 82nd Street, Milwaukee, WI 53222, in full and final payment of this claim, upon receipt of

a release of claim, approved as to form and execution by the City attorney; said amount to be charged to Damages and Claims Account-636506 - Fund No. 0001 - Organization 1490 - Program 2631 - Sub Class S118.

Requestor

City Attorney

Drafter

JAS:ms

December 6, 2011

1048-2011-2073:176143

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
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JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
CHRISTINE M. QUINN
MARGARET C. DAUN
JEREMY R. MCKENZIE
MARY L. SCHANNING
Assistant City Attorneys

December 6, 2011

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of Michael Paynter
C.I. File No. 11-L-64

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

Claimant, Michael Paynter, 2924 North 82nd Street, Milwaukee, WI 53222 alleges that a fire hydrant had been improperly installed in the 2900 block of North 82nd Street, and that as a result, the City sewer line was clogged. After some rain on June 21, 2011, the sewer backed up into his basement. He claims damages in the amount of \$14,413.84.

Our investigation reveals that the Milwaukee Water Works (MWW) records indicate that on June 21, 2011 they were engaged in activity to replace a fire hydrant at 2940 North 82nd Street. During this process, their distribution crew backfilled the excavation site with crushed limestone chips. They later blacktopped the area with a temporary asphalt patch. Subsequently, the Department of Public Works – Sewer Maintenance received and responded to several backwater complaints in the 2900 block of North 82nd Street. They determined that the City sewer was working properly and that sewer laterals in the area were clogged with gravel. The MWW crew was unaware that, due to heavy rains, some of the limestone chips had entered and clogged the laterals. This caused the back up into the claimant's basement.

Subsequently, the claimant's basement was inspected by our independent appraiser and the damages were reviewed. He evaluated the damages to be \$10,707.04. The claimant has agreed to accept this amount in settlement of his claim.

Honorable Common Council
December 6, 2011
Page 2

Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend settlement of this claim in the amount of \$10,707.04 and have enclosed an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1048-2011-2073:176142

Michael Paynter
2924 N. 82nd St.
Milwaukee, WI 53222
414-336-4409
payntm@yahoo.com

July 20, 2011

City Clerk
ATTN: CLAIMS
200 E. Wells St, Room 205
Milwaukee WI 53202-3567

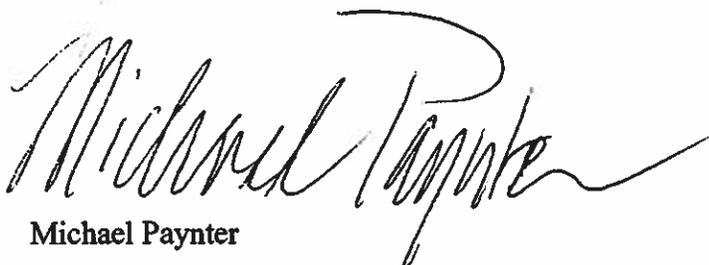
Dear City Claims Office,

I am writing to inform you of an incident that occurred at my home in the early evening hours on Tuesday June 21st, 2011. After some rainfall, I had water backup into my basement from the main sewer line connected from the street. I live in the 2900 block of N. 82nd Street in Milwaukee as noted in the address at the top of this letter. I have attached several photos as evidence of my basement water damage as well as several emails shared with me between Milwaukee Alderman James Bohl Jr., other city of Milwaukee employees, and other residence on my block that were also affected with sewer backups on the evening of June 21st, 2011. These emails clearly indicate the city water department's improper fire hydrant installation on the 2900 block of N. 82nd Street as the cause for the clogged sewer line and subsequent sewer backups on this particular evening.

I have incurred significant damage to my basement and am seeking reimbursement in the amount of \$14,413.84. This will cover expenses that have been and will be incurred to cleanup, sanitize, and restore my basement back to its original state prior to this incident plus the value of damaged personal items. The breakdown of the reimbursement sought includes the following items:

- Carpet cleaner rental: \$36.37 (receipt attached)
- Basement tear out/mold mitigation/reconstruction: \$12,187.50 (2 estimates attached)
- Total replacement cost of items destroyed – \$2189.97 (2 comparable replacement receipts attached per item listed below)
 - 14' sectional sofa: (\$1,799.99)
 - Stereo speakers: (\$139.99 x 2 = \$279.98)
 - Callaway Golf bag: (\$110.00)

Sincerely yours,



Michael Paynter

CITY OF MILWAUKEE
2011 JUL 26 PM 3:57
RONALD D. LEONHARDT
CITY CLERK

CITY OF MILWAUKEE
RECEIVED
2011 JUL 28 PM 2:17
OFFICE OF
CITY ATTORNEY

**Copy of communications between
Milwaukee Alderman James Bohl Jr and
city of Milwaukee officials stating
improper fire hydrant installation as the
root cause of sewer backups on June
21st, 2011 on the 2900 block of N. 82nd
Street in Milwaukee.**

Peterson, Todd

From: Bohl, James
Sent: Wednesday, June 22, 2011 3:11 PM
To: Lewis, Carrie; Daniels, Laura; Peterson, Todd
Subject: FW: enough

Carrie/Laura,

With what was shared with me it would appear that there may be some culpability on the part of the Water Works for a faulty installation of a hydrant that lead to several basement backwaters on the 2900 block of N. 82nd St. I would like to request your investigation of this matter, with the additional request that if found to be true that the Water Works compensate residents fairly for any damage or loss due to basement flooding.

I'd appreciate hearing back from you on any findings. Thanks much, jb

From: Brooks, Robert
Sent: Wednesday, June 22, 2011 2:59 PM
To: Goldapp, Dave
Cc: Daniels, Laura; Bohl, James; Aquino, Martin; Thur, Timothy
Subject: FW: enough

Laura/Dave,

Below are our findings after we televised the city's main sewer in the 2900 block of North 82nd Street.

Bob - 3241

From: Rosolek, Mark
Sent: Wed 6/22/2011 1:45 PM
To: Brooks, Robert; Stewart, Anthony
Subject: 2836 N 82nd St

Bob,

We will bulkhead the 2" weep hole in the MH @ 2936 N 82nd St ASAP. The sewer was clogged on 6/21/11 due to pea gravel coming thru the old hydrant drain. We will also have someone take a look @ the inlet. Ben Glatzel from the Water Dept. reports that the curb box was sinking even before they began their work. There were several backwaters in this block due to pea gravel from a water department hydrant installation. There is no problem with the city's main sewer.

Thanks,

Mark Rosolek
City of Milwaukee
Mark.Rosolek@milwaukee.gov
414-286-3786

From: Bohl, James
Sent: Wed 6/22/2011 1:00 PM
To: [REDACTED]

6/22/2011

Cc: Aquino, Martin; Polenske, Jeffrey; Thur, Timothy; Yousuf, Zafar
Subject: RE: enough

Martin/Jeff/Zafar,

Wanted to make you aware of the following. Thanks. jb

From: [REDACTED]
Sent: Wednesday, June 22, 2011 12:26 PM
To: Bohl, James
Subject: Re: enough

Hi Jim:

That might very well be, but you may want to talk to the crew who worked here last night before coming to the conclusion that the problem originates with the laterals of the various homeowners.

And if our laterals were so plugged up we probably wouldn't get as much backup, would we? The plugged lateral would prevent a lot of that (and prevent our normal home water draining as well).

Again, you may wish to speak to the crew who handled this.

Regards...

On Wed, Jun 22, 2011 at 11:48 AM, Bohl, James <jbohl@milwaukee.gov> wrote:
Dan,

The need for roto-rooter means your lateral line leaks—as roots enter the system for a water/food source where leaks provide access. This also means that the lateral is likely contributing to the infiltration and info problem of the larger sanitary sewer. Now multiply this by neighbor over and over again. The next issue is if your home is at a low point on the block or larger area. Once there is extra water in the system, it seeks a low point and when it surcharges (over fills the large pipe system) will start to fill basements of homes at these low points. The efforts of the city is to seal the sources to prevent the rainwaters from getting in. You may want to look online at backwater prevention valves. You'll have to weigh if it is worth considering but I wanted to bring this to your attention. It may provide some remedy to your problem. jb.

From: [REDACTED]
Sent: Wednesday, June 22, 2011 10:36 AM
To: Bohl, James
Subject: Re: enough

Jim:

Thanks for your note.

According to the crew last night the main problem on our street was a clogged sewer main pipe. They spent a few hours with their "roto-rooter" trying to clean it out. After breaking through a clogged area (near 82nd and Chambers) the water in our basements immediately started to drain. They are planning a return trip (today?) to do more roto-rooting and they said they would be sending a camera down there to check it out.

6/22/2011

They also handed all of us a sheet of paper asking us to fill it out and get it back to the City, along with photos of the mess. The crew stressed several times that it was the main sewer drain that was the issue. If so, that might explain why we have had yearly, and sometimes twice-yearly, basement backups. Since 1996 I and many neighbors on the block have had this problem *almost every year*.

What a horrible mess....but thanks for your note.


On Wed, Jun 22, 2011 at 8:41 AM, Bohl, James <jbohl@milwaukee.gov> wrote:
Dan,

Sorry this happened to you.

The biggest problem is the laterals in the area homes that are now going on nearly 70 years old, are made of clay and have cracked significantly since the 50's where they were not cracked. The problem has been studied at numerous sites and has been confirmed that private properties with faulty laterals is the biggest single contributing factor. That is a fix that residents are required to make on their own dime, per code. Of course there are public main sources that are contributing as well.

I have been extremely active on this topic. I have pushed DPW for city mains being replaced in the larger area, including one on Locust where the work will be done this summer to improve flow for residents in the area. I also pushed for the city's one major demonstration pilot project to be in our area. I chaired the city's recently completed task force that will call for major city and MMSD assistance to homeowners to relieve the lateral problem and foundation drain problem (pre-1955 plumbing code for some dumb reason allowed foundation drains to drain into the sanitary sewer and this needs to be corrected as it also is allowing massive amounts of rainwater to overflow the sanitary sewer system). I've attached some articles that spell out part of the problem and some of my active roll on this issue.

In terms of get it done, this will take the active roll of the Mayor as well as my colleagues on the council. Task forces are advisory. Changes need the active leadership of the Mayor putting things in his budget along with the majority vote of the Council. My vote will be going in the proper places for proper fixes. I can only hope that others on the Council will join me.

Best, jb

<http://www.jsonline.com/news/opinion/103354104.html>

<http://city.milwaukee.gov/ImageLibrary/Groups/ccCouncil/2011-PDF/05-FloodingStudyTaskForcetoVot.pdf>

<http://city.milwaukee.gov/ImageLibrary/Groups/ccCouncil/2011-PDF/05-FloodingTaskForcerectocmte.pdf>

<http://www.jsonline.com/news/milwaukee/124167959.html>

From: 
Sent: Tuesday, June 21, 2011 9:08 PM
To: Bohl, James
Subject: enough

Dear Jim:

Forgive me, Jim, but have had it with these floods in my basement.

6/22/2011

Quick history: my Dad bought this house in 1957 and until the day I bought it in 1979 we had only one minor basement flood issue...in 1962. Since the late 1990s I have had floods almost every single year. I am going through one right now.

Now, it is perfectly obvious that something is wrong - not with the weather, but with our system. I would hope that something sensible is being done, for once, to address and correct this problem. Kindly inform those in charge of our system to FIX IT.



The City of Milwaukee is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City of Milwaukee e-mail should presume that e-mail is subject to release upon request, and is subject to state records retention requirements. See City of Milwaukee full e-mail disclaimer at www.milwaukee.gov/email_disclaimer

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Peterson, Todd

From: Bohl, James
Sent: Tuesday, June 28, 2011 2:46 PM
To: Peterson, Todd
Subject: FW: 2900 N. 82nd St. Flooding

Please forward a hard copy of this email to all of our constituents on 82nd St who reported a flooding incident last week. They should include this with their claim made to the city. I will still have the discussion with Water Works to see if they might be willing to handle this without the claims process, but am uncertain if this is legal/possible. Folk's should still file the claim within 120 days of the incident. Thanks, jb

From: Daniels, Laura
Sent: Tuesday, June 28, 2011 2:14 PM
To: Bohl, James
Cc: Brooks, Robert
Subject: RE: 2900 N. 82nd St. Flooding

Alderman,
I am getting back to regarding your emails of today. I am working with Bob Brooks of Sewers about the ongoing sewer back up investigation in the 2900 block of N 82nd St.

What I can tell you thus far is that is that the Water Works did replace the hydrant at 2940 N 82nd Street on June 21, 2011. The hydrant which was originally installed with the water main in 1928, apparently had a 2" drain to the sewer. Not all hydrants of this vintage had drains and if they did, not all were connected to the sewer. However, when discovered these drains are to be disconnected and abandoned. The drain at this location was not visible or evident during the course of our excavating activities.

With that being said, Sewers is still investigating with dye tests and cameras to locate the possible cause of sewer backups in this area especially since they were reported to be ongoing annually since the 1990's.

Bob Brooks and I will keep you updated as soon as we know more.

Laura

From: Bohl, James
Sent: Tuesday, June 28, 2011 8:46 AM
To: Daniels, Laura
Cc: Peterson, Todd
Subject: 2900 N. 82nd St. Flooding

Laura,

Have you any update for me on the basement flooding investigation that I requested regarding the alleged back-ups on this street due to fill from a fire hydrant installation getting into the sanitary sewer? I'd appreciate your sharing anything you find here. Thanks, jb

6/28/2011

Photos of basement damage

BASEMENT STAIRWELL



6/21/2011 9:22:57 PM

BASEMENT (SOUTH)



6/21/2011 10:28:21 PM

LAUNDRY ROOM ENTRANCE



6/21/2011 9:39:54 PM

LAUNDRY ROOM



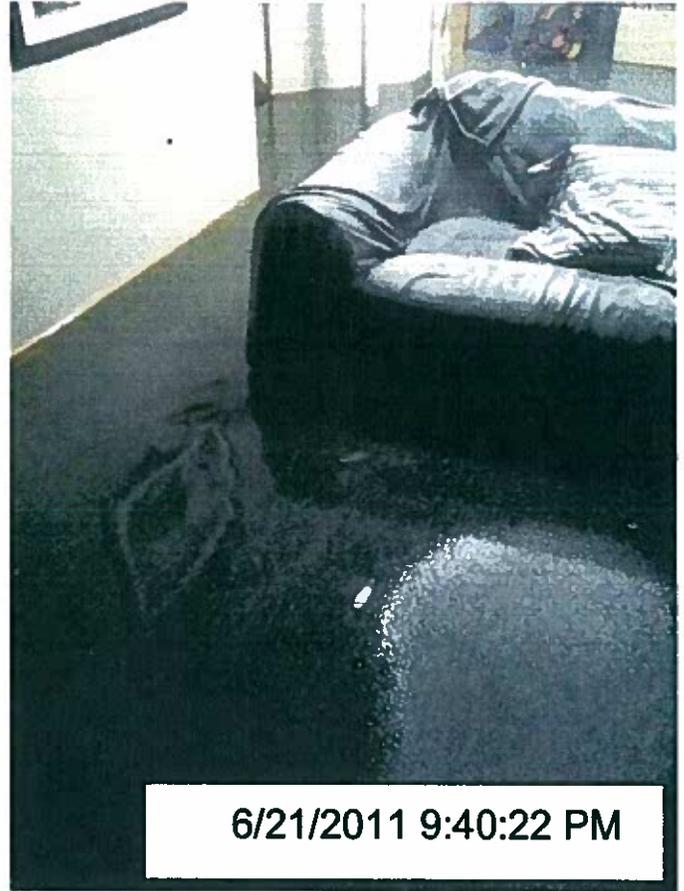
6/21/2011 9:39:59 PM

BASEMENT (NORTH)



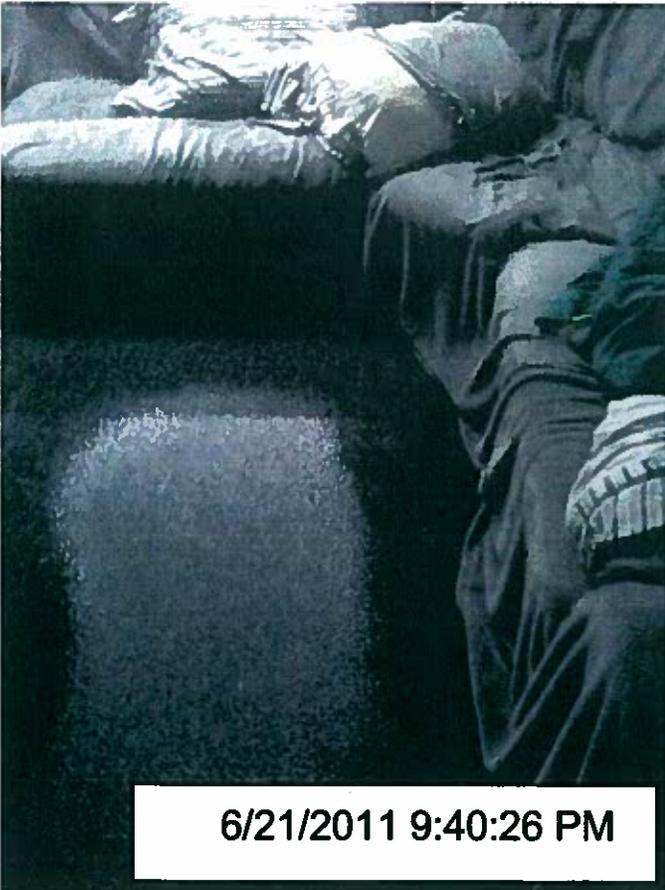
6/21/2011 9:40:05 PM

COUCH UNDER WATER



6/21/2011 9:40:22 PM

COUCH UNDER WATER #2



6/21/2011 9:40:26 PM

UTILITY ROOM



6/21/2011 9:55:25 AM

IMPROPERLY INSTALLED FIRE HYDRANT (ROOT CAUSE)



6/27/2011 7:40:32 PM

Receipts of expenses incurred

Home Depot carpet cleaner rental – (\$36.37)



More saving.
More doing.SM

4100 NORTH 124TH STREET
WAUWATOSA, WI 53222 (414)353-5471

4923 00023 20547 06/22/11 02:28 PM
CASHIER BRIAN - BJK0815

CUSTOMER AGREEMENT # 196342	
RECALL AMOUNT	50.00
SALES TAX	0.00
TOTAL	\$50.00
XXXXXXXXXXXX3006 AMEX	50.00
AUTH CODE 170417/2231185	TA

CUSTOMER AGREEMENT # 196342 50.00
DEPOSIT NO# 49231106220232054196342941



4923 23 20547 06/22/2011 8429

THE HOME DEPOT RESERVES THE RIGHT TO
LIMIT / DENY RETURNS. PLEASE SEE THE
RETURN POLICY SIGN IN STORES FOR
DETAILS.

GUARANTEED LOW PRICES
LOOK FOR HUNDREDS OF
LOWER PRICES STOREWIDE

ENTER FOR A CHANCE
TO WIN A \$5,000
HOME DEPOT GIFT
CARD!

Share Your Opinion With Us! Complete
the brief survey about your store visit
and enter for a chance to win at:

www.homedepot.com/opinion

¡PARTICIPE EN UNA
OPORTUNIDAD DE GANAR
UNA TARJETA DE
REGALO DE THD
DE \$5,000!

¡Comparta Su Opinión! Complete la breve
encuesta sobre su visita a la tienda y
tenga la oportunidad de ganar en:

www.homedepot.com/opinion

User ID:
46306 41406

Password:
11322 41383

Entries must be entered by 07/22/2011.
Entrants must be 18 or older to enter.
See complete rules on website. No
purchase necessary.

RENTAL AGREEMENT

No. 196342



Store 4923 WAUWATOSA
4100 NORTH 124TH ST
WAUWATOSA, WI 53222
(414) 353-5471

Hours: Mon 6:00 - 10:00
Tue 6:00 - 10:00
Wed 6:00 - 10:00
Thr 6:00 - 10:00
Fri 6:00 - 10:00
Sat 6:00 - 10:00
Sun 8:00 - 8:00

STAPLE REGISTER RECEIPT HERE

BILL TO

MIKE PAYNTER
2924 N 82ND STREET
MILWAUKEE, WI 53222
PHN (414) 336-4409

Agent	Driver's License Number WI ***** 4800	Vehicle License WI	Written By BRIAN K
Job Number/Location 2924 N 82ND STREET	Job Phone	PD Number/Birthdate	Checked in By
Date and Time Out 06/22/2011 2:27 pm	Date and Time Due in 06/23/2011 2:27 pm	Date and Time in	Rented Period

RENTAL EQUIPMENT

Part Number	Out	In	Description	Min Charge	Ex-Hours	Per Day	Per Week	Per Month	DP	Tax	Amount
0990142113	1	0	Carpet Cleaner	18.00	5.00	24.97	100.00	300.00	Y	Y	24.97

Rental Subtotal 24.97

CARRY OUT MERCHANDISE

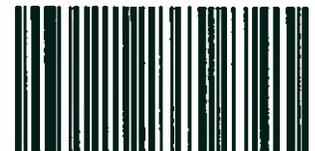
(excluding Optional Damage Protection)

Date	SKU	Out	In	Used	UM	Description	TAX	Price Each	EXTENSION
06/22	799-985	1	0	1	EA	7-IN-1 CARPET CLEANER QT /TR	Y	6.97	6.97

Merchandise Subtotal 6.97

I HAVE ACCEPTED THE OFFER OF DAMAGE PROTECTION DESCRIBED IN PARAGRAPH 5 OF THE TERMS AND CONDITIONS OF THE RENTAL AGREEMENT.	Agreement Subtotal	31.94
	*Estimated Damage Protection (10% of Rental Subtotal)	2.50
	Sales Tax	1.93
	*Estimated Total	36.37
	Deposit	50.00

*ESTIMATED TOTAL IF RETURNED BY 06/23/2011 2:27 pm



(9801) 02 00344769

**Estimates for basement tear out,
cleanup, mold mitigation, and
reconstruction.**

Kelmann Corporation – (\$12,187.50)



12001 West Dearbourn Avenue
 Wauwatosa, Wisconsin 53226
 Main (414) 774-3799
 Fax (414) 774-2144
 www.kelmann.com

Proposal

SUBMITTED TO	Paynter, Mike	DATE	07.15.2011
STREET	2924 N. 82 nd St.	JOB NUMBER	20223
CITY, STATE, ZIP	Milwaukee, WI 53226	JOB ADDRESS	Same

We hereby propose to furnish material and labor necessary for services as follows:

Remediation and restoration as specified in Kelmann Corporation Scope #20223, dated 7.15.2011, pages 1-5 (see attached).

All work will be performed in a first-class, professional manner by experienced remediation technicians and craftsmen thoroughly familiar with the above scope of work.

WE PROPOSE hereby to furnish material and labor - complete in accordance with above specifications, For the amount of: Twelve Thousand One Hundred Eighty-Seven and 50/100-----dollars (\$12,187.50).

\$4000.00 Down, \$8187.50 Due Upon Completion.

This proposal may be withdrawn if not accepted within 30 days.

Bill Hutchinson 7/15/2011
 Bill Hutchinson, Kelmann Corporation DATE

CONDITIONS OF THE CONTRACT

Testing and/or removal of any hazardous materials is excluded. All workmanship and materials are to comply with the requirements of the Codes and the City Ordinances governing this class of work. Additional work may be ordered by the customer at any time before the work is started at the unit prices named in the schedule. Any other change from the work as herein described, involving additional cost of labor or material, is to be paid for by the customer in addition to the contract price named herein, at the price agreed upon or at our regular rates for time and material work. No changes will be made and no additional work will be installed except upon written order of the customer. If the customer disposes of the real estate by sale or otherwise, the full amount remaining unpaid under this contract becomes due and payable within 48 hours after date of such disposal. It is hereby mutually agreed that the contractor shall not be held responsible or liable for any loss, damage or delay caused by fire, strikes, civil or military authority, or by insurrection or riot, or by any other cause beyond his control.

CUSTOMER'S RIGHT TO CANCEL

You may cancel this agreement by mailing a written notice to Kelmann Corporation, 12001 West Dearbourn Avenue, Wauwatosa, WI 53226, before midnight of the third business day after you sign this agreement. If you wish, you may use this page as that notice by writing, "I hereby cancel," and adding your name and address, if a duplicate is provided by the seller, for your records.

As required by the WISCONSIN CONSTRUCTION LIEN LAW, builder hereby notifies owner that persons or companies furnishing labor or materials for the construction on owner's land may have lien rights on owner's land and buildings if not paid. Those entitled to lien rights, in addition to the undersigned builder, are those who contract directly with the owner or those who give the owner notice within 60 days after they first furnish labor or materials for construction. Accordingly, owner probably will receive notices from those who furnish labor and material for this construction, and should give a copy of each notice received to the mortgage lender, if any. Builder agrees to cooperate with the owner and the owner's lender, if any, to see that all potential lien claimants are duly paid.

ACCEPTANCE OF PROPOSAL The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the above work as specified. Payments will be made as outlined above.

DATE OF ACCEPTANCE _____

SIGNATURE _____

12001 West Dearbourn Avenue
Wauwatosa, WI 53226
Tax ID #: 39-1415612

Client: Paynter, Mike
Property: 2924 N. 82nd St.
Milwaukee, WI 53222

Mobile: (414) 336-4409

Operator Info:
Operator: BHUTCH

Estimator: Bill Hutchinson
Business: 12001 W. Dearbourn Ave.
Wauwatosa, WI 53226

Business: (414) 727-3633

Reference:
Company: Customer's Request

Type of Estimate: Sewage
Date Entered: 7/15/2011
Date Est. Completed: 7/15/2011
Date Assigned: 7/15/2011
Date Job Completed: 7/15/2011

Price List: WIMW7X_JUL11
Labor Efficiency: Restoration/Service/Remodel
Estimate: 20223
File Number: 20223

Following is our summary of mitigation and restoration services to be rendered at the subject property.

Effective April 22nd, 2010, the EPA mandates that any child occupied building built before 1978 be tested for lead-based paint prior to the disturbance of building materials. Lead-Safe Certified Restorers must use lead-safe practices until it can be determined that no lead exists in painted/finished surfaces. More information about the new lead rule is available at www.epa.gov/lead <<http://www.epa.gov/lead>>.

The State of Wisconsin is administering its own lead law with more stringent requirements. Under Wisconsin's lead rule, there is no op- out clause for the homeowner. More information about the new lead rule is available at www.dhs.wi.gov/lead/WIInfo.htm <<http://www.dhs.wi.gov/lead/WIInfo.htm>>.

12001 West Dearbourn Avenue
Wauwatosa, WI 53226
Tax ID #: 39-1415612

20223

Laundry Room	LxWxH 13' 2" x 10' 1" x 6' 10"
DESCRIPTION	QNTY
PREP WORK	
Contents - move out then reset - Large room	1.00 EA
Protect contents - Cover with plastic	132.76 SF
BOTTOM PLATE	
R&R Bottom plate - 2" x 4" - treated	13.17 LF
CLOSET DOOR, JAMB AND CASING	
R&R Interior door - solid fir door w/stain-grade jamb & case	1.00 EA
Additional charge for a retrofit door	1.00 EA
Door lockset - Detach & reset	1.00 EA
Finish door slab only - 1 coat urethane (per side)	2.00 EA
Stain & finish door slab only (per side)	2.00 EA
Finish door/win trim & jamb - 1 coat urethane (per side)	2.00 EA
Stain & finish door/window trim & jamb (per side)	2.00 EA
WALLS	
Sanitize walls to 2' height	93.00 SF
FLOOR	
Clean the floor	132.76 SF
Apply anti-microbial agent	132.76 SF
POST-CONSTRUCTION CLEANING	
Final cleaning - construction - Residential	132.76 SF

Under Stairs	Formula Sloped Ceiling 10' 7" x 3' 1" x 6' 10"
DESCRIPTION	QNTY
PREP WORK	
Mask and prep for paint - plastic, paper, tape (per LF)	31.01 LF
WALLS	
Tear out plaster, cleanup, bag for disposal	21.17 SF
Drywall replacement per LF - up to 2' tall	10.58 LF
Drywall tape joint/repair - per LF	10.58 LF
Texture drywall - light hand texture	97.94 SF
Seal then paint the walls twice (3 coats)	97.94 SF
FLOOR	
Clean the floor	32.63 SF
Apply anti-microbial agent	32.63 SF
EPA - RRP REQUIRED CONTAINMENT, CLEANING AND POST-CLEANING VERIFICATION	
Mask the floor per square foot - plastic and tape - 4 mil	32.63 SF
Containment Barrier/Airlock/Decon. Chamber	24.00 SF
HEPA Vacuuming - Light - (PER SF)	168.87 SF
<i>HEPA Vac the ceiling, floors and walls per EPA - RRP guidelines.</i>	
Clean more than the walls - Light	168.87 SF
<i>Tack wipe the ceiling and walls, double-bucket mop the hard surface flooring per EPA - RRP guidelines.</i>	

12001 West Dearbourn Avenue
Wauwatosa, WI 53226
Tax ID #: 39-1415612

CONTINUED - Under Stairs

DESCRIPTION	QNTY
Hazardous Waste/Mold Cleaning Technician - per hour	0.50 HR
<i>Labor for post-cleaning verification required by EPA - RRP guidelines.</i>	
Add for personal protective equipment (hazardous cleanup)	1.00 EA

Recreation Room	LxWxH 13' 9" x 12' x 6' 10"
Subroom 1: Offset	LxWxH 16' 8" x 8' 11" x 6' 10"
Subroom 2: Offset	LxWxH 7' 4" x 2' 7" x 6' 10"

DESCRIPTION	QNTY
PREP WORK	
Contents - move out then reset - Large room	1.00 EA
Protect contents - Cover with plastic	332.56 SF
Mask and prep for paint - plastic, paper, tape (per LF)	90.00 LF
WALLS	
Tear out drywall, cleanup, bag for disposal	180.00 SF
R&R Bottom plate - 2" x 4" - treated	90.00 LF
Drywall replacement per LF - up to 2' tall	90.00 LF
Drywall tape joint/repair - per LF	90.00 LF
Texture drywall - light hand texture	615.00 SF
Seal then paint the walls twice (3 coats)	615.00 SF
DOORS, JAMBS AND CASINGS (TO LAUNDRY ROOM AND FURNACE ROOM)	
R&R Interior door unit	2.00 EA
Additional charge for a retrofit door	2.00 EA
Door lockset - Detach & reset	2.00 EA
Finish door slab only - 1 coat urethane (per side)	4.00 EA
Stain & finish door slab only (per side)	4.00 EA
Finish door/win trim & jamb - 1 coat urethane (per side)	4.00 EA
Stain & finish door/window trim & jamb (per side)	4.00 EA
BASE	
R&R Baseboard - 3 1/4" hardwood	90.00 LF
Finish baseboard - 1 coat urethane	90.00 LF
Stain & finish baseboard	90.00 LF
FLOOR	
Remove Carpet	332.56 SF
Carpet	382.44 SF
<i>15 % waste added for Carpet.</i>	
R&R Carpet pad	332.56 SF
EPA - RRP REQUIRED CONTAINMENT, CLEANING AND POST-CLEANING VERIFICATION	
Mask the floor per square foot - plastic and tape - 4 mil	332.56 SF
Containment Barrier/Airlock/Decon. Chamber	24.00 SF
Peel & seal zipper	1.00 EA
HEPA Vacuuming - Light - (PER SF)	1,280.11 SF

12001 West Dearbourn Avenue
Wauwatosa, WI 53226
Tax ID #: 39-1415612

CONTINUED - Recreation Room

DESCRIPTION	QNTY
HEPA Vac the ceiling, floors and walls per EPA - RRP guidelines.	
Clean more than the walls - Light	1,280.11 SF
Tack wipe the ceiling and walls, double-bucket mop the hard surface flooring per EPA - RRP guidelines.	
Hazardous Waste/Mold Cleaning Technician - per hour	1.00 HR
Labor for post-cleaning verification required by EPA - RRP guidelines.	
Add for personal protective equipment (hazardous cleanup)	4.00 EA

DESCRIPTION	Formula Stairway 10' 7" x 3' 1" x 8'	QNTY
CARPETING		
Remove Carpet		84.39 SF
Carpet		97.05 SF
<i>15 % waste added for Carpet.</i>		
R&R Carpet pad		56.26 SF
Step charge for "waterfall" carpet installation		11.00 EA
R&R Carpet - metal transition strip		3.00 LF
POST-CONSTRUCTION CLEANING		
Final cleaning - construction - Residential		56.26 SF

DESCRIPTION	Furnace Room	LxWxH 17' 9" x 13' 3 5/8" x 6' 10"	QNTY
PREP WORK			
Contents - move out then reset - Extra large room			1.00 EA
Protect contents - Cover with plastic			236.11 SF
BOTTOM PLATE			
R&R Bottom plate - 2" x 4" - treated			13.30 LF
WALLS			
Sanitize walls to 2' height			124.21 SF
FLOOR			
Clean the floor			236.11 SF
Apply anti-microbial agent			236.11 SF
POST-CONSTRUCTION CLEANING			
Final cleaning - construction - Residential			236.11 SF

General Conditions

12001 West Dearbourn Avenue
 Wauwatosa, WI 53226
 Tax ID #: 39-1415612

DESCRIPTION	QNTY
CLEANUP AND DEBRIS REMOVAL	
Neg. air fan/Air scrub.-Large (per 24 hr period)-No monit.	1.00 DA
<i>Air scrubber used during repairs to capture airborne dust and debris and minimize post-construction cleanup.</i>	
Cleaning - Remediation Technician - per hour	4.00 HR
<i>Progressive cleanup.</i>	
Dumpster load - Approx. 12 yards, 1-3 tons of debris	1.00 EA
Grand Total	12,187.50

Bill Hutchinson

Grand Total Areas:

1,657.79 SF Walls	779.87 SF Ceiling	2,437.66 SF Walls and Ceiling
790.32 SF Floor	87.81 SY Flooring	256.86 LF Floor Perimeter
469.22 SF Long Wall	320.38 SF Short Wall	261.82 LF Ceil. Perimeter
0.00 Floor Area	0.00 Total Area	0.00 Interior Wall Area
0.00 Exterior Wall Area	0.00 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	

Magic Touch II Inc. – (\$10,402.47)

Estimate #1: Tear out/cleanup/mold mitigation – (\$4,653.34)

Estimate #2: Reconstruction – (\$5,749.13)



Magic Touch II Inc.

902 S. Main St.
Saukville WI, 53080

Client: Mike Paynter
Property: 2924 N 82nd St
Milwaukee, WI 53222

Home: (414) 336-4409

Operator Info:
Operator: MCOYLE

Estimator: Michael Coyle
Title: Owner
Company: Magic Touch II
Business: 902 S. Main St.
Saukville, WI 53080

Business: (262) 677-3760

Type of Estimate: Backup of Sewer or Drain
Date Entered: 6/27/2011

Date Assigned: 6/27/2011

Price List: WIMW5B_JUN11
Restoration/Service/Remodel
Estimate: 2011-06-27-1511

<u>Claim #</u>	<u>Type of Loss</u>	<u>Deductible</u>
	DRAIN BCK	0.00

Base Service Charges - This charge is added to each labor category to help ensure that the unit piece will cover the expenses for all jobs with include travel, supplies, planning, and mobilization of each contractor.

PLEASE NOTE - In order to accurately invoice for remediation portion, final invoice will be completed on actual time and material needed to complete repair. Included amounts are allowances only. Amount may vary, based upon final determined scope of work for cleaning after demolition.



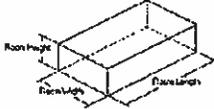
Magic Touch II Inc.

902 S. Main St.
Saukville WI, 53080

2011-06-27-1511

Recreation Room

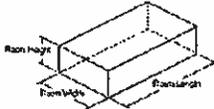
LxWxH 13' 8" x 12' x 8'



410.67 SF Walls	164.00 SF Ceiling
574.67 SF Walls & Ceiling	164.00 SF Floor
18.22 SY Flooring	51.33 LF Floor Perimeter
109.33 SF Long Wall	96.00 SF Short Wall
51.33 LF Ceil. Perimeter	

Subroom 1: Offset

LxWxH 16' 6" x 9' x 8'



408.00 SF Walls	148.50 SF Ceiling
556.50 SF Walls & Ceiling	148.50 SF Floor
16.50 SY Flooring	51.00 LF Floor Perimeter
132.00 SF Long Wall	72.00 SF Short Wall
51.00 LF Ceil. Perimeter	

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Tear out wet non-salvageable carpet, cut/bag - Cat 3 water	312.50 SF	0.52	0.00	162.50
Tear out wet carpet pad, cut/bag - Category 3 water	312.50 SF	0.43	0.00	134.38
Baseboard - Detach	102.33 LF	0.00	0.68	69.58
Tear out wet drywall, cleanup, bag, per LF - up to 2' tall	102.33 LF	1.99	0.00	203.64
Tear out and bag wet insulation	51.17 SF	0.43	0.00	22.00
Apply anti-microbial agent	517.17 SF	0.00	0.16	82.75
Clean more than the floor with pressure steam	517.17 SF	0.00	0.63	325.82
Totals: Recreation Room				1,000.67

Laundry Room

LxWxH 13' x 10' x 8'



368.00 SF Walls	130.00 SF Ceiling
498.00 SF Walls & Ceiling	130.00 SF Floor
14.44 SY Flooring	46.00 LF Floor Perimeter
104.00 SF Long Wall	80.00 SF Short Wall
46.00 LF Ceil. Perimeter	

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
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Magic Touch II Inc.

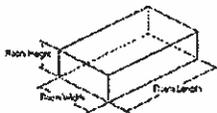
902 S. Main St.
Saukville WI, 53080

CONTINUED - Laundry Room

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Apply anti-microbial agent	222.00 SF	0.00	0.16	35.52
Clean more than the floor with pressure steam	222.00 SF	0.00	0.63	139.86
Totals: Laundry Room				175.38

Furnace Room

LxWxH 18' x 13' x 8'

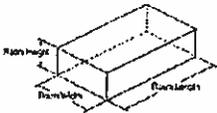


496.00 SF Walls	234.00 SF Ceiling
730.00 SF Walls & Ceiling	234.00 SF Floor
26.00 SY Flooring	62.00 LF Floor Perimeter
144.00 SF Long Wall	104.00 SF Short Wall
62.00 LF Ceil. Perimeter	

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Washing machine - Remove & reset	1.00 EA	0.00	24.47	24.47
Dryer - Remove & reset	1.00 EA	0.00	22.04	22.04
Apply anti-microbial agent	358.00 SF	0.00	0.16	57.28
Clean more than the floor with pressure steam	358.00 SF	0.00	0.63	225.54
Totals: Furnace Room				329.33

Under Steps

LxWxH 9' x 3' x 8'



192.00 SF Walls	27.00 SF Ceiling
219.00 SF Walls & Ceiling	27.00 SF Floor
3.00 SY Flooring	24.00 LF Floor Perimeter
72.00 SF Long Wall	24.00 SF Short Wall
24.00 LF Ceil. Perimeter	

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Apply anti-microbial agent	75.00 SF	0.00	0.16	12.00
Clean more than the floor with pressure steam	75.00 SF	0.00	0.63	47.25
Totals: Under Steps				59.25

**Magic Touch II Inc.**902 S. Main St.
Saukville WI, 53080**Services**

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Equipment travel, setup, take down, thermal inspection, and monitoring (hourly charge)	8.00 HR	0.00	37.49	299.92
Dehumidifier - XLarge - No monitoring - 2 units for 3 days	6.00 EA	0.00	114.72	688.32
Air mover - No monitoring - 6 units for 3 days	18.00 EA	0.00	25.61	460.98
Air mover axial fan - No monitoring - 4 units for 3 days	12.00 EA	0.00	29.78	357.36
Neg. air fan/Air scrub.-Large - No monit. - 1 unit for 3 days	3.00 DA	0.00	121.63	364.89
Add for HEPA filter (for neg. air machine/vacuum - Large)	1.00 EA	0.00	208.65	208.65
Haul debris - per pickup truck load - including dump fees	1.00 EA	103.38	0.00	103.38
Content Manipulation charge - per hour - 4 men for 1.5 hours	6.00 HR	0.00	32.54	195.24
Totals: Services				2,678.74
Line Item Subtotals: 2011-06-27-1511				4,243.37
Adjustments for Base Service Charges				Adjustment
Cleaning Technician				55.68
Cleaning Remediation Technician				74.98
General Laborer				32.54
Total Adjustments for Base Service Charges:				163.20
Line Item Totals: 2011-06-27-1511				4,406.57



Magic Touch II Inc.

902 S. Main St.
Saukville WI, 53080

Grand Total Areas:

1,874.67 SF Walls	703.50 SF Ceiling	2,578.17 SF Walls and Ceiling
703.50 SF Floor	78.17 SY Flooring	234.33 LF Floor Perimeter
561.33 SF Long Wall	376.00 SF Short Wall	234.33 LF Ceil. Perimeter
0.00 Floor Area	0.00 Total Area	0.00 Interior Wall Area
0.00 Exterior Wall Area	0.00 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



Magic Touch II Inc.

902 S. Main St.
Saukville WI, 53080

Summary

Line Item Total				4,243.37
Total Adjustments for Base Service Charges				163.20
Subtotal				4,406.57
Service Tax	@	5.600% x	4,406.57	246.77
Replacement Cost Value				\$4,653.34
Net Claim				\$4,653.34

Michael Coyle
Owner



Magic Touch II Inc.

902 S. Main St.
Saukville WI, 53080

Client: Mike Paynter
Property: 2924 N 82nd St
Milwaukee, WI 53222

Home: (414) 336-4409

Operator Info:
Operator: MCOYLE

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Saukville, WI 53080

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Type of Estimate: Backup of Sewer or Drain
Date Entered: 6/27/2011

Date Assigned: 6/27/2011

Price List: WIMW5B_JUN11
Restoration/Service/Remodel
Estimate: 2011-06-27-1511RECON

<u>Claim #</u>	<u>Type of Loss</u>	<u>Deductible</u>
	DRAIN BCK	0.00

Base Service Charges - This charge is added to each labor category to help ensure that the unit piece will cover the expenses for all jobs w/ include travel, supplies, planning, and mobilization of each contractor.

PLEASE NOTE - In order to accurately invoice for remediation portion, final invoice will be completed on actual time and material needed to complete repair. Included amounts are allowances only. Amount may vary, based upon final determined scope of work for cleaning after demolition.



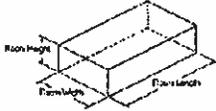
Magic Touch II Inc.

902 S. Main St.
Saukville WI, 53080

2011-06-27-1511RECON

Recreation Room

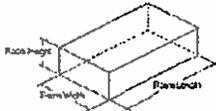
LxWxH 13' 8" x 12' x 8'



410.67 SF Walls	164.00 SF Ceiling
574.67 SF Walls & Ceiling	164.00 SF Floor
18.22 SY Flooring	51.33 LF Floor Perimeter
109.33 SF Long Wall	96.00 SF Short Wall
51.33 LF Ceil. Perimeter	

Subroom 1: Offset

LxWxH 16' 6" x 9' x 8'



408.00 SF Walls	148.50 SF Ceiling
556.50 SF Walls & Ceiling	148.50 SF Floor
16.50 SY Flooring	51.00 LF Floor Perimeter
132.00 SF Long Wall	72.00 SF Short Wall
51.00 LF Ceil. Perimeter	

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Drywall replacement per LF - up to 2' tall	102.33 LF	0.00	5.33	545.42
Seal/prime more than the floor perimeter - one coat	307.00 SF	0.00	0.30	92.10
Texture drywall	307.00 SF	0.00	0.61	187.27
Paint the walls - one coat	818.67 SF	0.00	0.65	532.14
Stain & finish baseboard	102.33 LF	0.00	0.86	88.00
Baseboard - 3 1/4" stain grade	102.33 LF	0.00	2.94	300.85
Carpet pad	312.50 SF	0.00	0.66	206.25
Carpet	359.38 SF	0.00	4.25	1,527.37
15 % waste added for Carpet .				
R&R Carpet - metal transition strip	6.00 LF	0.54	2.86	20.40
Totals: Recreation Room				3,499.80

Stairway

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Carpet pad	63.00 SF	0.00	0.66	41.58
Carpet	72.45 SF	0.00	4.25	307.91
15 % waste added for Carpet .				



Magic Touch II Inc.

902 S. Main St.
Saukville WI, 53080

CONTINUED - Stairway

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Step charge for "waterfall" carpet installation	14.00 EA	0.00	3.85	53.90
Totals: Stairway				403.39

Services

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Content Manipulation charge - per hour - 2 men for 1.5 hours - move contents off walls for painting	3.00 HR	0.00	32.54	97.62
Totals: Services				97.62

Line Item Subtotals: 2011-06-27-1511RECON 4,000.81

Adjustments for Base Service Charges	Adjustment
Carpenter - Finish, Trim/Cabinet	117.44
Drywall Installer/Finisher	234.64
Flooring Installer	100.24
Painter	83.74
Total Adjustments for Base Service Charges:	536.06
Line Item Totals: 2011-06-27-1511RECON	4,536.87

Grand Total Areas:

1,874.67 SF Walls	703.50 SF Ceiling	2,578.17 SF Walls and Ceiling
703.50 SF Floor	78.17 SY Flooring	234.33 LF Floor Perimeter
561.33 SF Long Wall	376.00 SF Short Wall	234.33 LF Ceil. Perimeter
0.00 Floor Area	0.00 Total Area	0.00 Interior Wall Area
0.00 Exterior Wall Area	0.00 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



Magic Touch II Inc.

902 S. Main St.
Saukville WI, 53080

Summary

Line Item Total				4,000.81
Total Adjustments for Base Service Charges				536.06
Subtotal				4,536.87
Overhead	@	10.0% x	4,536.87	453.69
Profit	@	10.0% x	4,536.87	453.69
Service Tax	@	5.600% x	5,444.24	304.88
Replacement Cost Value				\$5,749.13
Net Claim				\$5,749.13

Michael Coyle
Owner

Photos of personal items destroyed

(Followed by 2 replacement value estimates for each item)

14' COUCH



GOLF BAG



MTX SPEAKERS



Replacement value estimates



Options Collection - Charcoal 3 Pc Secti

\$1,799.99

As Advertised

List Price: \$3499.99



0



Product Overview

SKU: PSTL431

Dimensions (WxDxH): 126/134x43x39

Offering casual reclining comfort with a modern sense of style, Options features gently rounded seat edges, pillowed arms and accent stitching. Padded microfiber is as soft and inviting as it is easy to care for. Versatile pieces include dual reclining sofa, dual reclining loveseat, dual reclining loveseat with center console, 3-piece sectional, reclining oversized chair and stationary chaise to round out the room. Each option available in beige, charcoal, mushroom or saddle.



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Living Room Dining Bedroom Mattresses Home Office Accents Seasonal Small Space Solutions

Product Details:



Living Room : [Sectionals](#)



Bangle

2004

Product Information

SKU: 3585CPKG7
Category: Corner Sectional Piece
Vendor: [Corinthian](#)
Dimensions: LAF.wall 115" RAF.wall 115"
Finish/Color: Walnut
Material: 74% Polyester 26% Viscose with Polyurethane
Description: 5 Piece Modular
Features:

- High gauge sinuous springs, with double springs on each end
- Heavily reinforced and padded sides and backs for maximum durability
- Kiln dried wood
- Removable legs
- Loose back pillows
- Poly Dacron wrapped seat cushions

Sale Price: **\$1,839.96**

Retail Price: ~~\$2,299.96~~
You Save: \$459.99!

Purchase Now

Package includes

- 2 - ARMLESS CHAIR 33X41X28"H
- 1 - CORNER 41X41X28"H
- 2 - ONE ARM CHAIR 41X41X28"H

Package/Price may not reflect all products shown.

Product Availability

Viewable at: [Milwaukee](#) [Greenfield](#) [Madison](#) [East Towne](#) [Kenosha](#) [Waukesha](#) [Menomonee Falls](#)
Availability: **Waukesha: In-Stock**

Related Items

Recently Viewed Items:



365PKGC20

SKU	CATEGORY	DESCRIPTION	PRICE
365316617	Chair	ONE ARM CHAIR 41X41X28"H	\$399.96
357316617	Armless Sectional Piece	ARMLESS CHAIR 33X41X28"H	\$359.96
358316618	Corner Sectional Piece	CORNER 41X41X28"H	\$479.96
373316617	Ottoman	OTTOMAN 32X32X15.5"H	\$319.96

Additional Packages Include:

SKU	DESCRIPTION	PRICE
357316617	PACKAGE INCLUDES:	\$359.96 You Save \$89.99!
373316617	PACKAGE INCLUDES:	\$319.96 You Save \$79.99!

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Google product search callaway golf bag



Overview Online stores Reviews Details Related items

Callaway Men's X-22 Stand Bag (Black/ CHARCOAL)

\$110 online

1 review 0

Callaway - Stand

You're in for the ultimate in durability, comfort, performance and style. Colors: Black/charcoal, blue/black, red/black Brand: Callaway Model: X-22 Stand Materials: Nylon Size: 9.5 inch top Capacity: 7-way divider Adjustable straps: Yes

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Relevance	Seller rating	Condition	Tax and shipping (estimated)	Total price	Base price
Walmart	722 seller ratings	New	Tax: \$7.78 + Shipping: \$4.97	\$151.75	\$139.00
Overstock.com	5,898 seller ratings	New	No tax + Shipping: \$2.95	\$149.99	\$147.04
Golfsmith Show all 6	1,848 seller ratings	New	No tax + Shipping: \$6.99	\$166.98	\$159.99
tgw.com Show all 3	2,300 seller ratings	New	No tax + Shipping: \$6.99	\$166.94	\$159.95
Callaway Golf Show all 2	No rating	New	Tax: \$8.96 + Free shipping	\$166.95	\$169.99
DiscountGolfWorld.com Show all 3	516 seller ratings	New	No tax + Free shipping	\$149.00	\$149.00
BobWards.com	100 seller ratings	New	No tax + Free shipping	\$159.99	\$159.99
Amazon WareHouse Deals	3 seller ratings	Used	No tax + Free shipping	\$128.99	\$128.99
Panache	No rating	New			\$109.95
Parseven.com Show all 3	No rating	New	No tax + Shipping: \$5.99	\$165.94	\$159.95

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Callaway Stand Bags

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Ads

Callaway Golf Stand Bags

www.discountgolfworld.com Callaway Stand Bags Starting at \$79 Buy Now. Free Shipping.

Reviews

Summary - Based on 1 reviews

5 stars

Review: Callaway X-22 Stand Bag Red
By Jeena - Dec 31, 2010 - Walmart

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Callaway Golf X-22 Stand Bag

by [Callaway](#)

([4 customer reviews](#)) | (3)

List Price: ~~\$200.00~~

Price: **\$139.00** & this item ships for **FREE with Super Saver Shipping.** [Details](#)

You Save: **\$61.00 (31%)**

[To Buy, Add to Shopping Cart](#)

Color: **Red**



In Stock.

Ships from and sold by **Amazon.com.**

See [pricing and availability chart](#) for details.

Only 7 left in stock--order soon (more on the way).

Want it delivered Thursday, July 21? Order it in the next 14 hours and 4 minutes, and choose **One-Day Shipping** at checkout. [Details](#)

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Color: **Red**

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MTX Audio TP1200

Thunder Pro 2 Series Single 12" 2-way Professional Loudspeaker/PA System with 19mm tweeter and 13" x 6" Horn

4.5 (2 reviews) [Read 2 reviews](#) [Write a review](#)

Item Condition: **Brand New**

Availability: Usually ships in 7-14 days

Specials with this product

Free Ground Shipping to the 48 states [details](#)

Price Information

Calculate Shipping

List Price: **\$159.99**

Instant Savings: **-\$20.00**

Checkout price: **\$139.99**

Add an Optional Extended Warranty

[3 Year Extended](#) **\$16.99**

Usually ships in 7-14 days

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Description Features & Specs Reviews

MTX TP Speakers are designed to perform well for a variety of different applications, including low to mid level live sound reproduction, public address, karaoke, and mobile entertainment. The long excursion woofer and horn-loaded tweeter with high frequency protection circuitry make the TP speaker perfect for vocals or music!

- Single 12" Two Way Professional Loudspeaker/ PA System with 19mm tweeter and 13" x 6" Horn
- Power Handling:
 - Peak: 300 watts
 - RMS: 150 watts
- X-Radial horn
- Ferrofluid cooled tweeter
- PTC Tweeter protection circuitry
- Low frequency Port
- Frequency Response: 39-20,000 Hz
- 8 ohms impedance
- Along with the positive and negative terminal posts, the terminal also feature a 1/4" phone jack to connect the speakers.
- Dimensions: 10-1/4"L x 13-3/4"W x 21"H
- Authorized Internet Dealer
- 1-year Manufacturer's warranty

Priced Per Speaker

Product Summary

Manufacturer: [MTX](#)
Model number: TP1200
UPC: 715442631339
Weight: 39.00 lbs
Internal SKU: tp1200
Internal product ID: 14779

Why Sonic Electronix?

- [Authorized Retailer](#)
- [Low Price Guarantee](#)
- [Quick Shipping](#)
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Customer Testimonial

The shipping was extremely fast and totally reliable. Sonic has the best prices around, hands down; no one can touch these prices. I have looked around locally and all over the net, and no one can beat these prices. This is my second time buying from Sonic, each time the delivery was extremely fast.

- gw183272 from Dealsville, AL

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MTX Audio MP42B (Black)

Multi-Purpose Home Theater, Bookshelf, Indoor/Outdoor Speaker (Priced Per Speaker)

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MTX Audio ThunderPro II TP1200 2-Way Loudspeaker

SHARE

150W RMS 2-Way Professional Loudspeaker

Our Price: **\$159.95**

Model: TP1200

Shipping: **FREE****

Quantity:

Warranty: **5 Year**

Condition: **New**

Left Angle



Description:

Designed for mobile DJs, musicians, and loud music fans everywhere, MTX Audio has redesigned its ThunderPro2 professional loudspeakers series. These sturdy speakers are durable enough for your home party system, garage, or live performances anywhere with a stainless steel grille, MDF box covered with aviation grade carpet, and sure grip handles for easy mobility. Up to a 400W peak power handling, these speaker systems feature an X-radial design, horn-loaded tweeter to hit crisper highs and ported high excursion woofer configurations for better low frequency response.

Features:

Specifications:

Downloads:

Items Shipped:

Related Listings:

**FREE shipping within the contiguous United States unless otherwise listed.



Legislation Details (With Text)

File #: 111133 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing payment of the claim of Cathedral Place, LLC.

Sponsors: THE CHAIR

Indexes: CLAIMS PAYMENT

Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111133
Version
ORIGINAL
Reference

Sponsor
THE CHAIR

Title
Resolution authorizing payment of the claim of Cathedral Place, LLC.

Analysis
This resolution authorizes payment of the claim of Cathedral Place, LLC in the amount of \$12,488.93.

Body
Whereas, The claimant, Cathedral Place, LLC, C.I. File No. 11-L-57, has filed a claim against the City of Milwaukee in the amount of \$12,488.93, and

Whereas, The City has agreed to settle the claim in the amount of \$12,488.93, and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to pay this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that proper city officers be and hereby are authorized and directed to issue a City check in the amount of \$12,488.93, payable to the order of Cathedral Place, LLC, 788 North Jefferson Street, Suite 800, Milwaukee, WI 53202-3700, in full and final payment of

this claim, upon receipt of a release of claim, approved as to form and execution by the City attorney; said amount to be charged to Damages and Claims Account-636506 - Fund No. 0001 - Organization 1490 - Program 2631 - Sub Class S118.

Requestor

City Attorney

Drafter

JAS:ms

November 30, 2011

1048-2011-1948:175985

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
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CHRISTINE M. QUINN
MARGARET C. DAUN
JEREMY R. MCKENZIE
MARY L. SCHANNING
Assistant City Attorneys

November 30, 2011

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of Cathedral Place, LLC
C.I. File No. 11-L-57

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

Claimant, Cathedral Place, LLC, by its representative Van Buren Management, 788 North Jefferson Street, Suite 800, Milwaukee, WI 53202 alleges that in April, 2011 they sustained damages when a City water main leaked and caused water to back up into the elevator pit of their property located at 555 East Wells Street. They claim damages in the amount of \$12,488.93.

Our investigation reveals that the Milwaukee Water Works (MWW) records indicate that on April 19, 2011 at 3:00 p.m. they received a call from the claimant's property management company regarding water in the elevator pit at 555 East Wells Street. They dispatched a field investigator who took a water sample to test for the presence of City water. The test found that City water was present. The next day, while the MWW was engaged in activity to repair a City branch leak at this location, they determined that the branch leak was possibly on the claimant's side of the property. The MWW instructed the claimant to hire a plumber to make the necessary repairs. The claimant contacted Rozga Plumbing.

The MWW received a request from the plumber, on April 25, 2011 at 11:05 p.m., to turn off the water for temporary repairs at this location. A field investigator responded and also turned the water on after the repairs were completed. However, the leakage into the elevator pit was not stopped, and the investigation continued.

On May 2, 2011 the MWW distribution supervisor conducted a leak correlation with sound equipment to check for possible leaks on the water main. They excavated to

Honorable Common Council
November 30, 2011
Page 2

expose the best possible location to identify the leak. Although the MWW heard sound, they were unable to pinpoint the exact location of the leak. After further review, the MWW discovered a possible leak 20 feet west of North Jefferson Street, in the area of 520 East Mason Street. They contacted Digger's Hotline to mark the underground facilities. A MWW distribution crew responded and made the repairs on the City main. This stopped the water accumulation in the claimant's elevator pit.

Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend settlement of this claim in the amount of \$12,488.93 and have enclosed an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1048-2011-1948:175953

CITY OF MILWAUKEE
RECEIVED

2011 JUL 18 11:3:46
NOTICE OF CLAIM AND INJURY

PER

OFFICE OF
CITY ATTORNEY WIS. STAT. SECTION 893.80

VIA HAND DELIVERY

City Clerk
Attn: Claims
200 E. Wells St., Room 205
Milwaukee, WI 53202-3567

Re: *Cathedral Place, LLC Notice of Claim and Injury*

Dear City Clerk:

Pursuant to Wis. Stat. §893.80, this constitutes notice of the circumstances of Cathedral Place, LLC's ("Claimant") claim against the City of Milwaukee ("City") and the relief sought by Claimant against the City.

1. Statement of Circumstances Giving Rise to Claim. In early April 2011, Steve Caveney of Pentagon Property Management, LLC ("PPM"), the property management company of Claimant, first observed minor water accumulation in the elevator pit of Claimant's building located at 555 E. Wells Street, Milwaukee, Wisconsin (the "Building"). Over the next approximately 2 week period, the volume of water accumulation increased, and, as a result, on April 18, 2011, the Building's sump pump failed. On April 21, 2011, PPM, on behalf of Claimant, contracted with Rozga Plumbing and Heating Corporation ("Rozga") to investigate the cause for the water accumulation and resulting sump pump failure. PPM, Rozga and City discussed the potential sources of such water accumulation before any remedial work was commenced. PPM informed the City that the Building's lateral was only 7-8 years old and therefore likely still in good condition and an unlikely source of the problem. The City was adamant that, after the City's investigation of the area: (a) the City did not have a leak or other problem with the City water mains that was causing the water accumulation, and (b) the Building's lateral had a leak that was causing the water accumulation. Based on its conclusions, the City informed PPM that the City would not perform any investigatory or remedial work to resolve the issue. Therefore, PPM contracted with Rozga to excavate the Building's concrete in order to access the Building's lateral to investigate if and where it was leaking and to dye test the accumulated water in the Building as well as the City sewers adjacent to the Building. Rozga examined the Building's lateral and definitively concluded it was not leaking or otherwise faulty. Subsequently, when additional properties in the area experienced the same problem, the City finally investigated the issue and determined that, in fact, there was a City water main leak causing the water accumulation at the Building and several other properties in the area. During this time, until the City repaired its leak, the City charged Claimant \$750 to provide emergency water service.

2. Statement of Injury, Relief Sought and Claimant Address. Claimant's injury, in the form of damages, is \$13,238.93, comprised of: (a) Rozga Plumbing's invoices totaling \$7,624.93 for excavating the concrete, investigating the Building's lateral, and dye testing the accumulating water in the

CITY OF MILWAUKEE
11 JUL 14 PM 12:33
RONALD D. LEONHARDT
CITY CLERK

Building and the adjacent City sewers, (b) \$4,864.00 for Suburban Asphalt repairing the Building's exterior concrete sidewalk, and (c) \$750.00 of emergency water charges from City for the City to provide emergency water to the Building. Copies of the foregoing invoices are available upon City's request. Please remit payment in the amount of \$13,238.93 to Cathedral Place, LLC c/o Van Buren Management, Inc., 788 N. Jefferson Street, Suite 800, Milwaukee, WI 53202. A contact phone number is 414-224-5070, ext. 26.

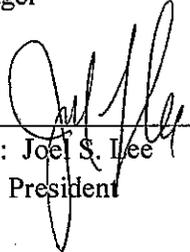
* * *

The undersigned certifies that the above-described injury and damages occurred, and that the above notice of injury and claim, are true excepting only as to matters stated upon information and belief or based on others' information.

Cathedral Place, LLC

By: Van Buren Management, Inc.

Its: Manager

By:  _____

Name: Joel S. Lee

Title: President



Legislation Details (With Text)

File #: 111160 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**

Effective date:
Title: Resolution authorizing the proper City officials to execute an amendment to the contract between the City and Harris & Harris for the collection of overdue Municipal Court judgments.
Sponsors: THE CHAIR
Indexes: AGREEMENTS
Attachments: City Attorney Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111160
Version
ORIGINAL
Reference
110270
Sponsor
THE CHAIR
Title

Resolution authorizing the proper City officials to execute an amendment to the contract between the City and Harris & Harris for the collection of overdue Municipal Court judgments.

Analysis

This resolution authorizes the proper City officers to execute an amendment to the contract with Harris & Harris so that the contract expires on June 30, 2012.

Body

Whereas, On March 22, 2007, the Common Council authorized the execution of a contract with Harris & Harris for the collection of overdue Municipal Court judgments; and

Whereas, The contract with Harris & Harris expires on April 30, 2012; and

Whereas, Pursuant to Common Council Resolution File Number 110270, the City Attorney was authorized to request proposals for a new contract to commence on May 1, 2012; and

Whereas, Due to the use of the Tax Refund Intercept Program and concerns regarding the possible

transition to a new contractor, it is desirable to amend the contract with Harris & Harris to extend the contract to June 30, 2012; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers are authorized to execute an amendment to the contract with Harris & Harris for the collection of overdue Municipal Court judgments to extend the contract until June 30, 2012.

Requestor
City Attorney
Drafter
LUB:dms
December 9, 2011
1049-2011-1608:176230
LRB136166-1
TWM:sd
12/15/2011

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



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JEREMY R. MCKENZIE
MARY L. SCHANNING
Assistant City Attorneys

December 9, 2011

The Honorable, Common Council
of the City of Milwaukee
Room 205 – City Hall

Re: Extension of Contract with Harris & Harris for
Collection of Municipal Court Judgments

Dear Council Members:

We ask that the attached resolution be introduced into the Common Council.

The existing contract for the collection of Municipal Court judgments expires on April 30, 2012. This office is working with the Municipal Court on a Request for Proposals to procure a new five-year contract.

The Municipal Court has requested that the current contract be extended for two months so that the term of the new contract, as well as future contracts, will commence on July 1, 2012.

Experience with the Tax Refund Intercept Program (TRIP) has demonstrated that an April 30 date to transition to a new collection contractor is not ideal. There are many TRIP-related issues that exist after the April 15th tax-filing deadline and continue into May. A shift in the term of this particular contract to a July 1 start date would provide sufficient time for the experienced incumbent contractor to handle collections during the tax season, and then allow enough time for a smooth transition to a new contractor, if necessary.

Common Council
December 9, 2011
Page 2

Attached is a resolution authorizing the extension of the current contract with Harris & Harris to June 30, 2012.

Very truly yours,

GRANT F. LANGLEY
City Attorney

LINDA ULISS BURKE
Deputy City Attorney

LUB:dms

c: Ronald Leonhardt
Richard Pfaff

1049-2011-1608:176226



Legislation Details (With Text)

File #: 110971 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to an appeal from Gerald Jones for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS APPEAL

Attachments: Appeal, City Attorney Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

110971

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to an appeal from Gerald Jones for property damage. (5th Aldermanic District)

Drafter

CC-CC

dkf

11/9/11

To Whom it may concern:

My name is RONALD D. JONES and I am appealing the decision made by the City Attorney and the Investigator Adjuster regarding claim # 11-S-178. I am requesting a hearing from the City of Milwaukee to find out why my vehicle went in one way and came out damaged

Sincerely, RONALD JONES
November 3, 2011

Attention: Milwaukee City Clerk
Room # 205

CITY OF MILWAUKEE CITY OF MILWAUKEE
RECEIVED
2011 NOV -4 PM 1:27 / NOV -4 PM 3:25
RONALD D. LEONHARDT OFFICE OF
CITY CLERK CITY ATTORNEY

Claim # 11-5-178
(414) 234-7052
8011 West Berleigh St
Apt #2

Attention: Claims
Reason, Estimates
#(414) 286-3456



  
www.andrewautomotive.com

1621 W. LaSalle St.
Milwaukee, WI 53209

Justin Rupp
Assistant Bodyshop Manager/Estimator

Phone: (414) 540-2559
Fax: (414) 228-7420

CITY OF MILWAUKEE
RECEIVED
2011 OCT 12 PM 12:36
OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
2011 OCT 10 AM 7:36
RONALD D. LEONHARDT
CITY CLERK

1621 W. LA SALLE ST.
MILWAUKEE, WI 53209
PH: 414-540-2559 FX: 414-228-7420

CD LOG NO 34407-1 DATE 10/06/11

SHOP: ANDREW AUTO BODY REPAIR INSP DATE: 10/06/11
ADDRESS: 1621 W. LASALLE ST. CONTACT: RUPP
CITY STATE: GLENDALE, WI PHONE 1: (414) 540-2559
ZIP: 53209- FAX: (414) 228-7420

OWNER:

POINT OF IMPACT: 0

LIC#: STATE: VIN:
BODY COLOR: MILEAGE:
CONDITION: ACCTNG CTL#:

CITY OF MILWAUKEE
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2011 OCT 12 PM 12:36
OFFICE OF
CITY ATTORNEY

*=USER-ENTERED VALUE	E=REPLACE OEM	NG=REPLACE NAGS
EC=REPLACE ECONOMY	UE=REPLACE OE SURPLUS	UC=RECONDITIONED PRT
UM=REMAN/REBUILT PRT	EU=REPLACE SALVAGE	EP=REPLACE PXN
OE=REPLACE PXN OE SRPLS	PC=PXN RECONDITIONED	PM=PXN REMAN/REBUILT
TE=PARTL REPL PRICE	ET=PARTL REPL LABOR	IT=PARTIAL REPAIR
I=REPAIR	L=REFINISH	BR=BLEND REFINISH
TT=TWO-TONE	CG=CHIPGUARD	SB=SUBLET
N=ADDITIONAL LABOR	RI=R&I ASSEMBLY	P=CHECK
AA=APPEAR ALLOWANCE	RP=RELATED PRIOR	UP=UNRELATED PRIOR

1995 CHEVROLET SUBURBAN C15 LT 4DOOR WAGON 8CYL GASOLINE 5.7
CODE: U7142A/D OPTNS K/24GHYUJQFV

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES	TWO-STAGE - INTERIOR SURFACES
ELEC REMOTE CONTROL MIRRORS	POWER DOOR LOCKS
POWER WINDOWS	LUGGAGE RACK
PRIVACY GLASS	TILT STEERING WHEEL
FRT AND REAR AIR CONDITIONING	CRUISE CONTROL
OVERHEAD CONSOLE	

OP	GDE	MC	DESCRIPTION	MFG. PART NO.	PRICE	AJ%	B%	HOURS
E	0120	02	MLDG, WHEEL OPENING	LT 15546447 GM PART	31.11			0.3*
E	0107		FLARE, WHEEL OPENING	LT 15723501 GM PART	290.60			3.0
L	0107	13	FLARE, WHEEL OPENING	LT REFINISH				1.4
				0.7 SURFACE				
				0.6 TWO STAGE SETUP				
				0.1 TWO STAGE				
EC			BUG GUARD, HOOD	ECONOMY PART	125.00*			1.0*
			4 ITEMS					

MC MESSAGE(S)
02 PART NO. DISCONTINUED, CALL DEALER FOR EXACT PART NO
13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS				321.71
OTHER PARTS				125.00
PAINT MATERIAL				42.00
PARTS & MATERIAL TOTAL				488.71
TAX ON PARTS & MATERIAL @			5.600%	27.37
LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	52.00	4.3		223.60
2-MECH/ELEC	102.00			
3-FRAME	52.00			
4-REFINISH	52.00	1.4		72.80
5-PAINT MATERIAL	30.00			
LABOR TOTAL				296.40
TAX ON LABOR		@	5.600%	16.60
SUBLET REPAIRS				
TOWING				
STORAGE				
GROSS TOTAL				829.08
NET TOTAL				829.08

SHOPLINK UG202 ES CD LOG 34407-1 DATE 10/06/11 10:12:22AM R6.37 CD 09/11
 PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53209

HOST LOG

(C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

0.7 HRS WERE ADDED TO THIS EST. BASED ON AUDATEX TWO-STAGE REFINISH FORMULA.

My name is Gerardo Lopez the owner of a 1995 Chevy Suburban LS truck

I went to pick my truck up from the City towing lot because it had previously been towed. Since I didn't have my vehicle insured at the time I was informed that I had to pay a towing company to tow it off the premises. When the driver brought my car out from the towing lot I noticed that the front quarter panel on my truck was dented. I immediately went back to the cashier and informed her of the damage and she informed me to start this process. I am asking to be immediately compensated for the destruction of my vehicle.

Gerardo Lopez

CITY OF MILWAUKEE
RECEIVED

2011 JUN 23 PM 3:39

OFFICE OF
CITY ATTORNEY

RONALD D. LEONHARDT
CITY CLERK

2011 JUN 23 AM 9:13

CITY OF MILWAUKEE

Gerald

CITY USE ONLY		CUSTOMER INFORMATION	
TOW #:	1497018	NAME:	BARBARO SOKOS
DATE:	5/25/11	ADDRESS:	2011 West Burleigh St. #2
CLERK ID:	65	PHONE #:	(414) 234-7052

PHOTOS TAKEN YES NO
 PHOTOS ATTACHED YES NO
 ALL FORMS COMPLETED YES NO

DATE FILED: May 27, 2011

***Complaint must be signed by citizen completing form.

~~CITIZEN'S STATEMENT~~

My driver side front panel has been dented by grill.

CITY OF MILWAUKEE
 RECEIVED
 2011 JUN 23 PM 3:39
 OFFICE OF
 CITY ATTORNEY

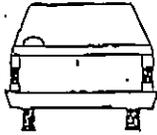
Barbaro Sokos
 ***SIGNATURE

May 27 2011
 DATE

-OVER-

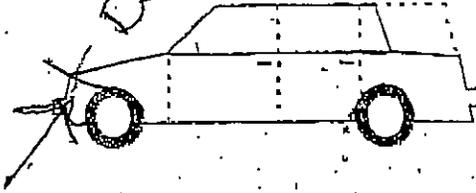
FRONT

BACK



Dented in

DRIVER'S SIDE



PASSENGER'S SIDE



File a claim for *DAMAGE TO or THEFT FROM* your vehicle, Write a detailed letter and send to:

CITY CLERK'S OFFICE,
200 EAST WELLS STREET
CITY HALL, ROOM 205
MILWAUKEE, WI 53202
414-286-2221

286-3456 Fax

FOR USE ONLY

INVESTIGATION RESULTS

ROUTE TO: D. LAWRENCE L. BLACK RETURN TO LINDA

NATURE:

DATE:

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
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ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
MARCOLETT C. DAUN
JEREMY R. MCKENZIE
Assistant City Attorneys

October 13, 2011

Gerald Jones
8011 West Burleigh Street, #2
Milwaukee, WI 53222

RE: Gerald Jones
C.I. File No.: 11-S-178

Dear Mr. Jones:

We have received your claim in the amount of \$829.08, relating to damage to your vehicle's driver side front panel near the grille that allegedly occurred during the towing of the vehicle to the City of Milwaukee Tow Lot.

Our investigation reveals that your 1995 Chevrolet was towed to the tow lot on May 19, 2011 for Illegal Parking and Unpaid Citations. The PT-27 form completed prior to the vehicle's towing made no mention of the alleged damage. The tow lot intake video, intake and exit forms did not make any note either. Since there is no evidence this damage occurred during the towing and storage of your vehicle, the City cannot accept liability and we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT F. LANGLEY
City Attorney

ROBERT OVERHOLT
Investigator Adjuster

RMO:ms
1044-2011-1758:174531

2011 NOV -4 PM 1:07
CITY OF MILWAUKEE
CITY CLERK
2011 NOV -4 PM 3:25
OFFICE OF
CITY ATTORNEY
CITY OF MILWAUKEE
RECEIVED

OFFICE OF THE CITY ATTORNEY



Legislation Details (With Text)

File #: 111062 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to an appeal from Loretta Hays-Powell for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS APPEAL

Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

111062

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to an appeal from Loretta Hays-Powell for property damage. (5th Aldermanic District)

Drafter

CC-CC

dkf

11/28/11

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
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ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
MARGARET C. DAUN
JEREMY R. MCKENZIE
Assistant City Attorneys

November 3, 2011

Loretta Hays-Powell
3764 North 84th Street
Milwaukee, WI 53222

RE: Loretta Hays-Powell
C.I. File No.: 11-S-226

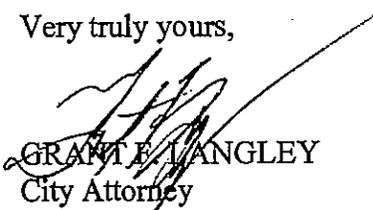
Dear Ms. Hays-Powell:

We have received your claim in the amount of \$708.52, relating to damage sustained to your vehicle when it allegedly struck a pothole on July 31, 2011 at/near North 60th Street between West Bender Road and West Douglas Avenue.

Our investigation reveals that the Infrastructure Services Division reviewed their records and those of the DPW Call Center relative to this incident. They found that they had patched potholes along the roadway at 6110 North 60th Street pursuant to a complaint call. The ISD followed its standard procedures and was acting within the City's discretion. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,


GRANT F. LANGLEY
City Attorney


ROBERT OVERHOLT
Investigator Adjuster

RMO:ms
1029-2011-2150:175164

mailed 11-8-11

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

November 14, 2011

CITY OF MILWAUKEE
RECEIVED

2011 NOV 17 AM 11:31

Milwaukee City Clerk Office
200 East Wells Street
RM 205
Milwaukee, WI 53202

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE

2011 NOV 15 AM 11:34

RONALD D. LEONHARDT
CITY CLERK

C.I. File 11-S-226

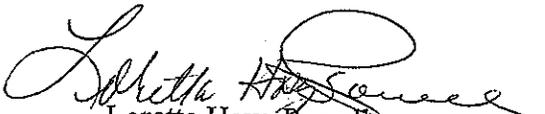
This letter is requesting and wishes to appeal this decision with the City of Milwaukee.

I had submitted a claim on August 4, 2011 regarding in the amount of \$708.52, relating to damage sustained to my vehicle when it allegedly struck a large, wide and deep pothole on Sunday, July 31, 2011 at/near 60th street between West Bender Road and West Douglas Avenue. My claim was denied.

The damage allows me to wait numerous hours for assistance and out of pocket cost that was cause by the City of Milwaukee.

The letter that I received from your office on November 14, it stated that your investigation reveals that the infrastructure services Division reviewed their records and those of the DPW call center relative to this incident; I am sure that DPW came after the complaints call on Monday, August 1, because when I return back to the scene to take pictures the potholes had fresh tar. My argument is the City Of Milwaukee, DPW cause damage (potholes) when my vehicle struck a pothole on July 31, 2011 before the complaint occurred. I am requesting for the funds of \$708.52.

Your assistance regarding this matter is appreciated.


Loretta Hays-Powell

August 4, 2011

CITY OF MILWAUKEE
2011 AUG -8 PM 3: 52
RONALD D. LEONHARDT
CITY CLERK

City Clerk

200 E. Wells, Room 205

Milwaukee, WI 53202-3567

This letter is requesting for a reimbursement from the City of Milwaukee that occur on Sunday, July 31, 2011, Approximately 1:10 pm on Bender Rd and W Douglass Ave N. 60th street.

As I was driving on Bender Rd N. 60th street I hit a pothole that put a hole in both tires and damaged both tires on the passage side on my 2007 Infiniti X35 Black. Both tires was on a flat, which I had to call AAA emergency Road Service to have the car tow to Infiniti North Shore at 1515 W Sliver Spring the same day the damage occurred.

The damage for both tires cost me a total of \$708.52. This funds that I do not have to pay the city for the damage that occur on the City Street. I'm so thankful that my mom did not get hurt or anyone else. We need to do a better job in making our street a safer place to drive.

Also my Infiniti logo that was placed on the front fell off and cracked. The dealer reported that they would have to replace the frame in order to get the same logo.

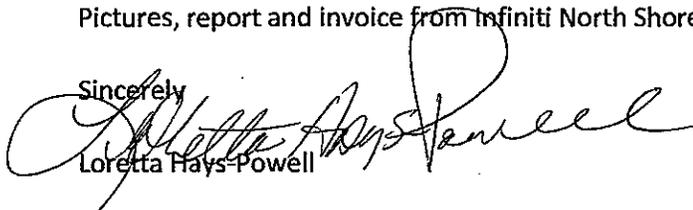
On Monday, August 1, I went back to take pictures of the pothole but the city came and fill the hole. I took picture of the fresh tar that the city came and filled the hole.

However I have pictures of the damage tires and report from AAA road services and Claim from Infiniti North Shore for the amount of \$708.52. I am requesting that I be reimburse for the damage that occur on our city street on Sunday, July 31, 2011.

Attached:

Pictures, report and invoice from Infiniti North Shore.

Sincerely



Loretta Hays-Powell

3764 North 84th Street

Milwaukee, WI 53222

414-287-2524 work

CITY OF MILWAUKEE
RECEIVED
2011 AUG -9 PM 1:24
OFFICE OF
CITY ATTORNEY



Infiniti North Shore

(A North Shore Autos LLC Company)
 1515 West Silver Spring Dr. • P.O. Box 170230 • Glendale, WI 53217
 414-351-3000
 infinitinorthshore.com



CELL: 414-287-2524

CUSTOMER NO. 7080	ADVISOR BRADLEY BARANOWSKI	TAG NO. 111	INVOICE DATE 08/02/11	INVOICE NO. INCS39697	
LORETTA POWELL 3764 N 84TH ST MILWAUKEE, WI 53222 TTAPMIN@AOL.COM RESIDENCE PHONE 414-535-9040 BUSINESS PHONE COMMENTS	LABOR RATE	LICENSE NO. 278-REV	MILEAGE 101,893	COLOR BEIGE/	
	YEAR / MAKE / MODEL 07/INFINITI/M35/4DR SDN AWD			DELIVERY DATE	DELIVERY MILES
	VEHICLE I.O. NO. J N K A Y 0 1 F 8 7 M 4 5 3 8 2 0			SELLING DEALER NO.	PRODUCTION DATE
	F.T.E. NO.	P. O. NO.	R. O. DATE 08/01/11		
				MO: 101896	

TOTALS-----

*****	TOTAL LABOR	139.95
* [] CASH [] CHECK CK NO. [] *	TOTAL PARTS	522.60
* [] VISA [] MASTERCARD [] DISCOVER *	TOTAL SUBLET...	0.00
* [] AMER XPRESS [] OTHER [] CHARGE *	TOTAL G.O.G....	0.00
*****	TOTAL MISC CHG.	8.40
	TOTAL MISC DISC	0.00
	TOTAL TAX.....	37.57
	TOTAL INVOICE \$	708.52

SERVICE DEPARTMENT HOURS:

Monday - Thursday
7:30 AM - 7:00 PM

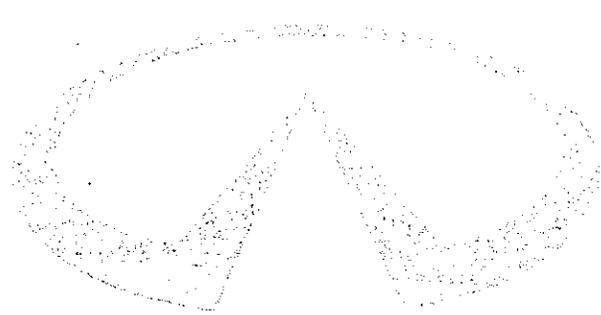
Friday
7:30 AM - 6:00 PM

Saturday
8:00 AM - 1:00 PM

CAR PICK UP UNTIL
6:00 PM Friday
5:00 PM Saturday

THANK YOU FOR YOUR BUSINESS!!

CUSTOMER SIGNATURE



THANK YOU
FOR YOUR
PATRONAGE!
HAVE A
NICE
DAY!

DISCLAIMER OF WARRANTIES

The seller hereby expressly disclaims all warranties, either expressed or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products.

Motor vehicle repair trade practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture Trade and Consumer Protection, P.O. Box 8911, Madison, Wisconsin 53708-8911.

AL BUSINESS PUBLISHERS • 1-800-531-0629 • FORM U (10/09)

424342080687
 INFINITI NORTH SHORE
 1515 W. SILVER SPRING
 GLENDALE, WI 53209
 414-351-3000

Ref #
 Sale
 Entry Method: S
 Adm Code: S
 Batch: S

XXXXXXXXXXXX

9 11
 ID: 029097
 ID: Online



Infiniti North Shore

(A North Shore Autos LLC Company)

1515 West Silver Spring Dr. • P.O. Box 170230 • Glendale, WI 53217

414-351-3000

infinitinorthshore.com



INFINITI

CELL: 414-287-2524

CUSTOMER NO. 7080	ADVISOR BRADLEY BARANOWSKI	TAG NO. 111	INVOICE DATE 08/02/11	INVOICE NO. INCS39697
LORETTA POWELL 3764 N 84TH ST MILWAUKEE, WI 53222 TTAPMIN@AOL.COM RESIDENCE PHONE: 414-535-9040	LABOR RATE	LICENSE NO. 278-REV	MILEAGE 101,893	COLOR BEIGE/
	YEAR / MAKE / MODEL 07/INFINITI/M35/4DR SDN AWD			DELIVERY DATE
	VEHICLE I.D. NO. JNKAY01F87M453820			DELIVERY MILES
	F.T.E. NO.		P.O. NO.	R.O. DATE 08/01/11
BUSINESS PHONE	COMMENTS			MO: 101896

JOB# 1 CHARGES

LABOR
1.05INZ FRONT SUSPENSION TECH(S):85 50.00
C.S. THAT THE VEHICLE HIT A POTHOLE; CHECK AND ADVISE ON SUSPENSION AND BODY. FOUND BOTH PASS SIDE TIRES TO HAVE IMPACT POINTS ON THE SIDE WALLS; NEED TO REPLACE TWO TIRES. REPLACED PASS SIDE TIRES WITH CONTINENTAL EXTREME CONTACT; MATCHED TO DRIVER'S SIDE TIRES.

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	PRICE
	2	2454518	OPT CONT DWS 96Y	261.30	522.60
TOTAL - PARTS					522.60

JOB# 1 TOTALS

LABOR	50.00
PARTS	522.60
JOB# 1 TOTAL	572.60

SERVICE DEPARTMENT HOURS:

Monday - Thursday
7:30 AM - 7:00 PM

Friday
7:30 AM - 6:00 PM

Saturday
8:00 AM - 1:00 PM

CAR PICK UP UNTIL
6:00 PM Friday
5:00 PM Saturday

JOB# 2 CHARGES

LABOR
2+01INZ112 4 WHEEL ALIGNMENT TECH(S):85 89.95
CUSTOMER REQUESTS PERFORM 4 WHEEL ALIGNMENT. PERFORMED 4 WHEEL ALIGNMENT PER RECOMENDATION FOR OPTIMAL TIRE WEAR-INCLUDES UNDERCAR INSPECTION OF SUSPENSION AND STEERING COMONETS.SET ALL ALIGNMENT ANGLES TO FACTORY SPECIFICATIONS

LABOR	89.95
JOB# 2 TOTALS	89.95

JOB# 2 JOURNAL PREFIX INCS JOB# 2 TOTAL 89.95

MISC	CODE	DESCRIPTION	CONTROL NO	PRICE
JOB # A	100	ENVIROMENTAL CHARGE		8.40
TOTAL - MISC				B.40

THANK YOU FOR YOUR PATRONAGE!

HAVE A NICE DAY!

ESTIMATE
CUSTOMER HEREBY ACKNOWLEDGES RECEIVING ORIGINAL ESTIMATE OF \$720.00 (+TAX)

COMMENTS
DROP OFF
RE-GLUED FRONT INFINITI EMBLEM BACK TO GRILLE; GRILLE DAMAGED IN TWO PLACES; EMBLEM MAY COME OFF; CUSTOMER ADVISED.

DISCLAIMER OF WARRANTIES

The seller hereby expressly disclaims all warranties, either expressed or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products.

Motor vehicle repair trade practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture Trade and Consumer Protection, P.O. Box 8911, Madison, Wisconsin 53708-8911.

AV BUSINESS PUBLISHERS • 1-800-541-5623 • FORM U (4/02)



August 1, 2011

The Auto Club Group
1 Auto Club Drive
Dearborn, Michigan 48126-2694

Loretta Powell
3764 N 84th Street
Milwaukee, WI 53222

Dear Loretta Powell,

This letter is to acknowledge your recent request for information regarding your call for Emergency Road Service. Club records reflect we received the following call for service under your membership:

Call #	Date	Time
224677	7/31/2011	1:10PM
Phone	Service Required	Station
(414) 467-5721	Towing Service	Jimmy's Towing
Vehicle Information (Yr Make Model)		
2007 Infiniti X35 Black		
Breakdown Location:		
W Douglas Ave & N 60th Street, Milwaukee,WI		
Destination:		
Infiniti North Shore: 1515 W Silver Spring Drive, Milwaukee,WI		

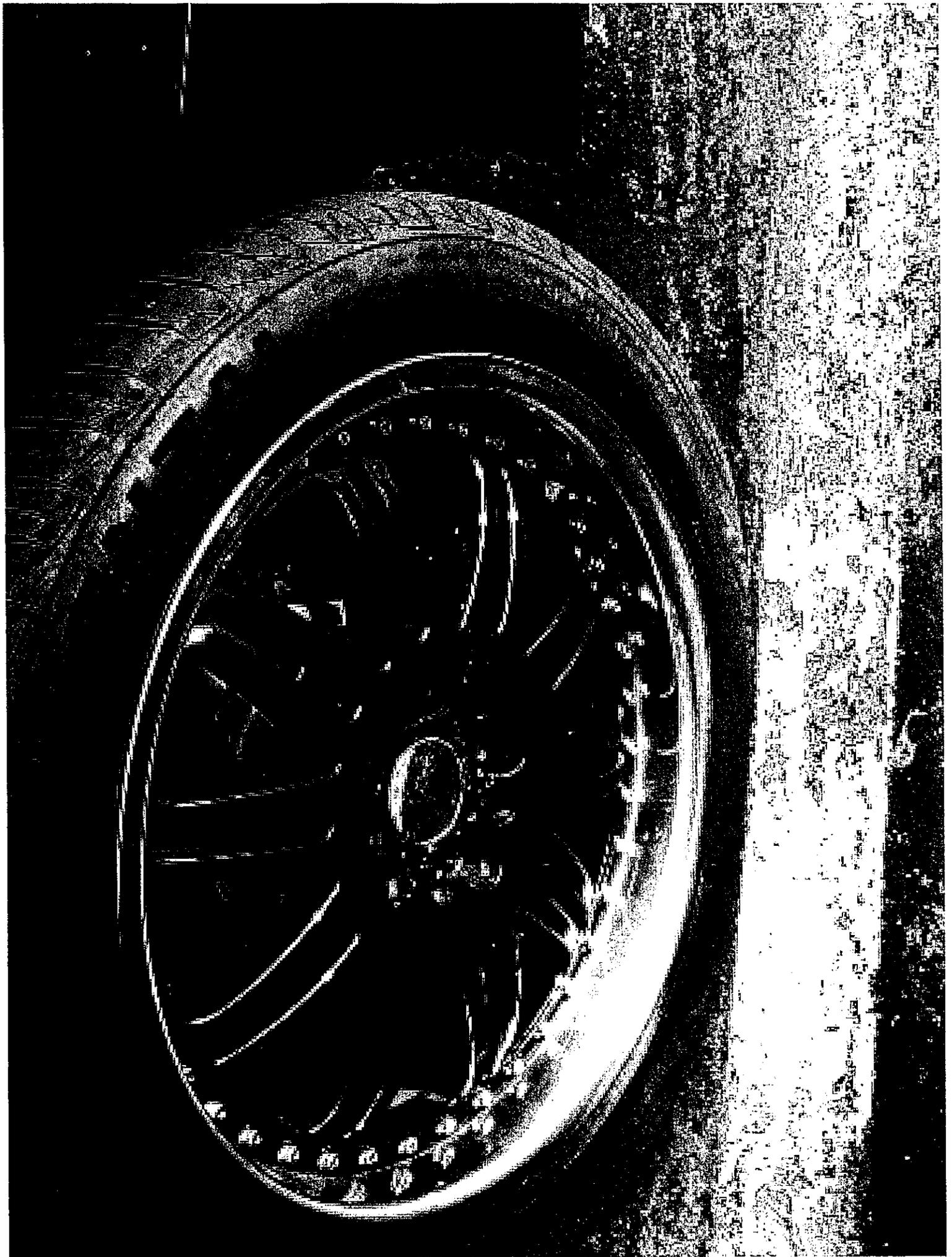
We hope that you will continue to call on AAA, and the next time you request service we deliver the dependable road service you expect. We value your membership and look forward to meeting your service needs in the future. If further discussion is needed, please feel free to contact me at the toll free number listed below.

Sincerely,
ERS Member Relations
866-222-2273

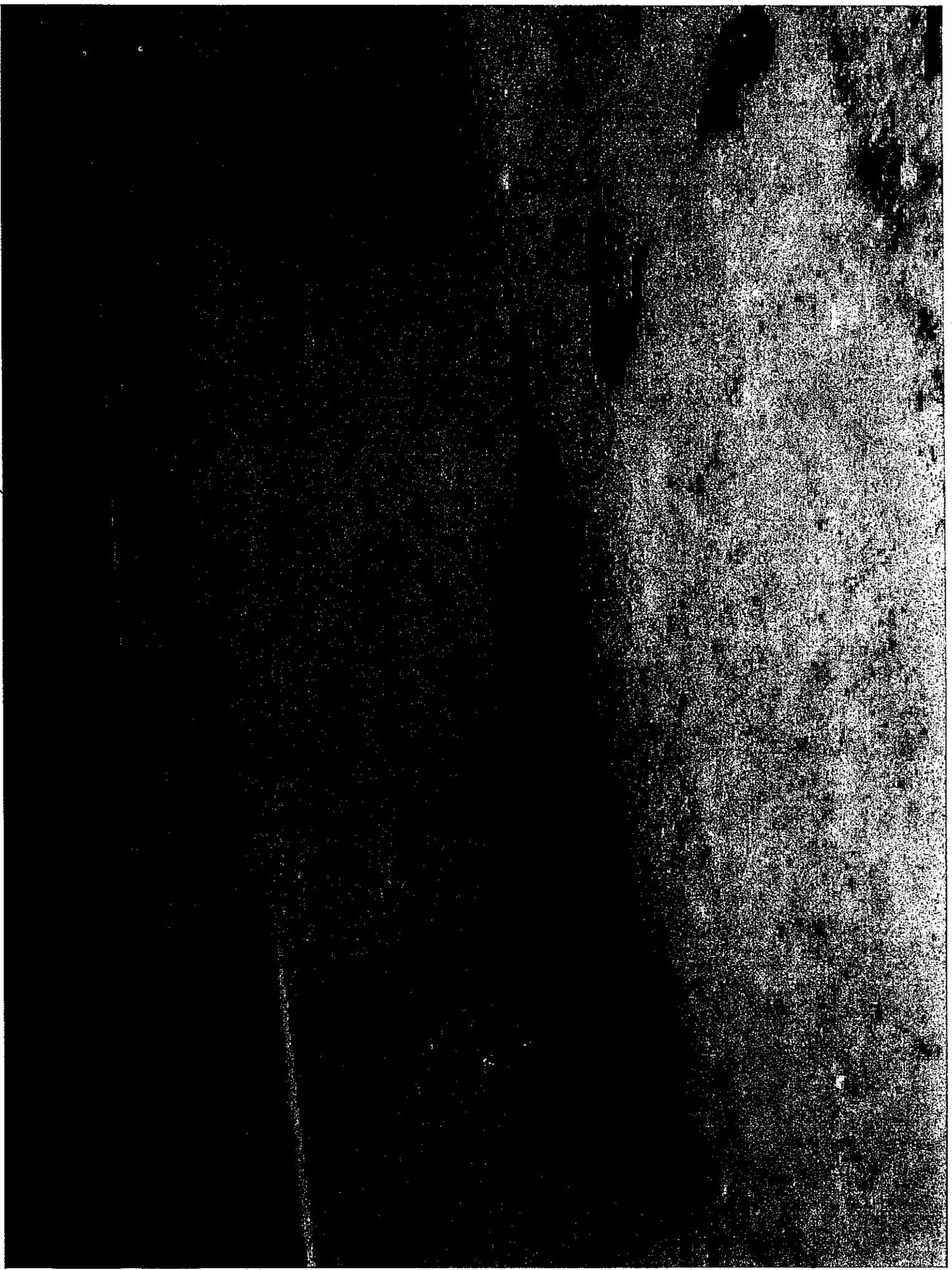
COACHMAN'S MOUNTAIN 00001







WYBY F-11 R018 HFTYI YMC MCDONT





OFFICE OF THE CITY CLERK
Milwaukee, Wisconsin

INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

To file a claim against the City a claimant must comply with Section 893.80(1), Wis. Stats., a copy of which is printed at the bottom of this instruction sheet. Generally the statute requires the claimant to submit to the City Clerk:

1. A document stating the circumstances of the claim which must be signed by the claimant, or his/her agent or attorney. This document should be filed within 120 days of the event.
2. A document stating the address of the claimant and a statement of the relief sought. If money damages are sought, a specific sum must be stated.

(The above information may be combined in a single document.)

The following information should also be submitted to allow the City to promptly act on your claim:

1. Proof of the amount of the claim by means of either itemized receipts or two itemized estimates.
2. A phone number where the claimant can be reached during business hours as well as the claimant's e-mail address, if any.
3. As detailed a description of the incident as possible, including the date, time and place.

All information should be submitted to:

City Clerk
ATTN: CLAIMS
200 E. Wells St., Room 205
Milwaukee, WI 53202-3567

ADDITIONAL INFORMATION

Before you can file a lawsuit against the City of Milwaukee for reimbursement, State law requires that you first follow the claim procedures established by the City Clerk.

Filing a claim against the City does not automatically guarantee reimbursement from the City. However, the City examines each claim on an individual basis in determining if reimbursement is legally required.

In order to obtain reimbursement for a claim against the City, you must prove that the City or its employees acted unlawfully or negligently.

Only the City Attorney or the Common Council and the Mayor can authorize payment of a claim against the City. Any other representations made by City employees are not legally binding on the City.

893.80 Claims against governmental bodies or officers, agents or employees; notice of injury; limitation of damages and suits. (1) Except as provided in subs. (1g), (1m), (1p) and (8), no action may be brought or maintained against any volunteer fire company organized under ch. 213, political corporation, governmental subdivision or agency thereof nor against any officer, official, agent or employee of the corporation, subdivision or agency for acts done in their official capacity or in the course of their agency or employment upon a claim or cause of action unless:

(a) Within 120 days after the happening of the event giving rise to the claim, written notice of the circumstances of the claim signed by the party, agent or attorney is served on the volunteer fire company, political corporation, governmental subdivision or agency and on the officer, official, agent or employee under s. 801.11. Failure to give the requisite notice shall not bar action on the claim if the fire company, corporation, subdivision or agency had actual notice of the claim and the claimant shows to the satisfaction of the court that the delay or failure to give the requisite notice has not been prejudicial to the defendant fire company, corporation, subdivision or agency or to the defendant officer, official, agent or employee; and

(b) A claim containing the address of the claimant and an itemized statement of the relief sought is presented to the appropriate clerk or person who performs the duties of a clerk or secretary for the defendant fire company, corporation, subdivision or agency and the claim is disallowed.



Legislation Details (With Text)

File #: 111104 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the claim of Atty. Mark Schoenfeldt on behalf of Matt Sisson for personal injuries.

Sponsors: THE CHAIR

Indexes:

Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111104
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Resolution relating to the claim of Atty. Mark Schoenfeldt on behalf of Matt Sisson for personal injuries.
Requestor
City Attorney
Drafter
JAS:ms
November 18, 2011
1029-2011-2562:175657

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
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CHRISTINE M. QUINN
MARGARET C. DAUN
JEREMY R. MCKENZIE
MARY L. SCHANNING
Assistant City Attorneys

November 18, 2011

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of Matt Sisson
C.I. File No.: 11-L-79

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk, and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Matt Sisson, 9445 North Spruce Road, Milwaukee, WI 53217, by his attorney, Mark A. Schoenfeldt, 135 West Wells Street, Suite 604, Milwaukee, WI 53203, allege that on June 5, 2011 Mr. Sisson sustained injuries and pain and suffering due to the City of Milwaukee's alleged negligent maintenance of a public roadway/pothole along East Ogden Avenue near North Milwaukee Street. They claim damages in the amount of \$150,000.00.

Our investigation reveals that the Infrastructure Services Division records indicate that prior to June 5, 2011, the City had no notice of this hazard in the roadway and because of this lack of notice the City would not be liable. Therefore, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2011-2562:175655

OFFICE OF THE CITY ATTORNEY

**NOTICE OF INJURY, NOTICE OF CLAIM,
AND CLAIM FOR DAMAGES**
§893.80(1)(a) and §893.80(1)(b), Wis. Stats.

TO: City of Milwaukee Clerk
ATTN: CLAIMS
200 E. Wells Street, Room 205
Milwaukee, WI 53202-3567

Re: Claimant: Matt Sisson
Claimant's Address: 9445 N. Spruce Road, Milwaukee, WI 53207
Date of Occurrence: June 5, 2011
Location of Occurrence: East Ogden Avenue approaching Milwaukee Street
Time of Occurrence: 1:30 pm
Circumstances of Claim: Negligent maintenance of Public Roadway/Pothole

CITY OF MILWAUKEE
11 OCT -3 PM 1:19
RONALD D. LEONHARDT
CITY CLERK

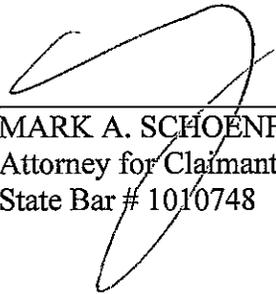
This document shall constitute proper Notice of Injury, Notice of Claim and Claim for Damages pursuant to the terms of §893.80(1)(a) and §893.80(1)(b), Wis. Stats. and is being duly served upon the City of Milwaukee within the 120 day period of time set forth in the statute. The City of Milwaukee had a ministerial duty to properly inspect, maintain and repair the public roadway at the above location. As a direct and proximate result of the breach of this ministerial duty by agents of the City of Milwaukee, Mr. Sisson sustained various injuries.

PLEASE TAKE FURTHER NOTICE that the claimant demands satisfaction for said injuries and damages incurred as follows:

For Pain, suffering and disability:	\$100,000.00
For Medical Bills:	<u>\$ 50,000.00</u>
TOTAL	\$150,000.00

CITY OF MILWAUKEE
RECEIVED
2011 OCT -5 PM 3:32
OFFICE OF
CITY ATTORNEY

Dated at Milwaukee, WI this 28 day of September, 2011.



MARK A. SCHOENFELDT
Attorney for Claimant
State Bar # 1010748

POST OFFICE ADDRESS:
135 W. Wells Street
Suite 604
Milwaukee, WI 53203
(414) 272-2860



Legislation Details (With Text)

File #: 111103 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the claim of Ken Wolf for personal injuries. (6th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS

Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111103
Version
ORIGINAL
Reference

Sponsor
THE CHAIR
Title
Resolution relating to the claim of Ken Wolf for personal injuries. (6th Aldermanic District)
Requestor
City Attorney
Drafter
JAS:ms
November 22, 2011
1029-2011-2611:175797

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
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JARELY M. RUIZ
ROBIN A. PEDERSON
CHRISTINE M. QUINN
MARGARET C. DAUN
JEREMY R. MCKENZIE
MARY L. SCHANNING
Assistant City Attorneys

November 22, 2011

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of Ken Wolf
C.I. File No.: 11-L-83

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk, and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Ken Wolf, 1199 East Singer Circle, Milwaukee, WI 53212, alleges that on June 18, 2011 he suffered pain, disability and medical bills because the City failed to properly inspect, maintain and repair the sidewalk at 3804 North Humboldt Avenue. He claims damages in the amount of \$150,000.00.

Our investigation reveals the Infrastructure Service Division records indicate that prior to June 18, 2011 the City had no notice of this hazard along the sidewalk and because of this lack of notice the City would not be liable. Therefore, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2011-2611:175790

**NOTICE OF INJURY, NOTICE OF CLAIM,
AND CLAIM FOR DAMAGES**
§893.80(1)(a) and §893.80(1)(b), Wis. Stats.

CITY OF MILWAUKEE
11 OCT -7 PM 3:26
RONALD D. LEONHART
CITY CLERK

TO: City of Milwaukee Clerk
ATTN: CLAIMS
200 E. Wells Street, Room 205
Milwaukee, WI 53202-3567

Re: Claimant: Ken Wolf
Claimant's Address: 1199 E. Singer Circle Milwaukee, WI 53212
Date of Occurrence: June 18, 2011
Location of Occurrence: 3804 N. Humboldt Avenue, Milwaukee, WI
Time of Occurrence: Early afternoon
Circumstances of Claim: Negligent maintenance of Public Sidewalk

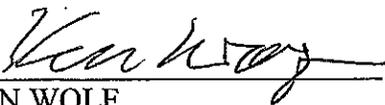
This document shall constitute proper Notice of Injury, Notice of Claim and Claim for Damages pursuant to the terms of §893.80(1)(a) and §893.80(1)(b), Wis. Stats. and is being duly served upon the City of Milwaukee within the 120 day period of time set forth in the statute. The City of Milwaukee had a ministerial duty to properly inspect, maintain and repair the public sidewalk at the above location. As a direct and proximate result of the breach of this ministerial duty by agents of the City of Milwaukee, Mr. Wolf sustained various injuries.

PLEASE TAKE FURTHER NOTICE that the claimant demands satisfaction for said injuries and damages incurred as follows:

For Pain, suffering and disability:	\$100,000.00
For Medical Bills:	<u>\$ 50,000.00</u>
TOTAL	\$150,000.00

CITY OF MILWAUKEE
RECEIVED
2011 OCT 10 PM 1:41
OFFICE OF
CITY ATTORNEY

Dated at Milwaukee, WI this 21st day of December, 2011.


KEN WOLF



Legislation Details (With Text)

File #: 111066 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to an appeal from Loretta Bailey for property damage. (15th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS APPEAL

Attachments: Appeal, City Attorney Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

111066

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to an appeal from Loretta Bailey for property damage. (15th Aldermanic District)

Drafter

CC-CC

dkf

11/28/11

November 14- 2011 (1)

Loretta Bailey

2658 N. 41st
Milwaukee, WI 53210

CITY OF MILWAUKEE
RECEIVED

2011 NOV 16 AM 11:39

RENEALD B. LEONARDI
CITY CLERK

RE: Loretta Bailey (C.I. File # 11-5-250)

Dear Office of The City Attorney:

I Received your letter denying my claim in the amount of \$792⁰⁰ relating to damage to my parked vehicle at the corner of North 6th Street and West Cherry Street.

The person that I have circled in the picture is the man that sprayed the paint & rocks from the left side of the street where he was working to the right side of the street, where my truck was parked. It was not a crew of workers, it was only one person. That is why I circled the man on the picture because I saw him again when the crew came back to work on a different day. I spoke to the worker when it first occurred, I asked him why was he spraying paint & rocks against my truck and what was that white stuff, he didn't answer. I told him I'd just had it painted. He never took off the yellow headphones off his head. He just looked at me

(2)

and said in a mean way, It will come off, then jumped into his truck and took off.

I have no reason to lie. He sprayed Rock & ~~white~~ white paint, and all that flying in the air resulted in chip, on the hood and damage getting it off a recently painted vehicle. I do request a hearing.

Sincerely, Yours
Loretta Bailey

CITY OF MILWAUKEE
RECEIVED

CITY OF MILWAUKEE

2011 AUG 31 AM 11:42

2011 AUG 31 PM 2:54

RONALD D. LECH,
CITY CLERK

OFFICE OF
CITY ATTORNEY

Loretta Bailey
21658 N. 41st

Milwaukee WI 53210
(414) 467-3785

AUG. 23, 2011

TO whom it may concern I Loretta Bailey is putting a claim with the city of Milwaukee. The reason I'm going to be reimbursed on Aug 5, 2011 my Lexus Truck was parked on 6th Cherry between 12:00 and 12:30 noon a city worker began spraying white lines on the street. As he was spraying the paint went onto the hood front side of the truck. I was parked on the corner of 6th Cherry. A lady came into the day care and asked if there was anyone driving a Lexus truck. My supervisor came and told me that I need to go and look at my truck. The paint that the city worker was using was sprayed all on the truck. As he was spraying the water onto the street the gravel was hitting against the truck which caused

a chip to be on the front of the hood. I asked the worker do you see my truck? The worker started in an arrogant tone. "Don't worry about it. It will come off. I tried to explain to him that I just got my truck painted. He acted like as though he didn't want to listen to what I had to say and jumped in the city's truck.

I just got my truck painted on June 3, 2011 at Player Choice Customizing auto which cost me \$1500 + 198.00 tax. I took my truck back to Player's Choice Customizing Autobody to get an estimation on how much it will cost to remove the white spots that's in the paint. The estimation was 792.92 that is included the chip on the hood that came from the gravel that was flying.

CITY OF MILWAUKEE
RECEIVED

2011 AUG 31 PM 2:54

OFFICE OF THE
CITY ATTORNEY

BODY SHOP REPAIR ORDER

Player's Choice
Customizing Autobody
 7202 W Appleton Avenue
 Milwaukee, WI 53216
 414-466-2250
 Fax: 414-466-2256

RO# _____
 Name Roneta Bailey Date# _____
 Address 858 North 41st Date Promised _____
 City, State & Zip Milwaukee WI 53210 Time Promised _____

Year 2000 Make Lexus Model EX 470 Ins. Co. _____
 Lic # _____ Mileage _____
 2-door Pickup SUV 4-door Hatchback Code SLWR Paint # Black Vin # _____
 Date _____ Home Phone _____ Work Phone _____

CITY OF MILWAUKEE RECEIVED
 2011 AUG 31 PM 2:54
 OFFICE OF CITY ATTORNEY

[Handwritten Signature]
[Handwritten Signature]

Description & Part #	Amount	Symbol	Repair Order Instructions	BODY UNITS	PAINT UNITS	FRAME UNITS	MECH. UNITS	AMOUNT
			<input type="checkbox"/> Repair as per Estimate					
			<u>Fix All Remains</u>					
			<u>Overspray on Truck</u>					
			<u>Add paint to match...</u>					<u>750</u>
			<u>Soft touch wax</u>					
Subtotal Parts								
Sublet								

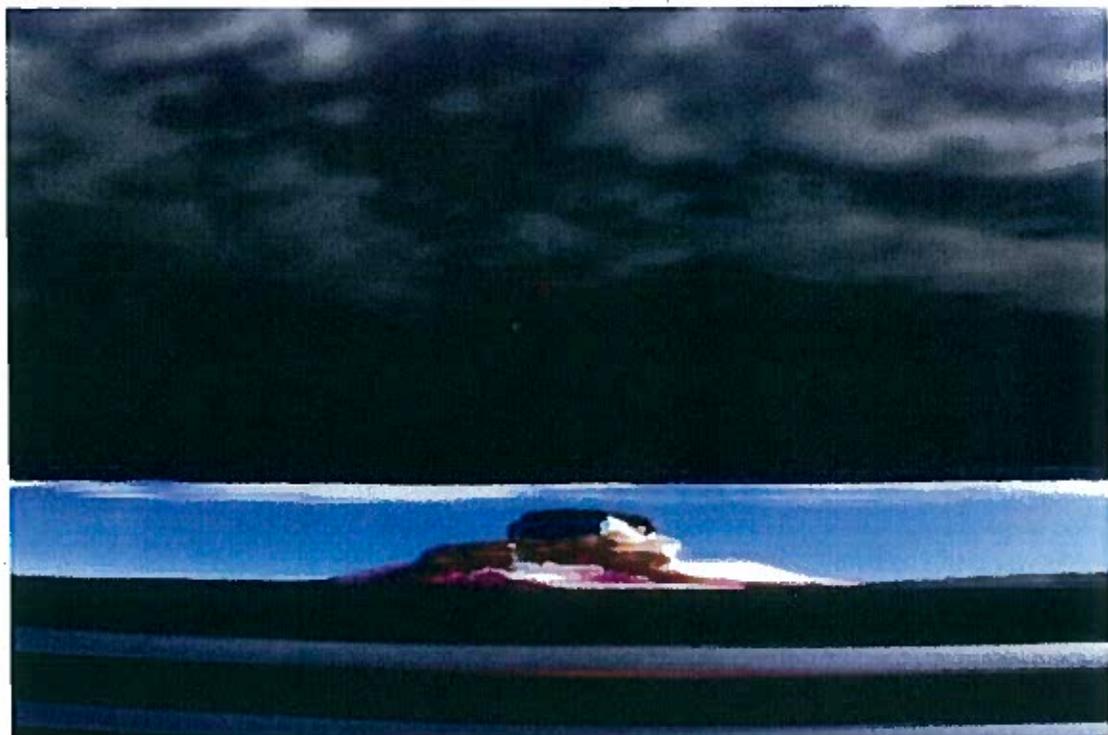
NOT RESPONSIBLE FOR ANY PERSONAL ITEMS LEFT IN VEHICLE. I hereby authorize the above repair work to be done along with the necessary materials. You and your employees may operate the above vehicle for purposes of testing, inspection or delivery at my risk. An express mechanic's lien is acknowledged on the above vehicle to secure the amount of repairs thereto. You will not be held responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft, accident or any other cause beyond your control. STORAGE WILL BE CHARGED FORTYEIGHT HOURS AFTER REPAIRS ARE COMPLETED. IN THE EVENT LEGAL ACTION IS NECESSARY TO ENFORCE THIS CONTRACT I WILL PAY REASONABLE ATTORNEY'S FEES AND COURT COSTS.

Signed X _____
 Terms: STRICTLY CASH Unless Arrangements Made.

L BODY _____ units @ _____
 A PAINT _____ units @ _____
 B FRAME _____ units @ _____
 R MECH _____ units @ _____

PART Prices subject to invoice
 Sublet/Miscellaneous _____
 Paint Supplies _____ hrs @ _____
 Body Supplies _____ hrs @ _____
 Towing/Storage _____
 EPA/Waste Disposal Charge _____
 SUB TOTAL 750
 TAX _____ % on \$ _____
TOTAL \$ 792.90







GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
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JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
CHRISTINE M. QUINN
MARGARET C. DAUN
JEREMY R. MCKENZIE
Assistant City Attorneys

November 8, 2011

Loretta Bailey
2658 North 41st Street
Milwaukee, WI 53210

RE: Loretta Bailey
C.I. File No.: 11-S-250

Dear Ms. Bailey:

We have received your claim in the amount of \$792.00, relating to damage to your parked vehicle on August 5, 2011 when you allege that paint and gravel were thrown onto it when the City painted the lines in the street at/near 6th and Cherry.

Our investigation reveals that the Infrastructure Services Division records indicate that on August 5, 2011 a DPW Street Maintenance Crew was sawing concrete at the corner of North 6th Street and West Cherry Street. As a result, some water mixed with dust was sprayed onto your vehicle. The crew indicated that at no time did any stones hit your vehicle. As such, the City would not be liable for the claimed repairs. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,

GRANT F. LANGLEY
City Attorney

STEVEN M. CARINI
Investigator Adjuster

SMC:ms
1029-2011-2332:175314

mailed 11-11-11



Legislation Details (With Text)

File #: 111193 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution authorizing the return of real estate located at 2959-2959 N 22nd Street, in the 7th Aldermanic District to its former owner. (Rodney Manns)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Application, DCD letter, Treasurer, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111193
Version
SUBSTITUTE 1
Sponsor
THE CHAIR
Title

Substitute resolution authorizing the return of real estate located at 2959-2959 N 22nd Street, in the 7th Aldermanic District to its former owner. (Rodney Manns)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 2959-2959 N 22nd Street, previously owned by Rodney Manns, has delinquent taxes for 2008-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated September 16 111193; and

Whereas, Rodney Manns would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since September 16; and

Whereas, Rodney Manns has agreed to pay all related city charges up until the point that the property is

returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2959-2959 N 22nd Street, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV7456 known as the 2011-02 In Rem Parcel 117, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

Jp

1/5/12



OFFICE OF THE CITY TREASURER
Milwaukee, Wisconsin

December 12, 2011

To: Milwaukee Common Council
City Hall, Room 205

From:  James F. Klajbor
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 310-0315-000-6
Address: 2959 2959 N 22ND ST
Owner Name: RODNEY MANNS
Applicant/Requester: RODNEY MANNS
2011-2 Inrem File
Parcel: 117
Case: 11CV7456

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 09/16/2011.

JFK/ku

REQUEST FOR VACATION OF IN REM JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW:

Return by 12-15-11

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 2959 N 22ND
 TAXKEY NUMBER 310-03156
 NAME OF APPLICANT RODNEY MARINS
 MAILING ADDRESS 2826 N 41ST
MILWAUKEE CITY WI STATE 53208 ZIP CODE 414-788-8051 TELEPHONE NUMBER

B. FORMER OWNER YES NO

If no, describe interest in this property _____

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

NONE

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES NO

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES NO

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.

APPLICANT'S SIGNATURE [Signature]

DATE 12/12/2011



12494

1. Grantors and grantees must review this receipt, noting grantor and grantee responsibilities.
2. Mail or deliver the following items to:
Milwaukee County Register of Deeds, 901 N 9TH ST RM 103, MILWAUKEE, WI 53233-1425
 - This receipt page, along with a transfer fee of \$6.00.
 - The deed or instrument of conveyance, along with a recording fee of \$30.00 regardless of the number of pages.

To view the details of the real estate transfer return online, go to <https://ww2.revenue.wi.gov/RETRWebPublic/application>. You will need to know the receipt number, the total value of the real estate transferred, and the last name of one grantor or grantee.

Receipt **12494**. Filed December 7, 2011, 4:44 PM - **Milwaukee County**. Conveyance date **2011-10-10**.

Value transferred	\$2,000	Transfer fee	\$6.00
Value subject to fee	\$2,000	Fee exemption number	

Grantors Hewings, Craig COLEM; Browder, Evan M

Grantees Manns, Rodney D

Tax bill address Rodney D Manns, 2959 North 22ND Chambers, MILWAUKEE, Wisconsin 53206

Property Location 2959 North 22ND Street Milwaukee WI 53210 (City of Milwaukee)

Parcels 310-0315-006 (S18/T7N/R22E) (Brown's Sub. No.3/4/10)

Short legal description Lot 4, in block 10 in brown's subdivision No#3 of a part of the east 1/2 of the north west 1/4 of section 18, in township 7 north, range 22 east in the city of Milwaukee, county of Milwaukee Wisconsin.

Grantor responsibilities: Grantors are responsible for paying the proper fee amount—verify the total property value, fee amount and fee exemption before sending this receipt to the county Register of Deeds.¹

Grantee responsibilities: Grantees assert that this property is a primary residence², and that the property is not subject to weatherization standards with exclusion code "W-1".³

Preparer Craig Hewings, 414 397-2818

Grantor agent none

Grantee agent none

If you have any questions about the Real Estate Transfer Return visit the Real Estate Transfer Web site at <http://www.dor.state.wi.us/ust/retrn.html>. You can also contact your County Register of Deeds (see <http://www.wrdaonline.org/>).

Information on the real estate transfer return is used to administer Wisconsin's laws of income tax, real estate transfers, rental unit energy efficiency, lottery tax credit and general property tax. The transfer of Wisconsin real estate in a taxable transaction must be reported on your Wisconsin Income tax return. This is true whether you were a resident, a part-year resident, or a nonresident of Wisconsin. If you are a nonresident of Wisconsin, you must file Form INPR to report the sale.

1 Penalties for use of an improper exemption are imposed on the transferor. 77.01(1) Wis. Stats.

Document Number

This Deed, made between Craig Hewings
AND EVAN BROWDER, both single
and Rodney D. Manns, A Grantor.
Single MAN. Grantee.

Grantor, for a valuable consideration conveys to Grantee the following described real estate in Milwaukee County, State of Wisconsin (the "Property"):

Lot 4 in Block 10 in Braun's
Subdivision NO. 3 of a part
of the East 1/2 of the Northwest
1/4 of Section 18, in township 7
North, Range 22 East, in the
City of Milwaukee, County of Milwaukee,
Wisconsin.

Address: 2959 N 22nd St. Milwaukee, WI 53206.

(Recording Area)
Name and Return Address
Rodney D. Manns
2959 North 22nd
Milwaukee, WI 53206

Parcel Identification Number (PIN)
310-0315-6
This is homestead property.
(is) (is not)

Together with all appurtenant rights, title and interests.

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except

Dated this 10th day of October, 2011.

Evan Browder (SEAL)

Evan Browder (SEAL)

Craig Hewings (SEAL)

Craig Hewings (SEAL)

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s) _____
authenticated this _____ day of _____

State of Wisconsin,
Milwaukee County,
Personally came before me this 10th day of
October, 2011, the above named

Evan Browder and
Craig Hewings to
me known to be the person who executed the foregoing
instrument and acknowledge the same.

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by §706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Craig Hewings

Mary C Kubisa
Mary C Kubisa
Notary Public, State of Wisconsin
My commission is permanent. (If not, state expiration date:
Apr 1 2012)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

RECEPTION RECEIPT

DATE: DEC - 8 2011

Received From: RODNEY MANN

JOHN LA FAVE
REGISTER OF DEEDS
901 N. 9TH ST., Room 103
MILWAUKEE, WI 53233

Check # _____
Check Amt \$ _____
Cash \$ 36.00

Received By: RLJ

Quantity	Doc Type	Fee	Copies (Plain or Certified)	
<u>1</u>	<u>DEED</u>	<u>\$36.00</u>	<u> </u> P <u> </u> C	\$ <u> </u>
_____	_____	\$ _____	_____ P _____ C	\$ _____
_____	_____	\$ _____	_____ P _____ C	\$ _____
_____	_____	\$ _____	_____ P _____ C	\$ _____
Total		<u>\$36.00</u>	Total	\$ _____

Copies: Fwd to C. Court _____ Mail _____ Pick-up _____

Recording information will be available as soon as the document is recorded. You may call 414-278-4001 at a later date to confirm recording information.

Office of the City Treasurer - Milwaukee, Wisconsin
Administration Division
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	1,370.00

Date 12/12/2011

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 2
Taxkey Number: 310-0315-000 - 6
Property Address: 2959 2959 N 22ND ST
Owner Name RODNEY MANNS

Applicant: RODNEY MANNS

Parcel Number: 117
CaseNumber: 11CV7456



Payment Receipt

CT-11

Office of the City Treasurer • City Hall, Room 103
200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Rodney Manns

Tax Account No.: 310-0315-6

Property Address: 2959 N 22nd

Cash \$ 1370.00 Check \$ _____

Installment Payment Bond Payment

Delinquent Tax Payment Year: _____

Current Collection Tax Payment

Duplicate Tax Bill Fee Other

Received by: Kerry located
Judgment

Date: 12/12/11



Department of City Development

City Plan Commission
Historic Preservation Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

January 5, 2012

Ms. Joanna Polanco, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Polanco:

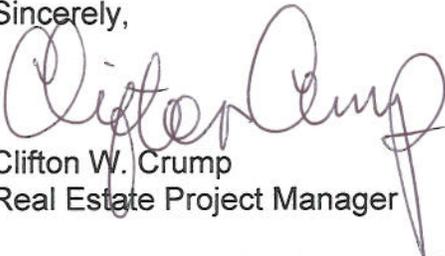
Re: File Number 111193
2959 North 22nd Street

The Department of City Development reports that the tax foreclosed property located at 2959 North 22nd Street, Tax Key No. 310-0315-000-6, is not suitable for use by a public agency or community based organization. The property is located in the Fond du Lac North Avenue planned project area but is not needed to implement the plan.

This residential structure is occupied. Administrative costs incurred by our Department total \$450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,



Clifton W. Crump
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service
K. Sullivan, City Attorney's Office



Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

January 5, 2012

To: Milwaukee Common Council
Room 205, City Hall

From: James F. Klajbor, City Treasurer
Office of the City Treasurer

Re: 111193 Reopening and Vacating InRem Judgment
Tax Key No.: 310-0315-000-6
Address: 2959 N 22ND ST
Owner Name: RODNEY MANN
Applicant/Requester: RODNEY MANN
2011-2 in rem, Parcel: 117
Case: 11CV7456, Acquired: 09/16/2011

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN JAN	IF PAID BY FEB 17, 2012
2008-2011*	\$7,112.36	*\$7,558.09
Interest	\$1,245.45	\$1319.67
Penalty	\$622.72	659.84
TOTAL**	\$8,980.53	\$9,537.60

*The 2011 tax bill is included.

**The above figures may change prior to payment due to possible additional costs.

JFK/slk



Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

January 4, 2012

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 111193
Address 2959 N 22nd St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services does not object to the return of this property provided the applicant pays \$1050.00 in pending reinspection fees.

We also request that the applicant contacts 2 of our inspectors regarding open permits: Inspector Joseph Glorioso, 286-2523, electrical permit #1010630, and Inspector Keith Spruce, 286-8002, fire repair permit #1005801.

Sincerely,

Lynne Steffen
Business Operations Manager

c: Joseph Glorioso
Keith Spruce



Legislation Details (With Text)

File #: 111192 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution authorizing the return of real estate located at 5061- 5061 N 31st Street, in the 1st Aldermanic District to its former owner. (Darrell Hubbard)
Sponsors: THE CHAIR
Indexes: IN REM JUDGMENTS
Attachments: Application, DCD letter, Treasurer, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111192
Version
SUBSTITUTE 1
Sponsor
THE CHAIR

Title
Substitute resolution authorizing the return of real estate located at 5061- 5061 N 31st Street, in the 1st Aldermanic District to its former owner. (Darrell Hubbard)

Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body
Whereas, The property located at 5061- 5061 N 31st Street, previously owned by Darrell Hubbard, has delinquent taxes for 2008-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated September 16 111192; and

Whereas, Darrell Hubbard would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since September 16; and

Whereas, Darrell Hubbard has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office,

as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 5061- 5061 N 31st Street, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV7456 known as the 2011-02 In Rem Parcel 23, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

Jp

1/5/12



OFFICE OF THE CITY TREASURER
Milwaukee, Wisconsin

December 12, 2011

To: Milwaukee Common Council
City Hall, Room 205

From:  James F. Klajbor
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 207-0206-000-2
Address: 5061 5061 N 31ST ST
Owner Name: DARRELL HUBBARD
Applicant/Requester: DARRELL HUBBARD
2011-2 Inrem File
Parcel: 23
Case: 11CV7456

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 09/16/2011.

JFK/ku

REQUEST FOR VACATION OF IN REM JUDGMENT

Return by 12-15-11

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 5061 N. 31st
 TAXKEY NUMBER 207-0206-2
 NAME OF APPLICANT DARRELL HUBBARD
 MAILING ADDRESS 5025 N. 38 ST.
MILW. CITY WI. STATE 53209 ZIP CODE 414-520-5502 TELEPHONE NUMBER

B. FORMER OWNER YES NO

If no, describe interest in this property _____

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

1120 W. KEEFE AVE. MILW. WI. 53206
5952 N. 38 ST. MILW. WI. 53209
 (Use reverse side if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES NO

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES NO

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.

APPLICANT'S SIGNATURE Darrell Hubbard DATE 12/12/11



Payment Receipt

CT-11

Office of the City Treasurer • City Hall, Room 103
200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Darrell Hubbard

Tax Account No.: 207-0206-2

Property Address: 5061 N 31st St

Cash \$ 1370.00 Check \$ _____

Installment Payment Bond Payment

Delinquent Tax Payment Year: _____

Current Collection Tax Payment

Duplicate Tax Bill Fee

Other
vacated judgment

Received by: Kerry

Date: 12/12/11

Office of the City Treasurer - Milwaukee, Wisconsin
Administration Division
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	1,370.00

Date 12/12/2011

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 2
Taxkey Number: 207-0206-000 - 2
Property Address: 5061 5061 N 31ST ST
Owner Name DARRELL HUBBARD

Applicant: DARRELL HUBBARD

Parcel Number: 23
CaseNumber: 11CV7456



Department of City Development

City Plan Commission
Historic Preservation Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

January 5, 2012

Ms. Joanna Polanco, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 111192
5061 North 31st Street

The Department of City Development reports that the tax foreclosed property located at 5061 North 31st Street, Tax Key No. 207-0206-000-2, is not suitable for use by a public agency or community based organization. The property is located in the 30th Street Corridor planned project area but is not needed to implement the plan.

This residential structure is occupied. Administrative costs incurred by our Department total \$450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Clifton W. Crump
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service
K. Sullivan, City Attorney's Office



Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

January 5, 2012

To: Milwaukee Common Council
Room 205, City Hall

From: James F. Klajbor, City Treasurer
Office of the City Treasurer

Re: 111192 Reopening and Vacating InRem Judgment
Tax Key No.: 207-0206-000-2
Address: 5061 N 31ST ST
Owner Name: DARRELL HUBBARD
Applicant/Requester: DARRELL HUBBARD
2011-2 in rem, Parcel: 23
Case: 11CV7456, Acquired: 09/16/2011

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN JAN	IF PAID BY FEB 17, 2012
2008-2011*	\$4,718.75	*\$6,370.11
Interest	\$1,060.14	\$1,122.51
Penalty	\$530.07	\$561.24
TOTAL**	\$6,308.96	\$8,053.86

The applicant also lists ownership interest in the following properties:

5952 N 38th St – Tax Key #171-9990-5 with taxes paid in full.

1120 W Keefe Ave – Tax Key #283-0126-X with taxes paid in full.

3424 N 17th St – Tax Key #284-1310-5 with taxes paid in full.

The Assessor's office also lists the applicant with ownership interest in the following property:

5625 N 38th St – Tax Key #171-9825-7 with taxes paid in full.

***The 2011 tax bill is included.**

****The above figures may change prior to payment due to possible additional costs.**

JFK/slk



Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186



Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner
Thomas G. Mishefske
Operations Manager

January 4, 2012

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 111192
Address 5061 N 31st St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen
Business Operations Manager



Legislation Details (With Text)

File #: 111218 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution authorizing the return of real estate located at 1908-A S 12th Street, in the 12th Aldermanic District to its former owner. (Rebecca Mitich on behalf of Adalberto Lozano)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Application, DCD letter, Treasurer, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111218
Version
SUBSTITUTE 1
Sponsor
THE CHAIR

Title
Substitute resolution authorizing the return of real estate located at 1908-A S 12th Street, in the 12th Aldermanic District to its former owner. (Rebecca Mitich on behalf of Adalberto Lozano)

Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body
Whereas, The property located at 1908-A S 12th Street, previously owned by Rebecca Mitich on behalf of Adalberto Lozano, has delinquent taxes for 2008-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated September 16 111218; and

Whereas, Rebecca Mitich on behalf of Adalberto Lozano would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained

by the City in the foreclosing and management of said property since September 16; and

Whereas, Rebecca Mitich on behalf of Adalberto Lozano has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 1908-A S 12th Street, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV7456 known as the 2011-02 In Rem Parcel 224, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

Jp

1/5/12



OFFICE OF THE CITY TREASURER
Milwaukee, Wisconsin

December 14, 2011

To: Milwaukee Common Council
City Hall, Room 205

From:  James F. Klajbor
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 468-0036-000-5
Address: 1908 A S 12TH ST
Owner Name: Adalberto Lozano
Applicant/Requester: Rebecca H. Mitich on behalf of
Adalberto Lozano
2011-2 Inrem File
Parcel: 224
Case: 11CV7456

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 09/16/2011.

JFK/slk

REQUEST FOR VACATION OF IN REM JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 1908 A S. 12th Street
 TAXKEY NUMBER 4680036000
 NAME OF APPLICANT Adalberto Lozano - Rebecca H. Mitich-Whyte Hirschboeck Dudek S.C.
 MAILING ADDRESS ~~1832 S. 12th Street~~ 555 E. Wells Street, suite 1900 appearing for Applicant
 Milwaukee WI 53204-5320 2 (414) 975-0875 (414) 978-5367
 CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES X NO _____

If no, describe interest in this property Please see attached deed dated March 10, 2011 transferring property from HSBC Bank USA N.A. to Applicant.

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

1908 S. 12th Street

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES X NO _____

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES _____ NO X

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.

APPLICANT'S SIGNATURE

Rebecca H. Mitich

DATE 12/15/11

Rebecca H. Mitich Whyte Hirschboeck Dudek S.C.
Attorney for Applicant
State Bar No. 1073946



Whyte Hirschboeck Dudek S.C.

Rebecca H. Mitich
(414) 978-5367
rmitich@whdlaw.com

December 14, 2011

VIA HAND DELIVERY

City of Milwaukee
City Treasurer
200 East Wells Street, Room 103
Milwaukee, WI 53202

Re: Request for Vacation of In Rem Judgment - 1908 A S. 12th Street, Tax Key No.
4680036000

To Whom It May Concern:

Attached, please find the Request for Vacation of In Rem Judgment for the property located at 1908 A South 12th Street ("Property"). I have also attached, at the request of City Attorney Kevin Sullivan, a copy of the Special Warranty Deed evidencing the transfer of the Property from HSBC Bank USA N.A. to my client, Adalberto Lozano, the applicant in this Request for Vacation and former owner of the Property. While the deed is dated March 10, 2011, well prior to the date of the foreclosure judgment, it was never recorded due to a recently discovered error on the part of the title company. I will forward a recorded copy of the deed to the Office of the Treasurer as soon as possible.

Please include me on any communications to Mr. Lozano regarding the status of this Request for Vacation.

Very truly yours,

Rebecca H. Mitich

RHM/
Enclosures

cc: Lindsay Doucette

**SPECIAL WARRANTY
DEED**

Document Number

Mail Tax Statements To:
Adalberto Lozano
1832 S. 12th Street
Milwaukee, WI 53204

Recording Information

Actual Consideration is \$14,900.00

MADE this 10 day of
March, 2011, by and between OCWEN
LOAN SERVICING, LLC, AS SERVICER FOR HSBC BANK USA,
N.A., AS INDENTURE TRUSTEE FOR THE REGISTERED
NOTEHOLDERS OF RENAISSANCE HOME EQUITY LOAN
TRUST 2006-2
, Grantor and Adalberto Lozano an unmarried man, whose
post office address is , 1832 S. 12th Street, Milwaukee, WI
53204, Grantees.

After Recording Return to:
Adalberto Lozano
1832 S. 12th Street
Milwaukee, WI 53204

File No.: 103103529

PROPERTY TAX ID#: 468-0035-X

THIS Indenture, made by OCWEN LOAN SERVICING, LLC, AS SERVICER FOR HSBC BANK USA, N.A., AS INDENTURE TRUSTEE FOR THE REGISTERED NOTEHOLDERS OF RENAISSANCE HOME EQUITY LOAN TRUST 2006-2 , Grantor, of Ocwen Loan Servicing, LLC, 12001 Science Drive, Suite 110B, Orlando, FL 32826 , hereby conveys and warrants to Adalberto Lozano an unmarried man, Grantees of Milwaukee County, State of Wisconsin, for the sum of Fourteen Thousand Nine Hundred Dollars and No Cents (\$14,900.00), the following tract of land in Milwaukee County, Wisconsin:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MILWAUKEE, STATE OF WISCONSIN, AND IS DESCRIBED AS FOLLOWS:

THE FOLLOWING DESCRIBED REAL ESTATE IN MILWAUKEE COUNTY, STATE OF WISCONSIN: LOT 37, EXCEPTING THE EAST 60 FEET THEREOF. IN BLOCK 2, IN ASSESSMENT SUBDIVISION NO. 43, BEING A SUBDIVISION OF A PART OF THE SOUTHWEST 1/4 OF SECTION 5, IN TOWNSHIP 6 NORTH, RANGE 22 EAST, AND OF LOT 15, IN BLOCK 1, OF C. HARMEYER'S SUBDIVISION, IN THE CITY OF MILWAUKEE, COUNTY OF MILWAUKEE, STATE OF WISCONSIN. ALSO THE EAST 60 FEET OF LOT 37, IN BLOCK 2, IN ASSESSMENT SUBDIVISION NO. 43, BEING A SUBDIVISION OF A PART OF THE SOUTHWEST 1/4 OF SECTION 5, TOWN 6 NORTH, RANGE 22 EAST, AND OF LOT 15 IN BLOCK 1 OF C. HARMEYER'S SUBDIVISION, IN THE CITY OF MILWAUKEE COUNTY OF MILWAUKEE, STATE OF WISCONSIN.

Parcel ID: 468-0035-X

Commonly known as 1908 South 12th Street, Milwaukee, WI 53215

SOURCE OF TITLE: Instrument 0994S689 number (RECORDED 12/3/2010)

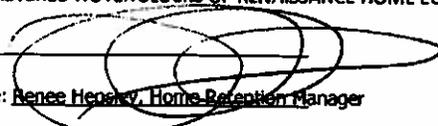
THE Grantor hereby covenants with said Grantees that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, hereby warrants the title

to said land and will defend the same against the lawful claims of all persons claiming by, through or under said Grantor but against none other; and that said land is free of all encumbrances.

Grantor to convey the title by special warranty deed without any other covenants of the title or the equivalent for the state the property is located. Grantor makes no representations or warranties, of any kind or nature whatsoever, whether expressed, implied, implied by law, or otherwise, concerning the condition of the property.

IN WITNESS WHEREOF, Grantor has hereunto set a hand and seal the day and year first written above.
OCWEN LOAN SERVICING, INC., as
Attorney-in-Fact for:

OCWEN LOAN SERVICING, LLC, AS SERVICER FOR HSBC BANK USA, N.A., AS INDENTURE TRUSTEE FOR THE REGISTERED NOTEHOLDERS OF RENAISSANCE HOME EQUITY LOAN TRUST 2006-2

By: 
Title: ~~Renee Henney, Home Retention Manager~~



STATE OF FLORIDA)
COUNTY OF ORANGE)

The foregoing instrument was hereby acknowledged before me this 10 day of March, 2011, by _____ who is the _____ of OCWEN LOAN SERVICING, INC., as Attorney-in-Fact for: OCWEN LOAN SERVICING, LLC, AS SERVICER FOR HSBC BANK USA, N.A., AS INDENTURE TRUSTEE FOR THE REGISTERED NOTEHOLDERS OF RENAISSANCE HOME EQUITY LOAN TRUST 2006-2 ~~who is personally known to me~~ who has produced _____ as identification, and who signed this instrument willingly.



Notary Public
My commission expires: Nov. 19, 2012



Prepared By:
Fidelity National Agency Solutions
6500 Pinecrest Drive, Suite 600
Plano, TX 75024

Office of the City Treasurer - Milwaukee, Wisconsin
Administration Division
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00 ✓
	1914 City Attorney Costs	500.00
	Grand Total	1,370.00

Date 12/14/2011

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 2
Taxkey Number: 468-0036-000 - 5
Property Address: 1908 1908 A S 12TH ST
Owner Name Adalberto Lozano

Applicant: Rebecca H. Mitich on behalf of Adalberto Lozano

Parcel Number: 224
CaseNumber: 11CV7456



Department of City Development

City Plan Commission
Historic Preservation Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

January 5, 2012

Ms. Joanna Polanco, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 111218
1908-A South 12th Street

The Department of City Development reports that the tax foreclosed property located at 1908-A South 12th Street, Tax Key No. 468-0036-000-5, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied. Administrative costs incurred by our Department total \$501.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,



Clifton W. Crump
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service
K. Sullivan, City Attorney's Office



Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

January 5, 2012

To: Milwaukee Common Council
Room 205, City Hall

From: James F. Klajbor, City Treasurer
Office of the City Treasurer

Re: 111218 Reopening and Vacating InRem Judgment
Tax Key No.: 468-0036-000-5
Address: 1908 A S 12TH ST
Owner Name: ADALBERTO LOZANO
Applicant/Requester REBECCA H. MITICH ON BEHALF OF
ADALBERTO LOZANO
2011-2 in rem, Parcel: 224
Case: 11CV7456, Acquired: 09/16/2011

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN JAN	IF PAID BY FEB 17, 2012
2008-2011*	\$2,763.79	*\$3,715.60
Interest	\$574.24	\$610.04
Penalty	\$287.12	\$305.02
TOTAL**	\$3,625.15	\$4,630.66

The applicant also lists ownership interest in the following property:

1908 S 12th St – Tax Key #468-0035-X with the current 2011 taxes due in the amount of \$1,518.25.

*The 2011 tax bill is included.

**The above figures may change prior to payment due to possible additional costs.

JFK/slk



Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner
Thomas G. Mishefske
Operations Manager

January 4, 2012

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 111218
Address 1908A S 12th St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen
Business Operations Manager



Legislation Details (With Text)

File #: 111217 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution authorizing the return of real estate located at 3026 W Mitchell Street, in the 8th Aldermanic District to its former owner. (Christine Heming for the Estate of George Rekowski, Jr.)
Sponsors: THE CHAIR
Indexes: IN REM JUDGMENTS
Attachments: Application, DCD letter, Treasurer, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111217
Version
SUBSTITUTE 1
Sponsor
THE CHAIR

Title
Substitute resolution authorizing the return of real estate located at 3026 W Mitchell Street, in the 8th Aldermanic District to its former owner. (Christine Heming for the Estate of George Rekowski, Jr.)

Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body
Whereas, The property located at 3026 W Mitchell Street, previously owned by Christine Heming for the Estate of George Rekowski, Jr., has delinquent taxes for 2008-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated September 16 111217; and

Whereas, Christine Heming for the Estate of George Rekowski, Jr. would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since September 16; and

Whereas, Christine Heming for the Estate of George Rekowski, Jr. has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters

submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3026 W Mitchell Street, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV7456 known as the 2011-02 In Rem Parcel 217, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter
CC CC
Jp
1/5/12



OFFICE OF THE CITY TREASURER
Milwaukee, Wisconsin

December 14, 2011

To: Milwaukee Common Council
City Hall, Room 205

From:  James F. Klajbor
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 458-1255-000-8
Address: 3026 W Mitchell Street
Owner Name: George J Rekowski Jr
Applicant/Requester: Christine Heming for Estate of George
Rekowski Jr
2011-2 Inrem File
Parcel: 217
Case: 11CV7456

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 09/16/2011.

JFK/slk

REQUEST FOR VACATION OF IN REM JUDGMENT

Return by 12-15-11

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 3026 W MITCHELL ST
 TAXKEY NUMBER 458-1255-8
 NAME OF APPLICANT CHRISTINE HEMING
 MAILING ADDRESS 6620 W BARNARD AVE #106
GREENFIELD WI 53220 414-732-3612
 CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES _____ NO X

If no, describe interest in this property MY BROTHER (GEORGE REKOWSKI) HAS PASSED AWAY. I AM HIS NEXT OF KIN. THIS PROPERTY SHALL GO TO PROBATE.

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

NONE

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASRUER'S OFFICE? (Documentation must be attached)

YES X NO _____

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES _____ NO X

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.

APPLICANT'S SIGNATURE Christine Heming DATE 12-12-11

Office of the City Treasurer - Milwaukee, Wisconsin
Administration Division
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00 ✓
	1914 City Attorney Costs	500.00
	Grand Total	1,370.00

Date 12/14/2011

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 2
Taxkey Number: 458-1255-000 - 8
Property Address: 3026 3026 W MITCHELL ST
Owner Name GEORGE J REKOWSKI JR

Applicant: Christine Heming for Estate of George Rekowski Jr

Parcel Number: 217
CaseNumber: 11CV7456



Department of City Development

City Plan Commission
Historic Preservation Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

January 5, 2012

Ms. Joanna Polanco, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Polanco:

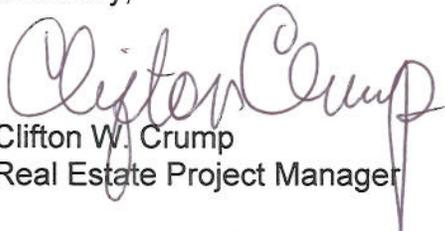
Re: File Number 111217
3026 West Mitchell Street

The Department of City Development reports that the tax foreclosed property located at 3026 West Mitchell Street, Tax Key No. 458-1255-000-8, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied. Administrative costs incurred by our Department total \$450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,



Clifton W. Crump
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service
K. Sullivan, City Attorney's Office



Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

January 5, 2012

To: Milwaukee Common Council
Room 205, City Hall

From: James F. Klajbor, City Treasurer
Office of the City Treasurer

Re: 111217 Reopening and Vacating InRem Judgment
Tax Key No.: 458-1255-000-8
Address: 3026 W MITCHELL ST
Owner Name: GEORGE J REKOWSKI JR
Applicant/Requester: Christine Heming for Estate of George Rekowski, Jr.
2011-2 in rem, Parcel: 217
Case: 11CV7456, Acquired: 09/16/2011

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN JAN	IF PAID BY FEB 17, 2012
2008-2011* & Bond RK0 00903 (walk)	\$5,228.69	\$6,994.62
Interest	\$1,090.07	\$1,157.90
Penalty	\$543.49	\$577.02
TOTAL**	\$6,862.25	\$8,729.54

***The 2011 tax bill is included.**

****The above figures may change prior to payment due to possible additional costs.**

JFK/slk



Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner
Thomas G. Mishfske
Operations Manager

January 4, 2012

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 111217
Address 3026 W Mitchell St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen
Business Operations Manager



Legislation Details (With Text)

File #: 111216 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution authorizing the return of real estate located at 3929-3933 W North Ave, in the 15th Aldermanic District to its former owner. (Jeffrey Simms, agent for MAJAS LLC)
Sponsors: THE CHAIR
Indexes: IN REM JUDGMENTS
Attachments: Application, DCD letter, Treasurer, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111216
Version
SUBSTITUTE 1
Sponsor
THE CHAIR

Title
Substitute resolution authorizing the return of real estate located at 3929-3933 W North Ave, in the 15th Aldermanic District to its former owner. (Jeffrey Simms, agent for MAJAS LLC)

Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body
Whereas, The property located at 3929-3933 W North Ave, previously owned by Jeffrey Simms, agent for MAJAS LLC, has delinquent taxes for 2008-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated September 16 111216; and

Whereas, Jeffrey Simms, agent for MAJAS LLC would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since September 16; and

Whereas, Jeffrey Simms, agent for MAJAS LLC has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by

the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3929-3933 W North Ave, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV7456 known as the 2011-02 In Rem Parcel 182, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter
CC CC
Jp
1/5/12



OFFICE OF THE CITY TREASURER
Milwaukee, Wisconsin

December 16, 2011

To: Milwaukee Common Council
City Hall, Room 205

From:  James F. Klajbor
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 348-0408-000-9
Address: 3929 3933 W NORTH AV
Owner Name: MAJAS LLC
Applicant/Requester: JEFFREY A SIMMS
2011-2 Inrem File
Parcel: 182
Case: 11CV7456

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 09/16/2011.

JFK/slk

REQUEST FOR VACATION OF IN REM JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 3929 W NO AVE
TAXKEY NUMBER 348-0408-9
NAME OF APPLICANT Jeffrey A. Simms for MASAS LLC
MAILING ADDRESS P.O. Box 100127
Milw WI 53210 414-801-253
CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES NO

If no, describe interest in this property _____

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

N/A

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASRUER'S OFFICE? (Documentation must be attached)

YES NO

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES NO

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE Jeffrey A. Simms DATE 12/16/71

Office of the City Treasurer - Milwaukee, Wisconsin
Administration Division
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00 ✓
	1914 City Attorney Costs	500.00
	Grand Total	1,370.00

Date 12/16/2011

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 2
Taxkey Number: 348-0408-000 - 9
Property Address: 3929 3933 W NORTH AV
Owner Name MAJAS LLC

Applicant: JEFFREY A SIMMS

Parcel Number: 182
CaseNumber: 11CV7456



Department of City Development

City Plan Commission
Historic Preservation Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

January 5, 2012

Ms. Joanna Polanco, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 111216
3929-33 West North Avenue

The Department of City Development reports that the tax foreclosed property located at 3929-33 West North Avenue, Tax Key No. 348-0408-000-9, is not suitable for use by a public agency or community based organization. The property is located in the Washington Park planned project area but is not needed to implement the plan.

This commercial structure is Vacant. Administrative costs incurred by our Department total \$480.30.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,



Clifton W. Crump
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service
K. Sullivan, City Attorney's Office



Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

January 5, 2012

To: Milwaukee Common Council
Room 205, City Hall

From: James F. Klajbor, City Treasurer
Office of the City Treasurer

Re: 111216 Reopening and Vacating InRem Judgment
Tax Key No.: 348-0408-000-9
Address: 3929 3933 W NORTH AV
Owner Name: MAJAS LLC
Applicant/Requester: JEFFREY A SIMMS
2011-2 in rem, Parcel: 182
Case: 11CV7456, Acquired: 09/16/2011

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN JAN	IF PAID BY FEB 17, 2012
2008-2011*	\$18,940.14	*\$23,794.53
Interest	\$4514.2	\$4,750.81
Penalty	\$2,257.11	\$2,375.40
TOTAL**	\$25,711.45	\$30,920.74

The Assessor's office also lists Majas LLC with ownership interest in the following properties:
2772 N Buffum St – Tax Key #314-0761-0 with delinquent 2010 taxes in the amount of \$7,717.99 and the current 2011 taxes in the amount of \$7,324.64.

4720 W Hampton Ave – Tax Key #209-0289-100-6 with delinquent 2010 taxes in the amount of \$17,071.97 and the current 2011 taxes in the amount of \$12,019.29.

***The 2011 tax bill is included.**

****The above figures may change prior to payment due to possible additional costs.**

JFK/slk



Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186



Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner
Thomas G. Mishfske
Operations Manager

January 4, 2012

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 111216
Address 3929-33 W North Av

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services does not object to the return of this property provided the applicant pays \$169.91 in litter nuisance charges and \$40.00 for a covered opening invoice. The total amount owed is \$209.91.

Sincerely,

Lynne Steffen
Business Operations Manager



Legislation Details (With Text)

File #: 111215 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**

Effective date:

Title: Substitute resolution authorizing the return of real estate located at 4668 N Parkway Ave, in the 1st Aldermanic District to its former owner. (Micah Investments LLC)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Application, DCD letter, Treasurer, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

111215

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 4668 N Parkway Ave, in the 1st Aldermanic District to its former owner. (Micah Investments LLC)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 4668 N Parkway Ave, previously owned by Micah Investments LLC, has delinquent taxes for 2008-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated September 16 111215; and

Whereas, Micah Investments LLC would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since September 16; and

Whereas, Micah Investments LLC has agreed to pay all related city charges up until the point that the property

is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 4668 N Parkway Ave, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV7456 known as the 2011-02 In Rem Parcel 41, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

Jp

1/5/12



OFFICE OF THE CITY TREASURER
Milwaukee, Wisconsin

December 16, 2011

To: Milwaukee Common Council
City Hall, Room 205

From:  James F. Klajbor
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 232-0670-000-9
Address: 4668 N PARKWAY AV
Owner Name: MICAH INVESTMENTS LLC
Applicant/Requester:
2011-2 Inrem File
Parcel: 41
Case: 11CV7456

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 09/16/2011.

JFK/slk

REQUEST FOR VACATION OF IN REM JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 4668 N. Parkway Av
 TAXKEY NUMBER 2320670000
 NAME OF APPLICANT Micah Investments, LLC
 MAILING ADDRESS cp 7127 N. Green Bay Ave
Milwaukee CITY WI STATE 53209 ZIP CODE 414-410-2776 TELEPHONE NUMBER

B. FORMER OWNER YES NO

If no, describe interest in this property _____

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE)
None

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASRUER'S OFFICE? (Documentation must be attached)
 YES NO

E. DEPT OF NEIGHBORHOOD SERVICES FILING:
 Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.
 YES _____ NO

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.

APPLICANT'S SIGNATURE [Signature] DATE 12/16/11

Office of the City Treasurer - Milwaukee, Wisconsin
Administration Division
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>		<u>Dollar Amount</u>
1910		Delinquent Tax Collection	
	1911	City Treasurer Costs	220.00
	1912	DCD Costs	450.00
	1913	City Clerk Costs	200.00 ✓
	1914	City Attorney Costs	500.00
		Grand Total	1,370.00

Date 12/16/2011

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 2
Taxkey Number: 232-0670-000 - 9
Property Address: 4668 4668 N PARKWAY AV
Owner Name MICAH INVESTMENTS LLC

Applicant:

Parcel Number: 41
CaseNumber: 11CV7456



Department of City Development

City Plan Commission
Historic Preservation Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

January 5, 2012

Ms. Joanna Polanco, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 111215
4668 North Parkway Avenue

The Department of City Development reports that the tax foreclosed property located at 4668 North Parkway Avenue, Tax Key No. 232-0670-000-9, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is vacant. Administrative costs incurred by our Department total \$481.80.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Clifton W. Crump
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service
K. Sullivan, City Attorney's Office



Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

January 5, 2012

To: Milwaukee Common Council
Room 205, City Hall

From: James F. Klajbor, City Treasurer
Office of the City Treasurer

Re: 111215 Reopening and Vacating InRem Judgment
Tax Key No.: 232-0670-000-9
Address: 4668 N PARKWAY AV
Owner Name: MICAH INVESTMENTS LLC
Applicant/Requester: MICAH INVESTMENTS LLC
2011-2 in rem, Parcel: 41
Case: 11CV7456, Acquired: 09/16/2011

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN JAN	IF PAID BY FEB 17, 2012
2008-2011*	\$7,157.73	*\$9,325.50
Interest	\$1,309.91	\$1,401.83
Penalty	\$654.96	\$700.91
TOTAL**	\$9,122.60	\$11,428.24

***The 2011 Tax bill is included.**

****The above figures may change prior to payment due to possible additional costs.**

JFK/slk



Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner
Thomas G. Mishefske
Operations Manager

January 4, 2012

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 111215
 Address 4668 N Parkway Av

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen
Business Operations Manager



Legislation Details (With Text)

File #: 111214 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution authorizing the return of real estate located at 1936 S Muskego Ave, in the 8th Aldermanic District to its former owner. (Gabirela Olaiz (Lazaro Perez))
Sponsors: THE CHAIR
Indexes: IN REM JUDGMENTS
Attachments: Application, DCD letter, Treasurer, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111214
Version
SUBSTITUTE 1
Sponsor
THE CHAIR

Title
Substitute resolution authorizing the return of real estate located at 1936 S Muskego Ave, in the 8th Aldermanic District to its former owner. (Gabirela Olaiz (Lazaro Perez))

Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body
Whereas, The property located at 1936 S Muskego Ave, previously owned by Gabirela Olaiz (Lazaro Perez), has delinquent taxes for 2008-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated October 31 111214; and

Whereas, Gabirela Olaiz (Lazaro Perez) would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since October 31; and

Whereas, Gabirela Olaiz (Lazaro Perez) has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 1936 S Muskego Ave, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV11374 known as the 2011-03 In Rem Parcel 256, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

Jp

1/5/12



OFFICE OF THE CITY TREASURER
Milwaukee, Wisconsin

December 16, 2011

To: Milwaukee Common Council
City Hall, Room 205

From:  James F. Klajbor
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 470-9997-000-2
Address: 1936 1936 S MUSKEGO AV
Owner Name: GABRIELA OLAIZ
Applicant/Requester: LAZARO PEREZ
2011-3 Inrem File
Parcel: 256
Case: 11CV-11374

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 10/31/2011.

JFK/slk

REQUEST FOR VACATION OF IN REM JUDGMENT

Return by 2/13/12

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 1936 S. MUSKEGO AV
 TAXKEY NUMBER 470-9997-000-2
 NAME OF APPLICANT GABRIELA OLALIZ (LAZARO PEREZ)
 MAILING ADDRESS 17460 WINDERMERE RD. BROOKFIELD WI. 53045
BROOKFIELD WI. 53045 (414) 687-9460
 CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES X NO ~~_____~~
 If no, describe interest in this property _____

Send Notice to
 Lazaro Perez
 17460 Windermere Rd
 Brookfield WI 53045

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT OWNERSHIP INTEREST IN (If not applicable, write NONE).
NONE
 (Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)
 YES X NO _____

E. DEPT OF NEIGHBORHOOD SERVICES FILING:
 Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.
 YES _____ NO X

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE Gabriela Olaliz DATE 12/15/11

Office of the City Treasurer - Milwaukee, Wisconsin
Administration Division
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911	City Treasurer Costs 220.00
	1912	DCD Costs 450.00
	1913	City Clerk Costs 200.00 ✓
	1914	City Attorney Costs 500.00
	Grand Total	1,370.00

Date 12/16/2011

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 3
Taxkey Number: 470-9997-000 - 2
Property Address: 1936 1936 S MUSKEGO AV
Owner Name GABRIELA OLAIZ

Applicant: LAZARO PEREZ

Parcel Number: 182
CaseNumber: 11CV-11374



Department of City Development

City Plan Commission
Historic Preservation Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

January 5, 2012

Ms. Joanna Polanco, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 111214
1936 South Muskego Avenue

The Department of City Development reports that the tax foreclosed property located at 1936 South Muskego Avenue, Tax Key No. 470-9997-000-2, is not suitable for use by a public agency or community based organization. The property is located in the Near South Side planned project area but is not needed to implement the plan.

This residential structure is occupied. Administrative costs incurred by our Department total \$450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,



Clifton W. Crump
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service
K. Sullivan, City Attorney's Office



Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

January 5, 2012

To: Milwaukee Common Council
Room 205, City Hall

From: James F. Klajbor, City Treasurer
Office of the City Treasurer

Re: 111214 Reopening and Vacating InRem Judgment
Tax Key No.: 470-9997-000-2
Address: 1936 S MUSKEGO AV
Owner Name: GABRIELA OLAIZ
Applicant/Requester: LAZARO PEREZ
2011-3 in rem, Parcel: 256
Case: 11CV-11374, Acquired: 10/31/2011

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN JAN	IF PAID BY FEB 17, 2012
2088-2011*	\$6,172.40	*\$8,163.37
Interest	\$1,454.07	\$1,534.36
Penalty	\$727.04	\$767.18
TOTAL**	\$8,353.51	\$10,464.91

*The 2011 tax bill is included.

**The above figures may change prior to payment due to possible additional costs.

JFK/slk



Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner
Thomas G. Mishfske
Operations Manager

January 4, 2012

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 111214
Address 1936 S Muskego Av

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen
Business Operations Manager



Legislation Details (With Text)

File #: 111145 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution authorizing the return of real estate located at 2330 N 19th Street, in the 15th Aldermanic District to its former owner. (Annie Nixon)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Application, DCD letter, Treasurer, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111145
Version
SUBSTITUTE 1
Sponsor
THE CHAIR

Title
Substitute resolution authorizing the return of real estate located at 2330 N 19th Street, in the 15th Aldermanic District to its former owner. (Annie Nixon)

Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body
Whereas, The property located at 2330 N 19th Street, previously owned by Annie Nixon, has delinquent taxes for 2008-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated September 16 111145; and

Whereas, Annie Nixon would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since September 16; and

Whereas, Annie Nixon has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office,

as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2330 N 19th Street, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV7456 known as the 2011-02 In Rem Parcel 156, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

Jp

1/5/12



OFFICE OF THE CITY TREASURER
Milwaukee, Wisconsin

December 6, 2011

To: Milwaukee Common Council
City Hall, Room 205

From: James F. Klajbor 
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 324-1563-000-9
Address: 2330 2330 N 19TH ST
Owner Name: ANNIE L NIXON
Applicant/Requester: ANNIE L NIXON
2011-2 Inrem File
Parcel: 156
Case: 11CV7456

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 09/16/2011.

JFK/ku

REQUEST FOR VACATION OF IN REM JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW:

- 1. Type or print firmly with ball point pen.
- 2. Use separate form for each property.
- 3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
- 4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
- 5. Complete boxes a, b c, d, and e.
- 6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 2330 North 19th Street
 TAXKEY NUMBER 324-1563-000-9
 NAME OF APPLICANT Annie L. Nixon
 MAILING ADDRESS 2330 North 19th Street
Milwaukee WI 53206 414-264-5214
 CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES NO

If no, describe interest in this property ~~N/A~~

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

N/A

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES NO

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES NO

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved.** Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.

APPLICANT'S SIGNATURE x Annie Nixon DATE x 12/2/11



Payment Receipt

CT-11

Office of the City Treasurer • City Hall, Room 103
200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Annie Nixon

Tax Account No.: 324-1563-9

Property Address: 2330 W 19th St

Cash \$ _____ Check \$ 1370.00

Installment Payment Bond Payment

Delinquent Tax Payment Year: _____

Current Collection Tax Payment

Duplicate Tax Bill Fee

Other

Received by: Kelly *vacated judgment*

Date: 12/15/11

Office of the City Treasurer - Milwaukee, Wisconsin
Administration Division
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	1,370.00

Date 12/6/2011

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 2
Taxkey Number: 324-1563-000 - 9
Property Address: 2330 2330 N 19TH ST
Owner Name ANNIE L NIXON

Applicant: ANNIE L NIXON

Parcel Number: 156
CaseNumber: 11CV7456



Department of City Development

City Plan Commission
Historic Preservation Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

January 5, 2012

Ms. Joanna Polanco, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 111145
2330 North 19th Street

The Department of City Development reports that the tax foreclosed property located at 2330 North 19th Street, Tax Key No. 324-1563-000-9, is not suitable for use by a public agency or community based organization. The property is located in the Lindsay Heights planned project area but is not need to implement the plan.

This residential structure is occupied. Administrative costs incurred by our Department total \$466.50.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,



Clifton W. Crump
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service
K. Sullivan, City Attorney's Office



Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

January 5, 2012

To: Milwaukee Common Council
Room 205, City Hall

From: James F. Klajbor, City Treasurer
Office of the City Treasurer

Re: 111145 Reopening and Vacating InRem Judgment
Tax Key No.: 324-1563-000-9
Address: 2330 N 19TH ST
Owner Name: ANNIE L NIXON
Applicant/Requester: ANNIE L NIXON
2011-2 in rem, Parcel: 156
Case: 11CV7456, Acquired: 09/16/2011

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN JAN	IF PAID BY FEB 17, 2012
2008-2011*	\$4,156.54	*\$4,959.55
Interest	\$881.12	929.37
Penalty	\$440.57	464.68
TOTAL**	\$5,478.23	\$6,353.60

***The 2011 tax bill is included.**

****The above figures may change prior to payment due to possible additional costs.**

JFK/slk



Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner
Thomas G. Mishefske
Operations Manager

January 4, 2012

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 111145
 Address 2330 N 19th St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen
Business Operations Manager



Legislation Details (With Text)

File #: 111144 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution authorizing the return of real estate located at 1917 N 55th Street, in the 10th Aldermanic District to its former owner. (Patrick Brohm)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Application, DCD letter, Treasurer, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111144
Version
SUBSTITUTE 1
Sponsor
THE CHAIR

Title
Substitute resolution authorizing the return of real estate located at 1917 N 55th Street, in the 10th Aldermanic District to its former owner. (Patrick Brohm)

Analysis
Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body
Whereas, The property located at 1917 N 55th Street, previously owned by Patrick Brohm, has delinquent taxes for 2008-2011 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated October 31 111144; and

Whereas, Patrick Brohm would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since October 31; and

Whereas, Patrick Brohm has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office,

as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 1917 N 55th Street, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV11374 known as the 2011-03 In Rem Parcel 196, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

Jp

1/5/12



OFFICE OF THE CITY TREASURER
Milwaukee, Wisconsin

December 6, 2011

To: Milwaukee Common Council
City Hall, Room 205

From: James F. Klajbor 
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 346-0906-000-1
Address: 1917 1917 N 55TH ST
Owner Name: PATRICK E BROHM
Applicant/Requester: PATRICK BROHM
2011-3 Inrem File
Parcel: 196
Case: 11CV-11374

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 10/31/2011.

JFK/ku

REQUEST FOR VACATION OF IN REM JUDGMENT

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 1917 N. 55th St. Milwaukee, WI 53208
TAXKEY NUMBER 346-0906-1
NAME OF APPLICANT Patrick E. Brohm & Nancy Jo Brohm
MAILING ADDRESS 1917 N. 55th St. Milwaukee, WI 53208
Milwaukee WI 53208 414-614-0251
CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES NO

If no, describe interest in this property _____

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

None

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES NO

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES NO

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved.** Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.

APPLICANT'S SIGNATURE Patrick E. Brohm & Nancy Jo Brohm DATE 12-05-11



Payment Receipt

CT-11

Office of the City Treasurer • City Hall, Room 103
200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Patrick Brohm

& Nancy Jo Brohm
Tax Account No.: 346-0906-1

Property Address: 1917 N 55th St

Cash \$ _____ Check \$ 1370.00

Installment Payment Bond Payment

Delinquent Tax Payment Year: _____

Current Collection Tax Payment

Duplicate Tax Bill Fee

Other
Vacated
Judgment

Received by: Kenny

Date: 12/5/11

Office of the City Treasurer - Milwaukee, Wisconsin
Administration Division
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	1,370.00

Date 12/6/2011

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 3
Taxkey Number: 346-0906-000 - 1
Property Address: 1917 1917 N 55TH ST
Owner Name: SCHAETZEL'S SUBD OF S 96' OF LOT 2 & ALL OF LOT 3, BLK 9
PATRICK E BROHM &
Applicant: PATRICK BROHM

Parcel Number: 3460
CaseNumber: 11CV-11374



Department of City Development

City Plan Commission
Historic Preservation Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

January 5, 2012

Ms. Joanna Polanco, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 111144
1917 North 55th Street

The Department of City Development reports that the tax foreclosed property located at 1917 North 55th Street, Tax Key No. 346-0906-000-1, is not suitable for use by a public agency or community based organization. The property is located in the West Side planned project area but is not needed to implement the plan.

This residential structure is occupied. Administrative costs incurred by our Department total \$450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Clifton W. Crump
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service
K. Sullivan, City Attorney's Office



Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

January 5, 2012

To: Milwaukee Common Council
Room 205, City Hall

From: James F. Klajbor, City Treasurer
Office of the City Treasurer

Re: 111144 Reopening and Vacating InRem Judgment
Tax Key No.: 346-0906-000-1
Address: 1917 N 55TH ST
Owner Name: PATRICK E BROHM & NANCY JO BROHM
Applicant/Requester: PATRICK E BROHM & NANCY JO BROHM
2011-3 in rem, Parcel: 196
Case: 11CV-11374, Acquired: 10/31/2011

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN JAN	IF PAID BY FEB 17, 2012
2008-2011*	\$10,563.8	*\$13,892.37
Interest	\$2543.64	\$2,681.22
Penalty	\$1271.82	\$1,340.61
TOTAL**	\$14,379.26	\$17,914.20

*The 2011 tax bill is included.

**The above figures may change prior to payment due to possible additional costs.

JFK/slk



Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner
Thomas G. Mishefske
Operations Manager

January 4, 2012

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 111144
 Address 1917 N 55th St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen
Business Operations Manager



Legislation Details (With Text)

File #: 110995 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 11/30/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution authorizing the return of real estate located at 3002 W Juneau Ave, in the 4th Aldermanic District to its former owner. (Deidre Cox)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Request for Vacation of In Rem Judgment, Treasurer Office, DNS Letter, DCD Letter, Treasurer (Jan 5, 2012), Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
12/7/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
12/12/2011	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
1/5/2012	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

110995

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 3002 W Juneau Ave, in the 4th Aldermanic District to its former owner. (Deidre Cox)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 3002 W Juneau Ave, previously owned by Deidre Cox, has delinquent taxes for 2008-2010 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated September 16 110995; and

Whereas, Deidre Cox would like to reclaim said property by paying all City and County real estate taxes, plus

accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since September 16; and

Whereas, Deidre Cox has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3002 W Juneau Ave, a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 11CV7456 known as the 2011-02 In Rem Parcel 202, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

jp

12/7/11

WAYNE F. WHITTOW
City Treasurer



James L. Hanna
Deputy City Treasurer

James F. Klajbor
Special Deputy City Treasurer

OFFICE OF THE CITY TREASURER
Milwaukee, Wisconsin

November 14, 2011

To: Milwaukee Common Council
City Hall, Room 205

From:  Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 365-1483-000-7
Address: 3002 3002 W JUNEAU AV
Owner Name: TOM ELIHU ARNOLD DEIRDRE DEE ZOFIA

ALICIA

Applicant/Requester: DEIRDRE COX
2011-2 Inrem File
Parcel: 202
Case: 11CV7456

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 09/16/2011.

WFW/ku

REQUEST FOR VACATION OF IN REM JUDGMENT

Return by 12-15-11

FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

APPLICANT INFORMATION:

A. PROPERTY ADDRESS 3002 W Juneau
TAXKEY NUMBER 365-1483-7
NAME OF APPLICANT Deirdre D.Z.A. Cox
MAILING ADDRESS 3002 W Juneau
Milwaukee IL 53208 414-342-1267
CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES NO

If no, describe interest in this property _____

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

None

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES NO

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES NO N/A

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE Deirdre D.Z.A. Cox DATE 11-14-11



Payment Receipt

CT-11

Office of the City Treasurer • City Hall, Room 103
200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240

Received of: Deirdre Cox

Tax Account No.: 365-1483-7

Property Address: 3002 W Sunnyside

Cash \$ _____ Check \$ 1370.00

Installment Payment Bond Payment

Delinquent Tax Payment Year: _____

Current Collection Tax Payment

Duplicate Tax Bill Fee

Other
vacated judgment

Received by: [Signature]

Date: 11/14/19

Office of the City Treasurer - Milwaukee, Wisconsin
Administration Division
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	1,370.00

Date 11/14/2011

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2011 - 2
Taxkey Number: 365-1483-000 - 7
Property Address: 3002 3002 W JUNEAU AV
Owner Name TOM ELIHU ARNOLD
DEIRDRE DEE ZOFIA ALICIA
Applicant: DEIRDRE COX

Parcel Number: 202
CaseNumber: 11CV7456



Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

December 7, 2011

To: Milwaukee Common Council
Room 205, City Hall

From: James F. Klajbor, City Treasurer
Office of the City Treasurer

Re: 110995 Reopening and Vacating InRem Judgment
Tax Key No.: 365-1483-000-7
Address: 3002 W JUNEAU AV
Owner Name: TOM ELIHU ARNOLD
Applicant/Requester: TOM ELIHU ARNOLD
2011-2 in rem, Parcel: 202
Case: 11CV7456, Acquired: 09/16/2011

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN DEC	IF PAID BY JAN 19, 2012
2008-2010*	\$7,735.71	\$7,735.71
Interest	\$1,300.09	\$1,376.09
Penalty	\$650.04	\$688.05
TOTAL**	\$9,685.84	\$9,799.85

*The 2011 tax bill is available and due by January 31, 2012.

**The above figures may change prior to payment due to possible additional costs.

JFK/slk



Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg
Commissioner

Thomas G. Mishefske
Operations Manager

December 6, 2011

Alderman Ashanti Hamilton, Chair
Judiciary and Legislation Committee
Office of the City Clerk
Room 205, City Hall

Re: File No. 110995
 Address 3002 W Juneau Av

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services does not object to the return of this property provided the applicant pays \$900.00 in pending recording enforcement fees.

Sincerely,

Lynne Steffen
Business Operations Manager



Department of City Development

City Plan Commission
Historic Preservation Commission
Neighborhood Improvement
Development Corporation
Redevelopment Authority

Rocky Marcoux
Commissioner

Martha L. Brown
Deputy Commissioner

December 5, 2011

Ms. Joanna Polanco, Staff Assistant
Judiciary & Legislation Committee
Room 205, City Hall
City of Milwaukee

Dear Ms. Polanco:

Re: File Number 110995
3002 West Juneau Avenue

The Department of City Development reports that the tax foreclosed property located at 3002 West Juneau Avenue, Tax Key No. 365-1483-000-7, is not suitable for use by a public agency or community based organization. Although the property is in the Near Westside Plan, it is not needed for implementation of the plan.

This residential structure is occupied. Administrative costs incurred by our Department total \$483.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Clifton W. Crump
Real Estate Project Manager

c: K. Urban, City Treasurer/Customer Service
K. Sullivan, City Attorney's Office



Office of the City Treasurer

City Hall, Room 103 • 200 East Wells Street • Milwaukee, Wisconsin 53202
Telephone: (414) 286-2240 • TTY: (414) 286-2025 • FAX: (414) 286-3186

January 5, 2012

To: Milwaukee Common Council
Room 205, City Hall

From: James F. Klajbor, City Treasurer
Office of the City Treasurer

Re: 110995 Reopening and Vacating InRem Judgment
Tax Key No.: 365-1483-000-7
Address: 3002 W JUNEAU AV
Owner Name: TOM ELIHU ARNOLD & DEIRDRE D.Z.A. COX
Applicant/Requester: DEIRDRE D.Z.A. COX
2011-2 in rem, Parcel: 202
Case: 11CV7456, Acquired: 09/16/2011

Listed below are the outstanding taxes on the above parcel. The administrative costs in the amount of \$1,370.00 have been paid.

TAX YEARS	IF PAID IN JAN	IF PAID BY FEB 17, 2012
2008-2011*	\$7,735.71	*\$9,792.09
Interest	\$1,376.09	\$1,472.66
Penalty	\$688.05	\$736.33
TOTAL**	\$9,799.85	\$12,001.08

*The 2011 tax bill is included.

**The above figures may change prior to payment due to possible additional costs.

JFK/slk



Legislation Details (With Text)

File #: 111171 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution providing for continuance of deferred payment of assessments for worthy indigent resident property owners and appropriating funds for this purpose with the City cost to be \$2,260.89 with a six-year total of the deferred properties being \$11,313.77.

Sponsors: THE CHAIR

Indexes: DEFERRED ASSESSMENT BOARD, DEFERRED ASSESSMENTS, SPECIAL ASSESSMENTS

Attachments: Fiscal Impact Statement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

111171

Version

ORIGINAL

Sponsor

THE CHAIR

Title

Resolution providing for continuance of deferred payment of assessments for worthy indigent resident property owners and appropriating funds for this purpose with the City cost to be \$2,260.89 with a six-year total of the deferred properties being \$11,313.77.

Analysis

This resolution grants continuation of deferred payment of certain special assessments and directs the current year's installments be paid. The City cost to be \$2,260.89 with a six-year total of the deferred properties being \$11,313.77.

Body

Whereas, The Common Council previously confirmed certain resident property owners as Worthy Indigents; and

Whereas, the following applications were reviewed and qualify:

669-0115-2, Diane Krall, 2270 W. Ramsey Av., 13th District;
468-0941-5, Gilbert Golder, 2226 S. 12th St., 12th District;

270-0204-5, Marilyn Huddleston, 3747 N. 26th St., 7th District
209-1225-100-5, Diane Moore, 5021 N. 47th St., 1st District
231-0057-9, William Neal, Jr., 4437-41 N. 25th St., 1st District
229-0714-200-4, Rhonda Sprewer, 4780 N. 42nd St., 7th District
248-0541-7, Sandra Sykes, 4108 N. 46th St., 7th District
287-1439-9, Nicole Toombs, 3370 N. 36th St., 7th District
645-0018-0, Jerome Betley, 4744 S. 7th St., 13th District

Whereas, The Deferred Assessment Board has completed its annual review of the resident owners confirmed in prior years; no, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that after December 22, 2011, and upon receipt of the tax bills for the listed properties from the City Treasurer, the Department of Public Works shall process necessary documents to have checks issued by the City Comptroller to the City Treasurer in the amount listed to pay the 2011 special assessment installments so indicated for confirmed Worthy Indigent resident property owners:

Tax Key Number	Original Amount	Bond Number	Installment Number
270-0204-5	\$251.30	JL004251	6
209-1225-100-5	\$182.84	KP04482	5
231-0057-9	\$624.29	LF002483	4
229-0714-200-4	\$331.12	LL001503	4
248-0541-7	\$184.92	MJ000243	3
287-1439-9	\$315.68	LF000378	4
645-0018-0	\$370.74	NF000838	2

; and, be it

Further Resolved, That the following issuance of said checks the deferred special assessments shall be processed in the manner specified in File Number 74-1975; and, be it

Further Resolved, That the following previously granted deferred assessments for confirmed Worthy Indigent resident property owners shall remain in force:

Tax Key Number	Bond Number
669-0115-2	DF000258
468-0941-5	HK002223
270-0204-5	JL004251
209-1225-100-5	KP004482
231-0057-9	LE002483
229-0714-200-4	LL001503
248-0541-7	MJ000243
287-1439-9	LF000378
645-0018-0	NF000838

; and, be it

Further Resolved, That the City Comptroller is also authorized to expend a sum equal to the recording fee needed for special assessments deferred; and, be it

Further Resolved, That a copy of this resolution be furnished to the City Comptroller and the City Treasurer.

Requestor
Infrastructure Services Division
Drafter
MLD:dr
WINIT 2011
12/13/2011



City of Milwaukee Fiscal Impact Statement

Date

File Number

Original

Substitute

A

Subject

B

Submitted By (Name/Title/Dept./Ext.)

C

This File

- Increases or decreases previously authorized expenditures.
- Suspends expenditure authority.
- Increases or decreases city services.
- Authorizes a department to administer a program affecting the city's fiscal liability.
- Increases or decreases revenue.
- Requests an amendment to the salary or positions ordinance.
- Authorizes borrowing and related debt service.
- Authorizes contingent borrowing (authority only).
- Authorizes the expenditure of funds not authorized in adopted City Budget.

D

This Note

- Was requested by committee chair

E

Charge To

- Department Account
- Contingent Fund
- Capital Projects Fund
- Special Purpose Accounts
- Debt Service
- Grant & Aid Accounts
- Other (Specify)

F

Purpose	Specify Type/Use	Expenditure	Revenue
Salaries/Wages			
Supplies/Materials			
Equipment			
Services			
Other			
TOTALS			

For expenditures and revenues which will occur on an annual basis over several years check the appropriate box below and then list each item and dollar amount separately.

G

1-3 Years 3-5 Years

1-3 Years 3-5 Years

1-3 Years 3-5 Years

List any costs not included in Sections E and F above.

H

Assumptions used in arriving at fiscal estimate.

I

Additional information.

J



Legislation Details (With Text)

File #: 111219 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution directing the Department of Administration - Intergovernmental Relations Division to lobby the United States Attorney General to issue new regulations relating to the safe disposal of pharmaceutical controlled substances.

Sponsors: ALD. BOHL

Indexes: DRUG EDUCATION, FEDERAL LEGISLATION, INTERGOVERNMENTAL RELATIONS DIVISION, SOCIAL CONCERNS

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111219
Version
ORIGINAL
Reference

Sponsor
ALD. BOHL
Title

Resolution directing the Department of Administration - Intergovernmental Relations Division to lobby the United States Attorney General to issue new regulations relating to the safe disposal of pharmaceutical controlled substances.

Analysis

This resolution directs the Department of Administration - Intergovernmental Relations Division to lobby the United States Attorney General to issue new regulations relating to the safe disposal of pharmaceutical controlled substances.

Body

Whereas, The presence of unused prescription drugs in American households is contributing to growing rates of prescription drug abuse, particularly among teenagers; and

Whereas, Disposing of unused prescription drugs by flushing them down the toilet raises environmental concerns as research results have found trace pharmaceuticals in surface, ground and drinking water; and

Whereas, Most water treatment facilities are not required to test for pharmaceuticals or filter drug residue out of water; and

Whereas, Most local and state drug take-back programs do not accept controlled substances from consumers because the Drug Enforcement Administration specifies that only law enforcement officials can receive unused controlled substances from consumers; and

Whereas, The federal Secure and Responsible Drug Disposal Act of 2010, Public Law 111-273, amended the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances; and

Whereas, The Secure and Responsible Drug Disposal Act of 2010 gives United States Attorney General rulemaking authority for issuing new regulations to allow for safe disposal of unused pharmaceutical controlled substances; and

Whereas, The goal of the Act is to encourage the Attorney General to allow public and private entities to develop a variety of methods for safe collection and disposal pharmaceutical controlled substances; and

Whereas, The Attorney General has not issued new regulations to allow for safe disposal of unused pharmaceutical controlled substances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Administration - Intergovernmental Relations Division is directed to lobby the United States Attorney General to issue new regulations relating to the safe disposal of pharmaceutical controlled substances.

Requestor

Drafter
LRB135586-1
Amy E. Hefter
12/15/2011

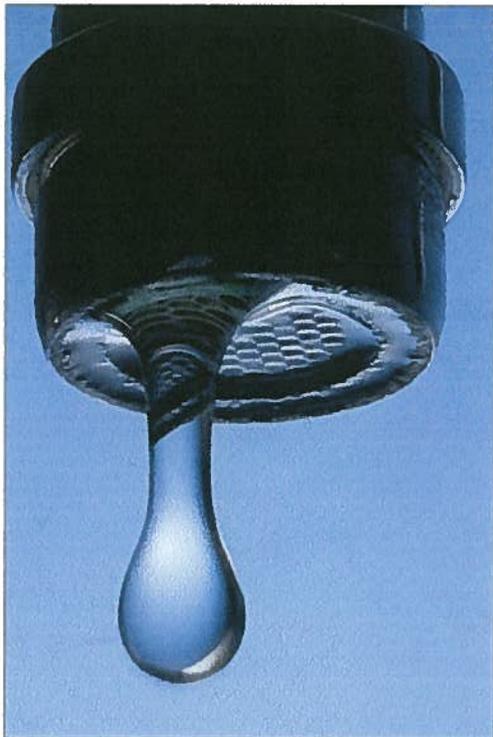


AP: Drugs found in drinking water

By Ric Francis, AP

Updated 9/12/2008 2:02 PM

By Jeff Donn, Martha Mendoza and Justin Pritchard, Associated Press



By Matt Rourke, AP

A vast array of pharmaceuticals — including antibiotics, anti-convulsants, mood stabilizers and sex hormones — have been found in the drinking water supplies of at least 41 million Americans, an Associated Press investigation shows.

To be sure, the concentrations of these pharmaceuticals are tiny, measured in quantities of parts per billion or trillion, far below the levels of a medical dose. Also, utilities insist their water is safe.

WATER DEPARTMENTS: [Reports rarely released to public](#)

BOTTLED WATER: [Is it any safer?](#)

NEW YORK CITY: [Sedative traces found in water](#)

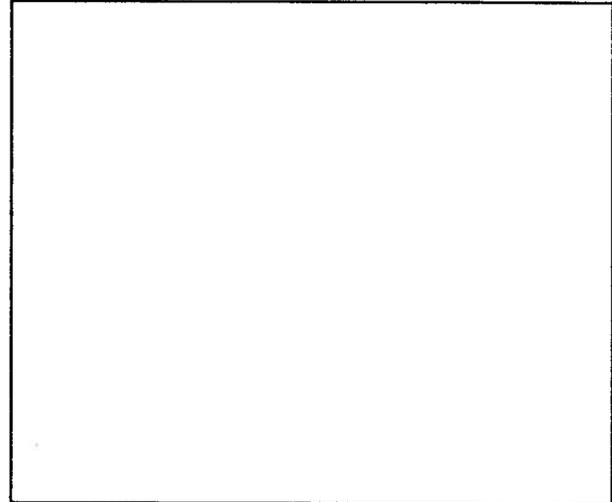
LOS ANGELES: [Water tops national taste test](#)

RELATED: [Problems in fish blamed on contamination](#)

The federal government doesn't require any testing and hasn't set safety limits for drugs in water. Of the 62 major water providers contacted, the drinking water for only 28 was tested. Of the 28 major metropolitan areas where tests were performed on drinking water supplies, only Albuquerque; Austin, Texas; and Virginia Beach; said tests were negative.

At the Orange County Sanitation District, a settling basin is used to filter water as part of the advanced secondary treatment, before the water is diverted into the ocean, in Fountain Valley, Calif. Pharmaceuticals in waterways are damaging wildlife across the nation and around the globe, research shows.

Advertisement



Print Powered By FormatDynamics



But the presence of so many prescription drugs — and over-the-counter medicines like acetaminophen and ibuprofen — in so much of our drinking water is heightening worries among scientists of long-term consequences to human health.

In the course of a five-month inquiry, the AP discovered that drugs have been detected in the drinking water supplies of 24 major metropolitan areas — from Southern California to Northern New Jersey, from Detroit to Louisville

Water providers rarely disclose results of pharmaceutical screenings, unless pressed, the AP found. For example, the head of a group representing major California suppliers said the public "doesn't know how to interpret the information" and might be unduly alarmed.

How do the drugs get into the water?

People take pills. Their bodies absorb some of the medication, but the rest of it passes through and is flushed down the toilet. The wastewater is treated before it is discharged into reservoirs, rivers or lakes. Then, some of the water is cleansed again at drinking water treatment plants and piped to consumers. But most treatments do not remove all drug residue.

And while researchers do not yet understand the exact risks from decades of persistent exposure to random combinations of low levels of pharmaceuticals, recent studies — which have gone virtually unnoticed by the general public — have found alarming effects on human cells and wildlife.

"We recognize it is a growing concern and we're taking it very seriously," said Benjamin H. Grumbles, assistant administrator for water at the U.S. Environmental Protection Agency.

Members of the AP National Investigative Team reviewed hundreds of scientific reports, analyzed federal drinking water databases, visited environmental study sites and treatment plants and interviewed more than 230 officials, academics and scientists. They also surveyed the nation's 50 largest cities and a dozen other major water providers, as well as smaller community water providers in all 50 states.

Here are some of the key test results obtained by the AP:

- Officials in Philadelphia said testing there

discovered 56 pharmaceuticals or byproducts in treated drinking water, including medicines for pain, infection, high cholesterol, asthma, epilepsy, mental illness and heart problems. Sixty-three pharmaceuticals or byproducts were found in the city's watersheds.

- Anti-epileptic and anti-anxiety medications were detected in a portion of the treated drinking water for 18.5 million people in Southern California.

- Researchers at the U.S. Geological Survey analyzed a Passaic Valley Water Commission drinking water treatment plant, which serves 850,000 people in Northern New Jersey, and found a metabolized angina medicine and the mood-stabilizing carbamazepine in drinking water.

- A sex hormone was detected in San Francisco's drinking water.

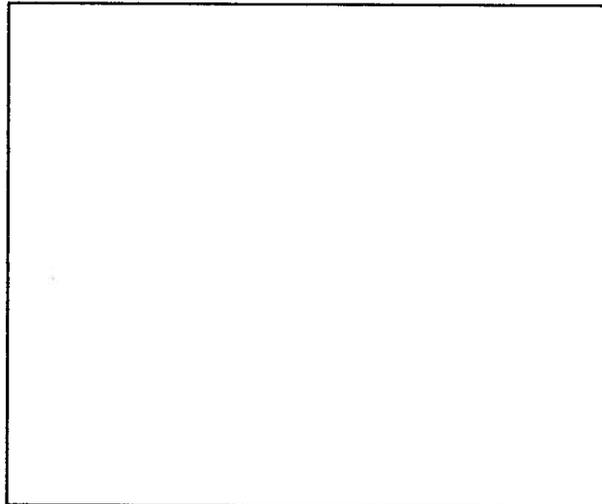
- The drinking water for Washington, D.C., and surrounding areas tested positive for six pharmaceuticals.

- Three medications, including an antibiotic, were found in drinking water supplied to Tucson.

The situation is undoubtedly worse than suggested by the positive test results in the major population centers documented by the AP.

The federal government doesn't require any testing and hasn't set safety limits for drugs in water. Of the 62 major water providers contacted, the drinking water for only 28 was tested. Among the 34 that haven't: Houston, Chicago, Miami, Baltimore,

Advertisement



Print Powered By FormatDynamics™



Phoenix, Boston and New York City's Department of Environmental Protection, which delivers water to 9 million people.

Some providers screen only for one or two pharmaceuticals, leaving open the possibility that others are present.

The AP's investigation also indicates that watersheds, the natural sources of most of the nation's water supply, also are contaminated. Tests were conducted in the watersheds of 35 of the 62 major providers surveyed by the AP, and pharmaceuticals were detected in 28.

Yet officials in six of those 28 metropolitan areas said they did not go on to test their drinking water — Fairfax, Va.; Montgomery County in Maryland; Omaha; Oklahoma City; Santa Clara, Calif., and New York City.

The New York state health department and the USGS tested the source of the city's water, upstate. They found trace concentrations of heart medicine, infection fighters, estrogen, anti-convulsants, a mood stabilizer and a tranquilizer.

City water officials declined repeated requests for an interview. In a statement, they insisted that "New York City's drinking water continues to meet all federal and state regulations regarding drinking water quality in the watershed and the distribution system" — regulations that do not address trace pharmaceuticals.

In several cases, officials at municipal or regional water providers told the AP that pharmaceuticals had not been detected, but the AP obtained the results of tests conducted by independent researchers that showed otherwise. For example, water department officials in New Orleans said their water had not been tested for pharmaceuticals, but a Tulane University researcher and his students have published a study that found the pain reliever naproxen, the sex hormone estrone and the anti-cholesterol drug byproduct clofibric acid in treated drinking water.

Of the 28 major metropolitan areas where tests were performed on drinking water supplies, only Albuquerque; Austin, Texas; and Virginia Beach; said tests were negative. The drinking water in Dallas has been tested, but officials are awaiting results. Arlington, Texas, acknowledged that traces of a pharmaceutical were detected in its drinking water but cited post-9/11 security concerns in

refusing to identify the drug.

The AP also contacted 52 small water providers — one in each state, and two each in Missouri and Texas — that serve communities with populations around 25,000. All but one said their drinking water had not been screened for pharmaceuticals; officials in Emporia, Kan., refused to answer AP's questions, also citing post-9/11 issues.

Rural consumers who draw water from their own wells aren't in the clear either, experts say.

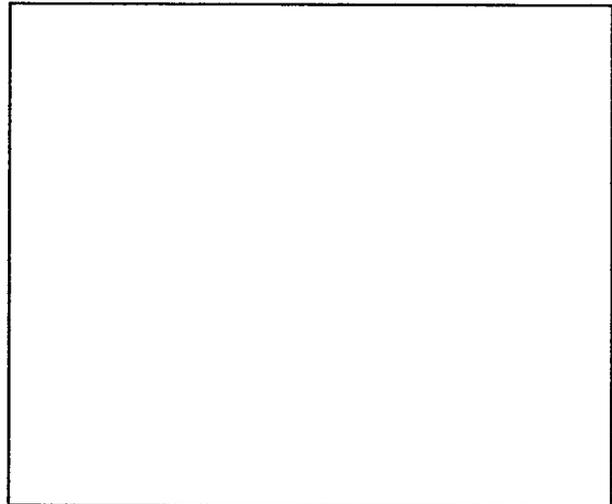
The Stroud Water Research Center, in Avondale, Pa., has measured water samples from New York City's upstate watershed for caffeine, a common contaminant that scientists often look for as a possible signal for the presence of other pharmaceuticals. Though more caffeine was detected at suburban sites, researcher Anthony Aufdenkampe was struck by the relatively high levels even in less populated areas.

He suspects it escapes from failed septic tanks, maybe with other drugs. "Septic systems are essentially small treatment plants that are essentially unmanaged and therefore tend to fail," Aufdenkampe said.

Even users of bottled water and home filtration systems don't necessarily avoid exposure. Bottlers, some of which simply repackage tap water, do not typically treat or test for pharmaceuticals, according to the industry's main trade group. The same goes for the makers of home filtration systems.

Contamination is not confined to the United States.

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More than 100 different pharmaceuticals have been detected in lakes, rivers, reservoirs and streams throughout the world. Studies have detected pharmaceuticals in waters throughout Asia, Australia, Canada and Europe — even in Swiss lakes and the North Sea.

For example, in Canada, a study of 20 Ontario drinking water treatment plants by a national research institute found nine different drugs in water samples. Japanese health officials in December called for human health impact studies after detecting prescription drugs in drinking water at seven different sites.

In the United States, the problem isn't confined to surface waters. Pharmaceuticals also permeate aquifers deep underground, source of 40% of the nation's water supply. Federal scientists who drew water in 24 states from aquifers near contaminant sources such as landfills and animal feed lots found minuscule levels of hormones, antibiotics and other drugs.

Perhaps it's because Americans have been taking drugs — and flushing them unmetabolized or unused — in growing amounts. Over the past five years, the number of U.S. prescriptions rose 12% to a record 3.7 billion, while non-prescription drug purchases held steady around 3.3 billion, according to IMS Health and The Nielsen Co.

"People think that if they take a medication, their body absorbs it and it disappears, but of course that's not the case," said EPA scientist Christian Daughton, one of the first to draw attention to the issue of pharmaceuticals in water in the United States.

Some drugs, including widely used cholesterol fighters, tranquilizers and anti-epileptic medications, resist modern drinking water and wastewater treatment processes. Plus, the EPA says there are no sewage treatment systems specifically engineered to remove pharmaceuticals.

One technology, reverse osmosis, removes virtually all pharmaceutical contaminants but is very expensive for large-scale use and leaves several gallons of polluted water for every one that is made drinkable.

Another issue: There's evidence that adding chlorine, a common process in conventional drinking water treatment plants, makes some pharmaceuticals more toxic.

Human waste isn't the only source of contamination. Cattle, for example, are given ear implants that provide a slow release of trenbolone, an anabolic steroid used by some bodybuilders, which causes cattle to bulk up. But not all the trenbolone circulating in a steer is metabolized. A German study showed 10% of the steroid passed right through the animals.

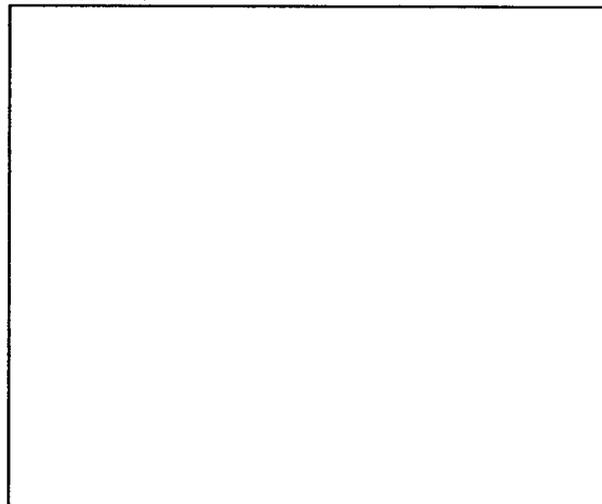
Water sampled downstream of a Nebraska feedlot had steroid levels four times as high as the water taken upstream. Male fathead minnows living in that downstream area had low testosterone levels and small heads.

Other veterinary drugs also play a role. Pets are now treated for arthritis, cancer, heart disease, diabetes, allergies, dementia, and even obesity — sometimes with the same drugs as humans. The inflation-adjusted value of veterinary drugs rose by 8%, to \$5.2 billion, over the past five years, according to an analysis of data from the Animal Health Institute.

Ask the pharmaceutical industry whether the contamination of water supplies is a problem, and officials will tell you no. "Based on what we now know, I would say we find there's little or no risk from pharmaceuticals in the environment to human health," said microbiologist Thomas White, a consultant for the Pharmaceutical Research and Manufacturers of America.

But at a conference last summer, Mary Buzby — director of environmental technology for drug maker Merck & Co. Inc. — said: "There's no doubt about it, pharmaceuticals are being detected in the environment and there is genuine concern that

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these compounds, in the small concentrations that they're at, could be causing impacts to human health or to aquatic organisms."

Recent laboratory research has found that small amounts of medication have affected human embryonic kidney cells, human blood cells and human breast cancer cells. The cancer cells proliferated too quickly; the kidney cells grew too slowly; and the blood cells showed biological activity associated with inflammation.

Also, pharmaceuticals in waterways are damaging wildlife across the nation and around the globe, research shows. Notably, male fish are being feminized, creating egg yolk proteins, a process usually restricted to females. Pharmaceuticals also are affecting sentinel species at the foundation of the pyramid of life — such as earth worms in the wild and zooplankton in the laboratory, studies show.

Some scientists stress that the research is extremely limited, and there are too many unknowns. They say, though, that the documented health problems in wildlife are disconcerting.

"It brings a question to people's minds that if the fish were affected ... might there be a potential problem for humans?" EPA research biologist Vickie Wilson told the AP. "It could be that the fish are just exquisitely sensitive because of their physiology or something. We haven't gotten far enough along."

With limited research funds, said Shane Snyder, research and development project manager at the Southern Nevada Water Authority, a greater emphasis should be put on studying the effects of drugs in water.

"I think it's a shame that so much money is going into monitoring to figure out if these things are out there, and so little is being spent on human health," said Snyder. "They need to just accept that these things are everywhere — every chemical and pharmaceutical could be there. It's time for the EPA to step up to the plate and make a statement about the need to study effects, both human and environmental."

To the degree that the EPA is focused on the issue, it appears to be looking at detection. Grumbles acknowledged that just late last year the agency developed three new methods to "detect and quantify pharmaceuticals" in wastewater. "We realize that we have a limited amount of data on the

concentrations," he said. "We're going to be able to learn a lot more."

While Grumbles said the EPA had analyzed 287 pharmaceuticals for possible inclusion on a draft list of candidates for regulation under the Safe Drinking Water Act, he said only one, nitroglycerin, was on the list. Nitroglycerin can be used as a drug for heart problems, but the key reason it's being considered is its widespread use in making explosives.

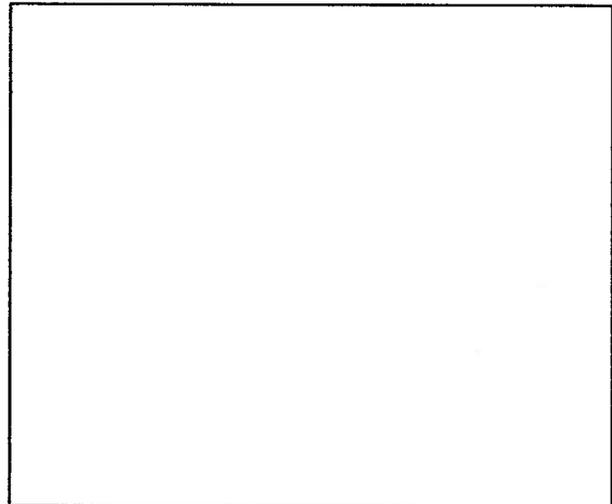
So much is unknown. Many independent scientists are skeptical that trace concentrations will ultimately prove to be harmful to humans. Confidence about human safety is based largely on studies that poison lab animals with much higher amounts.

There's growing concern in the scientific community, meanwhile, that certain drugs — or combinations of drugs — may harm humans over decades because water, unlike most specific foods, is consumed in sizable amounts every day.

Our bodies may shrug off a relatively big one-time dose, yet suffer from a smaller amount delivered continuously over a half century, perhaps subtly stirring allergies or nerve damage. Pregnant women, the elderly and the very ill might be more sensitive.

Many concerns about chronic low-level exposure focus on certain drug classes: chemotherapy that can act as a powerful poison; hormones that can hamper reproduction or development; medicines for depression and epilepsy that can damage the brain or change behavior; antibiotics that can allow human germs to mutate into more dangerous forms;

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pain relievers and blood-pressure diuretics.

For several decades, federal environmental officials and non-profit watchdog environmental groups have focused on regulated contaminants — pesticides, lead, PCBs — which are present in higher concentrations and clearly pose a health risk.

However, some experts say medications may pose a unique danger because, unlike most pollutants, they were crafted to act on the human body.

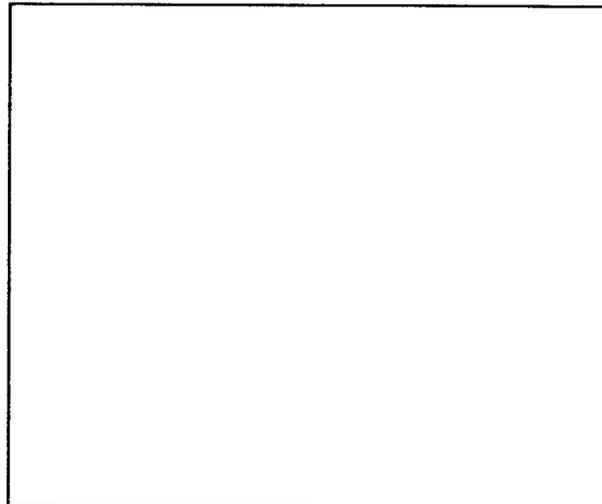
"These are chemicals that are designed to have very specific effects at very low concentrations. That's what pharmaceuticals do. So when they get out to the environment, it should not be a shock to people that they have effects," says zoologist John Sumpter at Brunel University in London, who has studied trace hormones, heart medicine and other drugs.

And while drugs are tested to be safe for humans, the timeframe is usually over a matter of months, not a lifetime. Pharmaceuticals also can produce side effects and interact with other drugs at normal medical doses. That's why — aside from therapeutic doses of fluoride injected into potable water supplies — pharmaceuticals are prescribed to people who need them, not delivered to everyone in their drinking water.

"We know we are being exposed to other people's drugs through our drinking water, and that can't be good," says Dr. David Carpenter, who directs the Institute for Health and the Environment of the State University of New York at Albany.

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The New York Times

Green

A Blog About Energy and the Environment

SEPTEMBER 9, 2011, 7:56 AM

Impasse Persists on Drugs in Drinking Water

By HILLARY ROSNER

Five years after the federal government convened a task force to study the risks posed by pharmaceuticals in the environment, it is no closer to understanding the problem or whether these contaminants should be regulated under the Clean Water Act. That's the finding of a [new report](#) from the Government Accountability Office.

Many studies [have found traces of pharmaceuticals](#), including antibiotics, hormones, and antidepressants, in municipal water supplies over the past few years. Some cities have instituted take-back programs enabling residents to drop off unused medications. Still, the extent of the contamination and whether it poses a risk to human health remains unclear.

"People are hungry for information," said David C. Trimble, director of natural resources and environment at the Government Accountability Office, which produced the study at the request of two lawmakers, Representatives Edward Markey, Democrat of Massachusetts, and Brad Miller, Democrat of North Carolina.

A government work group called Pharmaceuticals in the Environment was convened in 2006 and included representatives from the Environmental Protection Agency, which regulates drinking water; the Food and Drug Administration; and six other federal agencies. According to the G.A.O., the group generated a draft report that was never released because of internal squabbling.

The E.P.A. regulates only one component of pharmaceuticals, lindane, an ingredient in delousing shampoos. For every other pharmaceutical, from painkillers to cancer drugs, there is no standard for how much is acceptable in the nation's rivers and streams or in the water that comes out of Americans' taps.

A G.A.O. report issued in July noted that the E.P.A. has added only one new drinking water contaminant to its list of regulated substances since 1996. That was perchlorate, a component of rocket fuel; the E.P.A., reversing a controversial Bush administration decision, [announced in February](#) that it would begin regulating it.

Thursday's G.A.O. report calls for the creation of a new, permanent interagency task force to research the health impacts of drugs on the nation's drinking water.

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**City
of
Milwaukee**

**LEGISLATIVE REFERENCE BUREAU
Research & Analysis Section**

MEMORANDUM

To: Ald. James Bohl
From: Amy E. Hefter, Legislative Fiscal Analyst
Date: 1/21/2011
Re: Unwanted medication drop off sites.

The following information is in response to your request for information regarding the Milwaukee Metropolitan Sewerage District (MMSD) police department unwanted medication drop-off program, Milwaukee Police Department's reasoning for not participating in this program and other cities' efforts to collect unwanted medicine.

Thirteen of 19 police departments in Milwaukee County participate in the MMSD unwanted medication drop-off program. The police departments are: Bayside, Brown Deer, Cudahy, Fox Point, Franklin, Greendale, Oak Creek, River Hills, Shorewood, South Milwaukee, St. Francis, West Milwaukee, and Whitefish Bay.

Residents of these communities may drop off unwanted medications at their respective police departments. City of Milwaukee residents **may not** drop off their unwanted medications at other police departments in Milwaukee County.

The last Medicine Collection Day in Milwaukee County was held Saturday, May 8, 2010, at Miller Park. City of Milwaukee residents could participate in this county-wide drop off day. In an e-mail response from Bill Graffin, MMSD Public Information Manager, on January 10, 2011, he noted that a date had not yet been set for a 2011 Miller Park collection.

Numerous attempts were made to contact the Milwaukee Police Department for an explanation as to why it does not participate in the MMSD unwanted medication program but as of this date the department has not responded.

The MMSD Website recommends:

"If you need to get unused medications out of your home, the federal government recommends throwing them in the garbage. Grind up old meds and mix them with coffee grounds or something nasty that no one would want to eat. Or, dissolve pills in a jar or can with water and kitty litter." (MMSD Police Department Medicine Collections

<http://v3.mmsd.com/policestations.aspx>)

There are three different types of unwanted medicine programs: programs offering continuous drop-off sites, sponsoring single day collection events and mail-back programs. La Crosse (WI) offers a continuous drop-off sites program, Cleveland (OH) sponsors a single day collection event, and the state of Maine utilizes a mail-back program.

La Crosse(WI) offers a continuous drop-off sites program. La Crosse County solid waste managers developed a plan for disposing of household's unneeded medicines, including controlled substances. Four staff members from the solid waste department have been conditionally deputized by the county sheriff to receive controlled medicines *strictly for the purpose of safe disposal and for drugs from schedules II, III, IV, and V* (i.e. prescription medicines, but not schedule I, which includes recreational drugs). The deputation is temporary, lasting until 2011, and can be renewed. It specifically outlines the authority of the staff: they are not authorized to perform other law enforcement activities such as making arrests, and they are not eligible to be called up to serve as law enforcement in emergency situations the same way the county sheriff's police are. La Crosse County sought and obtained approval for the deputation from the state DEA in order to ensure compliance with the law.

La Crosse County residents can drop off all of their unneeded household medicines for free at the county's hazardous materials facility. The program is also available with a small fee to residents of other counties and to businesses that qualify as VSQGs (Very Small Quantity Generators of hazardous waste). These may include nursing care facilities, public health departments, and schools. The facility is open for drop-offs every Tuesday and Thursday by appointment and the 1st and 3rd Saturday of the month no appointment necessary.

Program participants bring their medicines to the facility where staff inventories the controlled substances and then supervise the residents dropping the medicine through a funnel into a 55-gallon drum of solvent. The drum contains naptha and ipecac to deter diversion of the discarded drugs as well as water to dissolve the medicines. Program organizers state that within approximately 2 days, the drugs are completely dissolved, leaving a brown, gooey residue. The DEA does not require inventorying of the collected medicines. However, the county's hazardous waste contractor, Veolia, requested that an inventory be kept of the drum's contents to ensure that appropriate disposal methods are used.

When the drum is full, it is transported using a La Crosse County vehicle and accompanied by two deputized staff to Veolia's hazardous waste incinerator near St. Louis, MO for disposal. Program organizers estimate that this will be necessary approximately once or twice per year. The total annual cost including staffing is estimated to be \$12,000-\$15,000. Currently, these costs are being covered by the solid waste department's regular operating budget; they have not received additional operating funds for disposal or for salary to staff the operation. La Crosse County is raising \$25,000 to cover startup costs including advertising, printing, and additional security at the facility (cameras, active system, etc). Future costs will be partially offset by revenue generated by providing disposal services to area VSQGs. La Crosse Household Hazardous Materials Drop Off Website: <http://www.cityoflacrosse.org/index.aspx?nid=1167>

The City of Cleveland (OH) sponsors a single day collection event. The Cleveland Department of Public Health organized the event with the following partners Division of Waste Collection and Environmental Enterprises, Inc. Due to the fact that Environmental Enterprises, Inc. had all of the appropriate licensing and disposal procedures in place, no police involvement was necessary. Two locations were set up as collection sites and the event was hosted in the City of Cleveland, however advertisements of the event were sent to all residents of Cuyahoga County. The total cost for this one-day event was \$18,318, which was funded through a grant from the U.S. EPA's Great Lakes National Program Office to the Division of Waste Collection. A portion of the grant was then distributed to the Cleveland Department of Public Health for

collection and disposal of the unwanted pharmaceuticals. The collection and disposal of 381 lbs of pharmaceutical materials cost \$4,381, according to Environmental Enterprises, Inc. The remainder of the grant (\$13,937) went towards setting up an advertisement campaign. Due to lack of funding no ongoing programs or plans for future events currently exist in the City of Cleveland. City of Cleveland Public Health Department Website
<http://www.clevelandhealth.org/>

Maine offers state residents a mail-back program, the Safe Medicine Disposal for ME program provides Maine's residents with a safe disposal option for unused and unwanted medicine. Free medicine mailback envelopes are available at participating sites. This program is funded through an allocation from the Fund for Healthy Maine administered by the Maine Drug Enforcement Agency. Under this system, consumers use prepaid mailing envelopes to send their unwanted pharmaceuticals to the Maine DEA. The envelopes are made available to the public at various locations including pharmacies, physicians' offices, and post offices. All envelopes with the unused medicine are returned to the Maine Drug Enforcement Agency for safe storage. The Maine Drug Enforcement Agency oversees disposal of returned medicine. Please see the Safe Medicine Disposal for ME Website for detailed information: <http://www.safemeddisposal.com/>

I hope this information proves helpful. Please contact me at x2290 with any questions.



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ISSUES

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Fact Sheets

Prescription Drug Abuse

Prescription drug abuse is the Nation's fastest-growing drug problem, and the Centers for Disease Control and Prevention has classified prescription drug abuse as an epidemic. While there has been a marked decrease in the use of some illegal drugs like cocaine, data from the [National Survey on Drug Use and Health](#) (NSDUH) show that nearly one-third of people aged 12 and over who used drugs for the first time in 2009 began by using a prescription drug non-medically.

Some individuals who misuse prescription drugs, particularly teens, believe these substances are safer than illicit drugs because they are prescribed by a healthcare professional and dispensed by a pharmacist. Addressing the prescription drug abuse epidemic is not only a top priority for public health, it will also help build stronger communities and allow those with substance abuse disorders to lead healthier, more productive lives.

ONDCP's Prescription Drug Abuse Prevention Plan

The [2011 Prescription Drug Abuse Prevention Plan](#) expands upon the Obama Administration's [National Drug Control Strategy](#) and includes action in four major areas to reduce prescription drug abuse:

- **Education.** A crucial first step in tackling the problem of prescription drug abuse is to educate parents, youth, and patients about the dangers of abusing prescription drugs, while requiring prescribers to receive education on the appropriate and safe use, and proper storage and disposal of prescription drugs.
- **Monitoring.** Implement prescription drug monitoring programs (PDMPs) in every state to reduce "doctor shopping" and diversion, and enhance PDMPs to make sure they can share data across states and are used by healthcare providers.
- **Proper Medication Disposal.** Develop convenient and environmentally responsible prescription drug disposal programs to help decrease the supply of unused prescription drugs in the home.
- **Enforcement.** Provide law enforcement with the tools necessary to eliminate improper prescribing practices and stop pill mills.

Read the full plan: [Epidemic: Responding to America's Prescription Drug Abuse Crisis](#) and the related [action items](#).

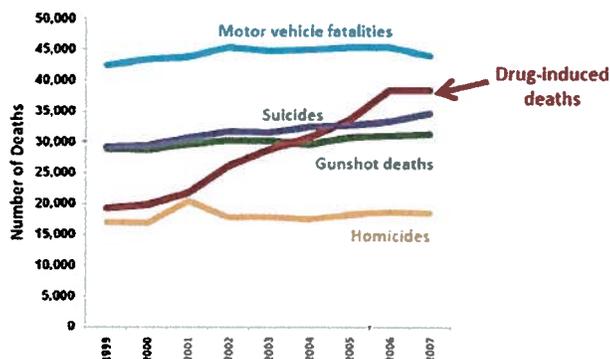
[Watch a replay](#) of the Prescription Drug Abuse Prevention Plan release event at the National Press Club.

Research

According to the recent Monitoring the Future study – the Nation's largest survey of drug use among young people – prescription drugs are the second-most abused category of drugs after marijuana. In addition, the latest [National Survey on Drug Use and Health](#) shows that over 70 percent of people who abused prescription pain relievers got them from friends or relatives, while approximately 5 percent got them from a drug dealer or over the Internet. Further, opiate overdoses, once almost always due to heroin use, are now increasingly due to abuse of prescription painkillers. In our military, illicit drug use increased from 5% to 12% among active duty service members from 2005 to 2008, primarily due to non-medical use of prescription drugs.

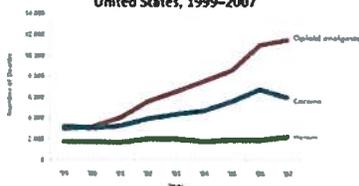
The number of prescriptions filled for opioid pain relievers – some of the most powerful medications available – has increased dramatically in recent years. From 1997 to 2007, the milligram-per-person use of prescription opioids in the U.S. increased from 74 milligrams to 369 milligrams, an increase of 402%. In addition, in 2000, retail pharmacies dispensed 174 million prescriptions for opioids; by 2009, 257 million prescriptions were dispensed, an increase of 48%. As the chart below demonstrates, these increases mirror increases in prescription drug abuse.

Drug-Induced Deaths Second Only to Motor Vehicle Fatalities, 1999–2007



Source: National Center for Health Statistics, Centers for Disease Control and Prevention. National Vital Statistics Reports Deaths: Final Data for the years 1999 to 2007 (2001 to 2010).

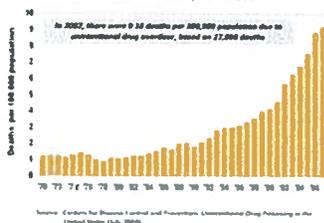
Unintentional Overdose Deaths Involving Opioid Analgesics, Cocaine and Heroin, United States, 1999–2007



Source: Centers for Disease Control and Prevention. Unintentional Drug Poisoning in the United States (July 2008).

Click to enlarge.

Unintentional Drug Overdose Deaths, United States, 1970-2007



Source: Centers for Disease Control and Prevention. Unintentional Drug Poisoning in the United States (July 2008).

Click to enlarge.

For more research and data, visit: Centers for Disease Control and Prevention presentation on [Prescription Drug Overdoses: An American Epidemic](#) (Video).

What You Can Do

Because prescription drugs are legal, they are easily accessible. Parents, law enforcement, the medical community, and all levels of government have a role to play in reducing prescription drug abuse. Here are some things you can do to reduce the abuse of prescription drugs:

- **Follow disposal guidelines:** No matter who you are, you can help address this issue in your home. By following the guidelines, you reduce the risk of unintentional diversion or harm. Learn [how to dispose of unused medicines](#), read the [frequently asked questions](#) about safe drug disposal, and get information on [drug poisoning](#).

- **Talk to your kids:** It's important that our children learn about the use and abuse of prescription drugs. For tips on having conversations with kids, read [Time to Talk](#) for tools to talk to preschoolers and grade-schoolers, [Teen Culture](#) or tips with teens, and view [sample conversation starters](#).
- **Take advantage of community take-back programs:** Call your city or county government's household trash and recycling service or your local police or sheriff's department to see if a take-back program is available in your community.
- **Seek treatment and support individuals in recovery:** If you or a loved one needs help with substance abuse, [find a treatment center](#) near you today. Thousands of individuals who have struggled with addiction have now living healthy and happy lives with the help of treatment and recovery services.

Partner Programs

Successful substance-abuse prevention programs, combined with public education and penalties for those who fail to comply with the law, will continue to receive support in the effort to reduce prescription drug abuse. Here are some programs:

- [Drug-Free Communities Support Program \(DFC\)](#) - Funding hundreds of communities around the country, the DFC program helps communities identify and respond to local substance abuse issues.
- [National Youth Anti-Drug Media Campaign](#) - A campaign aimed at preventing and reducing youth drug use across the country by increasing teen exposure to anti-drug messages with a highly visible national media presence and on-the-ground activities, including a number of free online resources to help prevent teen prescription and over-the-counter (OTC) drug abuse.

Resources

- ONDCP Fact Sheet: Prescription Drugs: [Weighing the Benefits and the Risks](#) (PDF)
- National Institute on Drug Abuse (NIDA): [PEERx](#) resource for teens
- National Institute on Drug Abuse (NIDA): [Prescription Drugs: Abuse and Addiction](#)
- [Combating Misuse and Abuse of Prescription Drugs: Q&A with Michael Klein, Ph.D.](#)
- [Trends in Wyoming PMP Prescription History Reporting: Evidence for a Decrease in Doctor Shopping?](#) (PDF)

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S. 3397

One Hundred Eleventh Congress
of the
United States of America

AT THE SECOND SESSION

*Began and held at the City of Washington on Tuesday,
the fifth day of January, two thousand and ten*

An Act

To amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Secure and Responsible Drug Disposal Act of 2010".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The nonmedical use of prescription drugs is a growing problem in the United States, particularly among teenagers.

(2) According to the Department of Justice's 2009 National Prescription Drug Threat Assessment—

(A) the number of deaths and treatment admissions for controlled prescription drugs (CPDs) has increased significantly in recent years;

(B) unintentional overdose deaths involving prescription opioids, for example, increased 114 percent from 2001 to 2005, and the number of treatment admissions for prescription opioids increased 74 percent from 2002 to 2006; and

(C) violent crime and property crime associated with abuse and diversion of CPDs has increased in all regions of the United States over the past 5 years.

(3) According to the Office of National Drug Control Policy's 2008 Report "Prescription for Danger", prescription drug abuse is especially on the rise for teens—

(A) one-third of all new abusers of prescription drugs in 2006 were 12- to 17-year-olds;

(B) teens abuse prescription drugs more than any illicit drug except marijuana—more than cocaine, heroin, and methamphetamine combined; and

(C) responsible adults are in a unique position to reduce teen access to prescription drugs because the drugs often are found in the home.

(4)(A) Many State and local law enforcement agencies have established drug disposal programs (often called "take-back" programs) to facilitate the collection and destruction of unused, unwanted, or expired medications. These programs help get outdated or unused medications off household shelves and out of the reach of children and teenagers.

(B) However, take-back programs often cannot dispose of the most dangerous pharmaceutical drugs—controlled substance medications—because Federal law does not permit take-back programs to accept controlled substances unless they get specific permission from the Drug Enforcement Administration and arrange for full-time law enforcement officers to receive the controlled substances directly from the member of the public who seeks to dispose of them.

(C) Individuals seeking to reduce the amount of unwanted controlled substances in their household consequently have few disposal options beyond discarding or flushing the substances, which may not be appropriate means of disposing of the substances. Drug take-back programs are also a convenient and effective means for individuals in various communities to reduce the introduction of some potentially harmful substances into the environment, particularly into water.

(D) Long-term care facilities face a distinct set of obstacles to the safe disposal of controlled substances due to the increased volume of controlled substances they handle.

(5) This Act gives the Attorney General authority to promulgate new regulations, within the framework of the Controlled Substances Act, that will allow patients to deliver unused pharmaceutical controlled substances to appropriate entities for disposal in a safe and effective manner consistent with effective controls against diversion.

(6) The goal of this Act is to encourage the Attorney General to set controlled substance diversion prevention parameters that will allow public and private entities to develop a variety of methods of collection and disposal of controlled substances, including some pharmaceuticals, in a secure, convenient, and responsible manner. This will also serve to reduce instances of diversion and introduction of some potentially harmful substances into the environment.

SEC. 3. DELIVERY OF CONTROLLED SUBSTANCES BY ULTIMATE USERS FOR DISPOSAL.

(a) REGULATORY AUTHORITY.—Section 302 of the Controlled Substances Act (21 U.S.C. 822) is amended by adding at the end the following:

“(g)(1) An ultimate user who has lawfully obtained a controlled substance in accordance with this title may, without being registered, deliver the controlled substance to another person for the purpose of disposal of the controlled substance if—

“(A) the person receiving the controlled substance is authorized under this title to engage in such activity; and

“(B) the disposal takes place in accordance with regulations issued by the Attorney General to prevent diversion of controlled substances.

“(2) In developing regulations under this subsection, the Attorney General shall take into consideration the public health and safety, as well as the ease and cost of program implementation and participation by various communities. Such regulations may not require any entity to establish or operate a delivery or disposal program.

“(3) The Attorney General may, by regulation, authorize long-term care facilities, as defined by the Attorney General by regulation, to dispose of controlled substances on behalf of ultimate users

who reside, or have resided, at such long-term care facilities in a manner that the Attorney General determines will provide effective controls against diversion and be consistent with the public health and safety.

"(4) If a person dies while lawfully in possession of a controlled substance for personal use, any person lawfully entitled to dispose of the decedent's property may deliver the controlled substance to another person for the purpose of disposal under the same conditions as provided in paragraph (1) for an ultimate user."

(b) CONFORMING AMENDMENT.—Section 308(b) of the Controlled Substances Act (21 U.S.C. 828(b)) is amended—

(1) by striking the period at the end of paragraph (2) and inserting “, or”; and

(2) by adding at the end the following:

“(3) the delivery of such a substance for the purpose of disposal by an ultimate user, long-term care facility, or other person acting in accordance with section 302(g).”

SEC. 4. DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION.

Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements to ensure that the guidelines and policy statements provide an appropriate penalty increase of up to 2 offense levels above the sentence otherwise applicable in Part D of the Guidelines Manual if a person is convicted of a drug offense resulting from the authorization of that person to receive scheduled substances from an ultimate user or long-term care facility as set forth in the amendments made by section 3.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

Prescription Drug Reso Talking Points

- Prescription drug abuse is the Nations fastest-growing drug program and the CDC has classified this as an epidemic.
- More than 7 million Americans abuse prescription drugs according to a 2009 national survey and each day 2,500 teens use prescription drugs to get high for the first time; 1 in 3 persons who used misused a drug for the first time did so with a prescription drug un-medically.
- MORE Americans currently abuse prescription medication than those who abuse cocaine, hallucinogens and heroin combined.
- Health officials nationally have asked Americans to not flush unwanted/unused medications down the toilet or in landfills because they'll wind up in our waterways.
- There have been several studies showing trace levels of pharmaceuticals, antibiotics, hormones and anti-depressants in municipal drinking water supplies, including here in Milwaukee.
- Milwaukee has a 1 day annual take back event sponsored by MMSD done at Miller Park. Otherwise, the city of Milwaukee has no mechanism for public drop off sites of unwanted medication—unlike 13 of 19 communities in the MMSD district that have programs through their police departments. Technically federal law requires that unwanted prescription drugs must have law enforcement present or be done at a law enforcement site.
- I have done research on a number of communities that partner with community pharmacies or national ones that have secure drop-off containers on site of select community pharmacy locations. Among those locations are Santa Rosa, CA, Vancouver, Washington (suburb of Portland), Manhattan Beach, CA, and San Jose, California, among others.
- I desired to replicate this program here in Milwaukee making drop offs convenient for participants and not just a 1 day a year event. I was informed by Walgreens of their inability to do so because federal law doesn't allow it.
- The issue is that Congress approved and Pres. Obama signed the Secure and Responsible Drug Disposal Act of 2010 into law 15 months ago. This amended the Federal Controlled Substances Act to allow patient delivered controlled substances to an entity that is authorized by federal law to dispose of them, providing that such disposal occurs in accordance with regulations issued by the Attorney General to prevent the diversion of controlled substances. The AG is to take into consideration public health and safety as well as ease and cost of drug disposal program implementation and participation by various communities. We are still awaiting these guidelines.
- My hope is to lobby the AG to set standards to allow participating pharmacies, in conjunction with local sewage disposal districts, using secure standards, to accept unwanted medications on site. This would be most beneficial to consumers and will have a net positive effect of getting unwanted prescription drugs out of medicine cabinets where they can be accessed and abused and also preventing

them from being flushed down the toilet where they end up contaminating our waterways.



Legislation Details (With Text)

File #: 111233 **Version:** 1

Type: Ordinance **Status:** In Committee

File created: 12/20/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: A substitute ordinance relating to revisions of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

Sponsors: THE CHAIR

Indexes: REVISORS BILL

Attachments: Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
12/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
111233

Version
SUBSTITUTE 1

Reference

Sponsor
THE CHAIR

Title

A substitute ordinance relating to revisions of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

Sections

- 75-20-1 am
- 75-20-6-0 am
- 75-20-12-0 am
- 75-20-12-g am
- 87-14-2 am
- 97-12-6-a am
- 97-12-6-b-2 am
- 105-75-14-c-4 am
- 109-5-g rp
- 109-5-j rp
- 109-5-k rp
- 109-51-0 am
- 200-01-2-j am
- 200-02 am
- 200-03-3 am
- 200-06 am
- 200-08-5 am

200-09-1 am
200-10-1 am
200-11-3 am
200-13-2 am
200-17-3-a am
200-17-3-c am
200-17.5-1 am
200-17.5-3 am
200-17.5-5 am
200-27-1 am
200-33-3-a-0 am
200-33-3-e am
200-33-39 am
200-33-43-L am
200-42-3-a-0 am
200-46 am
207-01 am
214-2 am
214-7-1-d am
214-7-2-c am
222-11-4 am
222-11-9-e-1 am
222-50 am
222-52-1-0 am
223-1 am
223-5-1 am
223-5-16 am
223-7-4-a am
223-9-8-f am
225-01 am
225-02 am
225-4-2-e am
225-4-3-f am
225-4-4-a am
225-4-4-d am
225-14-2 am
225-14-4 am
225-15-1 am
225-15-2-b am
225-16-1-a am
225-18-3 am
225-23-3-b am
225-23-4-a-2 am
228-1-3 am
236-01 am
236-11-4-d-1 am
236-21-0 am
240-01 am
240-22-2-a am

240-23-1	am
240-23-2	am
240-23-3	am
246-3-1	am
246-3-2	am
246-15-5	am
246-19	am
251-1	am
252-71-1	am
252-71-2-h	am
252-74-5-e	am
257-17-6	am
261-98-9	am
265-01	am
275-61-3-f	am
295-415-9-b-2	am
295-415-9-c-4	am
295-503-2-x-3	rc
295-603-2-aa-3	rc
295-703-2-u-3	rc
295-803-2-hh-3	rc
295-803-4-b-10-d	rc
295-905-2-b-10-d	rc
295-1011-9-f-4	am
295-1011-10-h	am
295-1015-3-b-8-d	rc
320-16-2	am
320-29	rn
350-50	rp
365-4	am

Analysis

This ordinance revises provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

Body

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 75-20-1 of the code is amended to read:

75-20. Swimming Pools and Places.

1. ADOPTION OF STATE CODE. Except as otherwise provided in this section, the city of Milwaukee adopts ~~[[ch. Comm 90]]~~, >> ch. SPS 390 << and ch. DHS 172, Wis. Adm. Code, as amended, as part of this code.

Part 2. Section 75-20-6-0 of the code is amended to read:

6. PERMIT REQUIRED. In addition to the requirements of ~~[[ch. Comm 90]]~~ >> ch. SPS 390 <<, Wis. Adm. Code, no person shall construct, install, enlarge, establish, maintain or make any alteration to any public swimming place or any outdoor private swimming place without a pool construction permit issued by the commissioner.

Part 3. Section 75-20-12-0 and g of the code is amended to read:

12. PUBLIC POOL REQUIREMENTS. In addition to the provisions of ~~[[ch. Comm 90]]~~ >> ch. SPS 390 <<, Wis. Adm. Code, and ch. DHS 172, Wis. Adm. Code, public swimming places shall comply with the requirements listed in this subsection.

g. Drinking Fountains. In addition to the drinking fountain requirements of ~~[[ch. Comm 90]]~~ >> ch. SPS 390 <<, Wis. Adm. Code, public swimming places with water surface areas greater than 2,000 square feet shall provide a low-mounted drinking fountain for use by children.

Part 4. Section 87-14-2 of the code is amended to read:

87-14. Carnival Site Permits.

2. PERMIT, REGISTRATION REQUIRED. a. No person may set up, maintain or operate a carnival in the city without first registering with the Wisconsin department of ~~[[commerce]]~~ >> safety and professional services << as required by ~~[[ch. Comm 34]]~~ >> ch. SPS 334 <<, Wis. Adm. Code.

b. No person owning or controlling real property in the city may allow the property to be used as a carnival site unless the carnival operator has been properly registered with the Wisconsin department of ~~[[commerce]]~~ >> safety and professional services <<, and unless the property owner or carnival operator has applied for and received a carnival site permit from the city.

Part 5. Section 97-12-6-a and b-2 of the code is amended to read:

97-12. Cross-Connection Control Regulations.

6. CROSS-CONNECTION CONTROL PROGRAM. a. The cross connection control program shall be the responsibility of the water works. The methods and devices that shall be used to protect the water supply are those cited in ~~[[ch. Comm 82]]~~ >> ch. SPS 382 <<, Wis. Adm. Code. The water works or its representative shall have the power and authority to inspect all properties serviced by the public supply system where cross-connections with the public water supply system are deemed possible.

b-2. Premises with cross-connection control devices shall be tested annually by a certified tester with documentation submitted to the water works or its representative per ~~[[s. Comm 82.21]]~~ >> ch. SPS 382.21 <<, Wis. Adm. Code.

Part 6. Section 105-75-14-c-4 of the code is amended to read:

105-75. Private Alarm Systems and Regulations.

14. ALARM SALES AND ALARM BUSINESS REQUIREMENTS.

c-4. Provide a private first responder service, unless the alarm system transmits the alarm signal as provided in sub. 11-d, that shall verify, in the case of an activated burglary alarm, that a cause for alarm exists at the alarm site before the alarm signal is transmitted to the police department; any person employed by a first responder service who engages in on-site verification shall hold a valid state private security person permit issued by the Wisconsin department of ~~[[regulation and licensing]]~~ >> safety and professional services <<.

Part 7. Section 109-5-g, j and k of the code is repealed.

Part 8. Section 109-51-0 of the code is amended to read:

109-51. Complaint Procedure. The commission shall use the following procedures in acting on complaints of discrimination ~~[[, including violations of the provisions of ch. 112]].~~

Part 9. Section 200-01-2-j of the code is amended to read:

200-01. Department of Neighborhood Services

2. FUNCTIONS, POWERS AND DUTIES.

j. To perform investigations and inspections relating to various licenses issued by the city, including but not limited to alcohol beverage licenses, ~~[[dance hall licenses and theater licenses]]~~ >> and public entertainment premises licenses <<.

Part 10. Section 200-02 of the code is amended to read:

200-02. Adoption of State Code. The city of Milwaukee adopts ~~[[ch. Comm 64]]~~ >>ch. SPS 361<<, Wis. Adm. Code, as amended, as part of this code

Part 11. Section 200-03-3 of the code is amended to read:

200-03. Scope.

3. In any instance of conflicts between regulations of this code, the more stringent regulations shall govern except as regulated in ~~[[s. Comm 61.03(2)]]~~ >>s. SPS 361.03(2)<<, Wis. Adm. Code, as amended.

Part 12. Section 200-06 of the code is amended to read:

200-06. Adoption of State Code. Except as otherwise provided in this chapter, the city of Milwaukee adopts ~~[[ss. Comm 61.04, 61.05(1) and 62.0202]]~~ >>ss. SPS 361.04, 361.05(1) and 362.0202<<, Wis. Adm. Code, as amended, as part of this code

Part 13. Section 200-08-5 of the code is amended to read:

200-08. Definitions.

5. APPROVED means approved by the commissioner or the Wisconsin department of ~~[[commerce]]~~ >>safety and professional services<< under the regulations of this code.

Part 14. Section 200-09-1 of the code is amended to read:

200-09. Authority. 1. JURISDICTION. Except as otherwise regulated by this code, in addition to the duties and authority prescribed in ch. 8, city charter, the commissioner has the authority to enforce all the provisions of this code and the decisions of the board, the commission, the administrative rules of the Wisconsin department of ~~[[commerce]]~~ >> safety and professional services << and all other laws or lawful orders relating to the construction, maintenance, use, and occupancy of buildings, structures, equipment or premises when not in conflict with ch. 295, and to perform all of the various duties as prescribed in all other ordinances and state statutes in a manner to provide that the spirit and intent of the law shall be observed and public welfare and safety be assured. The commissioner shall be the final authority on interpretation of the code except where such authority is preempted by state or federal law.

Part 15. Section 200-10-1 of the code is amended to read:

200-10. Enforcement of Former Code of Laws.

1. BUILDINGS BUILT PRIOR TO OCTOBER 9, 1914. All buildings and structures, additions and alterations erected prior to October 9, 1914, shall comply with the provisions of ~~[[chs. Comm 75 to 79]]~~ >>chs. SPS 375 to 379<<, Wis. Adm. Code, for existing buildings. Buildings and structures built and subsequently changed to a more restrictive use prior to October 9, 1914, shall comply with the more restrictive provisions of ~~[[chs. Comm 75 to 79]]~~ >>chs. SPS 375 to 379<<, Wis. Adm. Code, on existing buildings.

Part 16. 200-11-3 of the code is amended to read:

200-11. Enforcement.

3. STOPPING OF CONSTRUCTION WORK; UNSAFE CONSTRUCTION. Whenever the construction of any building, structure, equipment, or additions thereto, or alterations, or repairs thereto, or removal, or demolition thereof is being done contrary to the regulations of this code or contrary to s. 320-20-11 or the conditions of a certificate of appropriateness issued pursuant thereto, or is being done in an unsafe or dangerous manner, or not in accordance with the approved plans, specifications, and data, or with the terms of the permit granted therefor, the commissioner may, by means of a placard posted on the premises, order such work to be stopped at once and thereafter confirm such order by a written order served on the owner of the premises and on the person engaged in doing or causing such work to be done, and any such persons shall immediately stop all such work until satisfactory evidence is presented to the commissioner that all of the provisions of the

such work until satisfactory evidence is presented to the commissioner that all of the provisions of the permit, this code, s. 320-21-11 and the conditions of a certificate of appropriateness issued pursuant thereto, Wisconsin Administrative Code, all other lawful orders of the Wisconsin department of ~~commerce~~ >> safety and professional services << and other laws and ordinances applicable thereto will be complied with, at which time work can again be resumed providing authority is procured from the commissioner to recommence with the work.

Part 17. Section 200-13-2 of the code is amended to read:

200-13. Inspections.

2. EXISTING BUILDINGS AND STRUCTURES. The commissioner may make inspections, from time to time, or as otherwise required by this code, of all existing buildings, structures or equipment to ascertain if the buildings, structures or equipment are being used, maintained and occupied in accordance with the regulations of applicable codes, all other ordinances, the Wisconsin Administrative Code, and all other laws, or lawful orders of the Wisconsin department of ~~commerce~~ >> safety and professional services <<. relating to the maintenance, erection, construction, installation, enlargement, alteration, repair removal, conversion to new uses, raising, demolition, fire and health protection, use of equipment, materials, occupancy and use, and sanitation of buildings, structures, equipment or premises. The commissioner shall also make inspections to ascertain the effect of fires to determine the study of all such buildings, structures or equipment.

Part 18. Section 200-17-3-a and c of the code is amended to read:

200-17. Standards and Appeals Commission.

3. POWERS AND DUTIES. a. The commission shall hear all appeals from the decision of the commissioner of neighborhood services or commissioner of city development relative to the application and interpretations of any regulation of this code, except appeals of orders issued under ss. 200-12.5, 218-4.5, ch. 295, the state of Wisconsin department of ~~commerce~~ >> safety and professional services << and appeals under s. 200-04-3.

c. The commission shall have jurisdiction only in matters regulated in this code, and not specifically under the jurisdiction of any other appellate boards created pursuant to this code or the state of Wisconsin department ~~of commerce~~ >> safety and professional services <<.

Part 19. Section 200-17.5-1, 3 and 5 of the code is amended to read:

200-17.5. State Building Code Variances.

1. Pursuant to authority delegated to the city as agent of the state under s. 101.12, Wis. Stats., as amended, the commissioner of city development may evaluate, decide upon and administer petitions for variances to the rules of ~~chs. Comm 64 to 65~~ >> chs. SPS 361 to 365 <<, Wis. Adm. Code, as amended, and ~~chs. Comm 75 to 79~~ >> chs. 375 to 379 <<, Wis. Adm. Code, as amended, as they relate to buildings and structures in the city.

3. The commissioner shall exercise powers with respect to state building code variances pursuant to the process and procedures specified in ~~ch. Comm. 3~~ >> ch. SPS 303 <<, Wis. Adm. Code, as amended.

5. The fee schedule for processing petitions for variances shall be that specified by ~~[s. Comm 2.52]~~ >> s. SPS 302.52 <<, Wis. Adm. Code, as amended. Refunds of 50% of fees shall be made when the required time frame under sub. 4 is exceeded.

Part 20. Section 200-27-1 of the code is amended to read:

200-27. Design and Supervision. **1.** Every new building containing more than 50,000 cubic feet total volume, or an addition to a building which by reason of such addition results in a building containing over 50,000 cubic feet total volume, or structural alteration to a building containing over 50,000 cubic feet total volume, shall be designed by an architect or engineer in accordance with this code and shall be constructed under the supervision of an architect or engineer who shall be responsible for its erection in accordance with the plans and specifications of the designer. A written statement to this effect shall be filed by the architect or engineer with the commissioner of city development with the application for permit. No change from the original plans and specifications shall be made except with the knowledge and consent of the designer and as approved pursuant to

shall be made except with the knowledge and consent of the designer, and as approved pursuant to ~~[[s. Comm 61.31(4)]]~~ >> s. SPS 361.31(4)<<, Wis. Adm. Code.

Part 21. Section 200-33-13-a-0 and e of the code is amended to read:

200-33. Fees

13. ELEVATORS.

a. Inspection Fees. Fees for periodic inspections and reinspections of all classes of elevators and lifting devices within the scope of ~~[[ch. Comm 48]]~~ >> ch. SPS 318 <<, Wis. Adm. Code, shall be as follows:

e. Repair Permit Fees. The fees for installation or alteration permits required by ~~[[s. Comm 2-15]]~~ >> s. SPS 302-15<<, Wis. Adm. Code, shall be charged at the rate of 1.5% of the total cost of repair, with a minimum fee of \$60.

Part 22. Section 200-33-39 of the code is amended to read:

39. PLAN EXAMINATION, PETITION FOR STATE MODIFICATION. The fee for processing a petition for an appeal and variance to the Wisconsin department of ~~[[commerce]]~~ >> safety and professional services<< shall be \$165.

Part 23. Section 200-33-43-L of the code is amended to read:

43. PLUMBING.

L. Review of applications for modification under ~~[[ch. Comm 82]]~~ >> ch. SPS 382 <<, Wis. Adm. Code: \$75.

Part 24. Section 200-42-3-a-0 of the code is amended to read:

200-42. Certificate of Occupancy.

3. WHEN ISSUED. a. In the case of a proposed use, as described in ~~[[ch. Comm 62]]~~ >> ch. SPS 362 <<, Wis. Adm. Code, as amended, that is not within the same group of uses as the prior use, and where the proposed use is as hazardous or more hazardous, based on life and fire risk, than the prior use, or whenever the proposed use is an elementary or secondary school, or a daycare or a rooming house, or a tavern or a sit-down restaurant, as described under s. 295-201-501, or where otherwise requested, the commissioner of city development shall issue a certificate of occupancy:

Part 25. Section 200-46 of the code is amended to read:

200-46. Changes in Occupancy or Use. 1. No change in any occupancy or use as described in ~~[[ch. Comm 62]]~~ >> ch. SPS 362 <<, Wis. Adm. Code, as amended, of an existing building, structure, premises or part thereof shall be permitted that is not consistent with a lawful occupancy or use permitted under a prior certificate of occupancy, or which is not based upon the requirements applicable to types of construction and zoning as regulated by this code.

2. No change from one group of occupancies to another group of occupancies as described in ~~[[ch. Comm 62]]~~ >> ch. SPS 362 <<, Wis. Adm. Code, as amended, shall be permitted unless after inspection it is found that such building, structure, premises or part thereof conforms to the regulations of this code relating to the proposed new occupancy and use and required types of construction.

Part 26. Section 207-01 of the code is amended to read:

207-01. Adoption of State Code. Except as otherwise provided in this chapter, the city of Milwaukee adopts ~~[[ch. Comm 7]]~~ >> ch. SPS 307<<, Wis. Adm. Code, as amended, as part of this code

Part 27. Section 214-2 of the code is amended to read:

214-2. Adoption of State Code. The city of Milwaukee adopts ~~[[ch. Comm 44]]~~ >> ch. SPS 314 <<, Wis. Adm. Code, as amended, as part of this code.

Part 28. Section 214-7-1-d and 2-c of the code is amended to read:

214-7. Fire Prevention. 1. RESPONSIBILITIES OF THE FIRE CHIEF

d. Other Duties. The chief shall be responsible for carrying out the requirements of ~~[[s. Comm 14.01 (11)(b)4]]~~ >> s. SPS 314.01(11)(b)(4)<<, Wis. Adm. Code, as amended, and s. 214-31.

2. RESPONSIBILITIES OF THE COMMISSIONER.

c. Other Duties. Other than the responsibilities of the fire chief listed in sub. 1, the duties of the fire chief as set forth in ~~[[ch. Comm 14]]~~ >> ch. SPS 314 <<, Wis. Adm. Code, may be carried out by the commissioner.

Part 29. Section 222-11-4 of the code is amended to read:

222-11. Electrical Licenses

4. QUALIFICATIONS FOR LICENSES.

a. Type C License. An applicant for a Type C electrical contractor's license or renewal thereof shall comply with ~~[[ch. Comm 5]]~~ >> ch. SPS 305<<, subch. IV, Wis. Adm. Code, as amended, or shall submit an affidavit to the effect that a person holding state master electrician certification will be a bona fide full-time employe of the applicant, and that such master electrician certificate holder will have complete and unquestionable authority and supervision over all work regulated by this chapter.

b. Type M License. An applicant for a Type M electrical maintenance license or renewal thereof shall comply with ~~[[ch. Comm 5]]~~ >> ch. SPS 305 <<, subch. IV, Wis. Adm. Code, as amended, or shall submit an affidavit to the effect that a person who has completed a certificate program or associate degree program at an accredited college or technical school in a field directly related to electrical installations or wiring, or a state of Wisconsin apprenticeship program in the same field, will be a bona fide full-time employe of the applicant, and that such person will have complete and unquestionable authority and supervision over the electrical maintenance and repair work in the building or structure (plant) of the employer.

c. Type E License. An applicant for a Type E elevator electrical contractor license or renewal thereof shall comply with ~~[[ch. Comm 5]]~~ >> ch. SPS 305<<, subch. IV, Wis. Adm. Code, as amended.

Part 30. Section 222-11-9-e-1 of the code is amended to read:

9. PROCEDURES FOR NONRENEWAL, SUSPENSION OR REVOCATION.

e. Grounds for Nonrenewal

e-1. The licensee has violated any provision of this chapter or of ~~[[c h. Comm 46]]~~ >> ch SPS 316 << ~~[[eh. Comm 18]]~~ >> ch. SPS 318<<, Wis. Adm. Code.

Part 31. Section 222-50 of the code is amended to read:

222-50. Scope. 1. Regulations contained in this subchapter with respect to elevators, power dumbwaiters, material handling elevators, moving walks and ramps, personnel hoists, and escalators are deemed supplemental to ~~[[ch. Comm 48]]~~ >> ch. DPS 318 <<, Wis. Adm. Code. Plans required in subch III, ~~[[ch. Comm 48]]~~ >> ch. SPS 318 <<, Wis. Adm. Code, shall be submitted to the commissioner of city development instead of the Wisconsin department of ~~[[commerce]]~~ >> safety and professional services<< together with 3 copies of the permit application.

Part 32. Section 222-52-1-0 of the code is amended to read:

222-52. Construction Permits. 1. PERMIT REQUIRED. Except as regulated in subs. 1 to 3 no person shall install, alter, repair or replace any elevator or other device regulated in ~~[[s. Comm 48.1002]]~~ >> s. SPS 318.1002<<, Wis. Adm. Code, without first obtaining a permit therefor and paying the fees as prescribed in s. 200-33.

Part 33. Section 223-1 of the code is amended to read:

223-1. Adoption of State Code. The city of Milwaukee adopts ch. Comm 41, Wis. Adm. Code, except ~~[[s. Comm 41.08]]~~ >> s. SPS 341.08<<, as amended, as part of this code.

Part 34. Section 223-5-1 and 16 of the code is amended to read:

223-5. Definitions. In this chapter:

1. AUTHORIZED INSPECTION AGENCY means either of the following:

a. An inspection agency as outlined in ANSI/NB-369 and whose inspectors hold a valid certificate as issued by the state of Wisconsin in accordance with ~~[[s. Comm 5.60]]~~ >> s. SPS 305.60 <<, Wis. Adm. Code, as amended.

b. An individual who holds a valid certificate as issued by the state of Wisconsin in accordance with ~~[[s. Comm 5.60]]~~ >>s. SPS 305.60<<, Wis. Adm. Code, as amended, and who provides the department annually with proof of general liability and property damage insurance in the sum of \$1,000,000 with the city of Milwaukee as an additional insured, and continuing education and training as outlined in the ANSI/NB-369 series code.

16. WISCONSIN PERMIT TO OPERATE means the permit issued by the Wisconsin ~~[[department of commerce]]~~ >> safety and professional services <<, as described in ~~[[CH. Comm. 41]]~~ >> ch. SPS 341 <<, Wis. Adm. Code, as amended.

Part 35. Section 223-7-4-a of the code is amended to read:

223-7. General Inspection Rules

4. PERIODIC INSPECTIONS AND INSPECTION FEES. a. Inspection. The commissioner may inspect boilers, unfired pressure vessels and fired pressure vessels in a manner that is consistent with the provisions of ~~[[ch. Comm. 41]]~~ >>ch. SPS 341<<, Wis. Adm. Code, as amended.

Part 36. Section 223-9-8-f of the code is amended to read:

223-9. Stationary Engineer=s Permit to Operate.

8. GENERAL OPERATION REGULATIONS.

f. Unlawful to Exceed Boiler Pressures. It shall be unlawful to carry a higher pressure in any boiler other than as set by the commissioner in accordance with ~~[[ch. Comm 44]]~~ >> ch. SPS 341 <<, Wis. Adm. Code, as amended, and the condition of the boiler as found upon inspection.

Part 37. Section 225-01 of the code is amended to read:

225-01. Adoption of State Law. Except as otherwise provided in this chapter, the city of Milwaukee adopts ss. 145.01, 145.06, 145.11, 145.15(4) and 145.175, Wis. Stats., as amended, and ~~[[chs. Comm 81 to 87]]~~ >>chs. SPS 81 to 87<<, Wis. Adm. Code, as amended, as part of this code.

Part 38. Section 225-02 of the code is amended to read:

225-02. Retroactivity of Various Wisconsin Administrative Code Plumbing Provisions. ~~[[Sections Comm 82.21, 82.30, 82.34 and 82.41]]~~ >> Sections SPS 382.21, 382.30, 382.31 and 382.41 <<, Wis. Adm. Code, as amended, shall apply retroactively if upon inspection of any part of an existing plumbing system a condition is identified that tends to create a potential health hazard. If such a condition is identified by the department, then the plumbing system or any part thereof shall be repaired, renovated, replaced, or removed in conformity and compliance with ~~[[ss. Comm 82.21, 82.30, 82.34 and 82.41]]~~ >> ss. SPS 382.21, 382.30, 382.31 and 382.41 <<, Wis. Adm. Code, as amended.

Part 39. Section 225-4-2-e,3-f and 4-a and d of the code is amended to read:

225-4. Drainage of Yard Areas and Roofs.

2. ROOF RAINWATER LEADERS (CONDUCTORS).

e. Installation and Maintenance. All outside roof leaders (conductors) installed under or in the ground shall be installed as regulated in ~~[[s. Comm 82.36]]~~ >> s. SPS 382.36 <<, Wis. Adm. Code. Conductors shall terminate with an approved pipe above grade. The sheet metal conductors shall be connected and sealed to the pipe in an approved manner. Roof leaders (conductors) connecting to the storm building drain in the basement shall be of an approved pipe material to a point at least 2 feet inside the basement foundation wall. Roof leaders (conductors) shall be maintained in good repair and free of stoppages.

3. NEWLY PAVED AREAS OR PARKING LOTS.

f. Sizing. All sewer lines and drains shall be sized in accordance with the provisions in this code and

~~[[s. Comm 82.36]]~~ >> s. SPS 382.36 <<, Wis. Adm. Code.

4. CATCH BASINS. a. Catch basins shall be constructed in a water-tight and substantial manner of concrete masonry, brick masonry, concrete block masonry, precast reinforced concrete, cast iron, bitumastic enamel coated 12 gauge steel, vitrified clay or other materials approved by the state department ~~[[of commerce]]~~ >> safety and professional services <<.

d. Catch basins, retention basins or ponds, underground vaults and filters designed for the management and regulations of storm water pursuant to ch. 120 shall meet the requirements of that chapter and of ~~[[ss. Comm 82.20, 82.34 and 82.36]]~~ >> ss. SPS 382.20, 382.34 and 382.36 <<, Wis. Adm. Code.

Part 40. Section 225-14-2 and 4 of the code is amended to read:

225-14. Definitions.

2. APPROVED means accepted or acceptable under an applicable specification stated or cited in this subchapter, or accepted as suitable for the proposed use by the state department ~~[[of commerce]]~~ >> safety and professional services <<.

4. HOLDING TANK means a tank conforming to the requirements of ~~[[Subch. IV, Comm. 83]]~~ >> subch. IV, SPS 383 <<, Wis. Adm. Code, which is intended for retaining sanitary sewage and intended to be emptied by licensed scavengers and disposed of in a public sewage disposal system.

Part 41. Section 225-15-1 and 2-b of the code is amended to read:

225-15. Permit Required for Individual Sewage Disposal System. **1. COMMISSIONER OF HEALTH.** No person shall construct, install, build or alter any individual sewage disposal system without having first obtained from the commissioner of health a valid permit authorizing the person to perform the work for the specific system for which the permit was issued. Application for permits shall be made in the office of the commissioner of health on forms furnished by the commissioner and prepared in duplicate by the person applying for the permit. Such applications shall be accompanied by an appropriate form as required by ~~[[ch. Comm 83]]~~ >> ch. SPS 383 <<, Wis. Adm. Code, giving the results of the soil percolation tests performed by a certified soil tester.

2. EXAMINATION.

b. The commissioner of health may provide on-site examination of the soil percolation test performed by a certified soil tester to determine whether the test was performed in accordance with ~~[[s. Comm 85.60]]~~ >> s. SPS 385.60 <<, Wis. Adm. Code, to insure that the installation of an individual sewage disposal system is not likely to produce a public health nuisance.

Part 42. Section 225-16-1-a of the code is amended to read:

225-16. Examination. **1. EXAMINATION FEES.**

a. Each applicant for any permit required in accordance with s. 225-15 shall pay to the city treasurer the examination fee specified in s. 200-33 prior to filing the application for permit in the office of the commissioner of health. The examination fee shall be for a permit to construct or alter an individual sewage disposal system or to provide a holding tank in conformation with the appropriate provisions of ~~[[ch. Comm 83]]~~ >> ch. SPS 383 <<, Wis. Adm. Code.

Part 43. Section 225-18-3 of the code is amended to read:

225-18. Maintenance of Individual Sewage Disposal System.

3. The order may contain an outline of remedial action which, if taken, will result in compliance with this subchapter and with rules and regulations adopted pursuant to this subchapter, and ~~[[ch. Comm 83]]~~ >> ch. SPS 383 <<, Wis. Adm. Code. If the owner of any premises served by an individual sewage disposal system fails to comply with the requirements of the order and continues to operate the system in such a manner as to cause the development of any public health nuisance or the pollution of any public watercourse, the commissioner of health shall operate the system and make whatever changes he deems necessary in the system, including reconstruction, repair or alteration to attain its proper operation; or the commissioner of neighborhood services shall cause connection to be made to the sanitary or combined sewer, and the cost of reconstruction, repair or alteration and the cost of operation of the system shall be made at the expense of the city; the cost of the connection to the sanitary or combined sewer and the sums so expended in the abatement or removal of any nuisance or nuisances in such cases shall be a lien in the same manner as any tax upon real estate upon the premises served by the individual sewage disposal system; the sums to be

upon real estate upon the premises served by the individual sewage disposal system; the sums to be collected in the manner specified in s. 17-12, city charter.

Part 44. Section 225-23-3-b and 4-a-2 of the code is amended to read:

225-23. Private Sewage Systems.

3. SANITARY PERMIT.

b. Application Forms. The issuing agent shall use the sanitary permit forms provided by the Wisconsin department of ~~[[commerce]]~~ >>safety and professional services<<.

4. FEES.

a-2. The issuing agent shall forward a copy of each valid sanitary permit and \$14 of the fee to the Wisconsin department of ~~[[commerce]]~~ >>safety and professional services<< within 90 days after the permit is issued.

Part 45. Section 228-1-3 of the code is amended to read:

228-1. Scope.

3. Nothing in this chapter shall be construed to nullify any existing laws, rules, orders, ordinances, regulations or statutes governing the protection of the public from health, fire or other hazards. The regulations of this chapter shall be construed as supplemental to the requirements of federal laws, Wisconsin statutes, or orders issued by the Wisconsin department of ~~[[commerce]]~~ >> safety and professional services<<, commissioners of health and public works, and the chiefs of the police and fire departments of the city.

Part 46. Section 236-01 of the code is amended to read:

236-01. Adoption of State Code. Except as otherwise provided in this chapter, the city of Milwaukee adopts ~~[[chs. Comm 40, 40 and 43]]~~ >> chs. SPS 310, 340 and 343 <<, Wis. Adm. Code, as amended, as part of this code.

Part 47. Section 236-11-4-d-1 of the code is amended to read:

236-11. Spray Coating.

4. SPRAY COATING OPERATIONS INSIDE OF BUILDING

d. Equipment. d-1. Electrical Equipment. All electrical equipment in connection with spray coating operations shall be installed, operated and maintained in accordance with all the requirements of ~~[[ch. Comm 16]]~~ >>ch. 316<<, Wis. Adm. Code, complying to such locations.

Part 48. Section 236-21-0 of the code is amended to read:

236-21. Flammable and Combustible Liquids. In addition to the regulations set forth in ~~[[ch. Comm 40]]~~ >> ch. SPS 310 <<, Wis. Adm. Code, above ground flammable liquid storage facilities shall comply with the following:

Part 49. Section 240-01 of the code is amended to read:

240-01. Adoption of State Code. Except as otherwise provided in this chapter, the city of Milwaukee adopts ~~[[chs. Comm 20 to 25]]~~ >>chs. SPS 320 to 325<<, Wis. Adm. Code, as amended, as part of this code

Part 50. Section 240-22-2-a of the code is amended to read:

240-22. Attics and Third Floor Spaces.

2. THIRD FLOOR SPACES. a. For all buildings regulated by this chapter and constructed prior to June 1, 1980, all 3rd floor spaces used for other than storage and loft space shall meet the exiting requirements in ~~[[ch. Comm 24]]~~ >> ch. SPS 321 <<, Wis. Adm. Code, as amended, except that one of the 2 required exits shall be a stair leading into the interior space of the 2nd floor, and the other exit shall be an interior stair discharging to grade.

Part 51. Section 240-23-1 to 3 of the code is amended to read:

240-23. Basement Rooms.

1. Ceiling height shall be in compliance with ~~[[ch. Comm 24]]~~ >> ch. SPS 21 <<, Wis. Adm. Code, as amended.
2. Light and ventilation requirements shall be in compliance with ~~[[ch. Comm 24]]~~ >> ch. SPS 21 <<, Wis. Adm. Code, as amended.
3. Exiting shall be in compliance with ~~[[ch. Comm 24]]~~ >>ch. SPS 21<<, Wis. Adm. Code, as amended.

Part 52. Section 246-3-1 and 2 of the code is amended to read:

246-3. Adoption of State and Local Codes . 1. STATE CODE. Except as otherwise provided in this chapter, the city of Milwaukee adopts as part of this code ~~[[s. Comm 21.40,]]~~ >> s. SPS 321.40 << and ~~[[ch. Comm 26]]~~ >>ch. SPS 326<<, Wis. Adm. Code, as amended.

2. ELECTRICAL CODE. All electrical installations shall be in compliance with ~~[[ch. Comm 46]]~~ >> ch. SPS 316<<, Wis. Adm. Code, as amended, and ch. 222.

Part 53. Section 246-15-5 of the code is amended to read:

5. The installation of new manufactured homes and the relocation of existing units in manufactured home communities, after April 17, 2010, shall require a manufactured home occupancy permit be obtained prior to the unit being occupied. Installation of new units, including the placement of units on foundations or other support systems and the connection of plumbing and electrical systems, shall be performed by a licensed manufactured home installer as required by ~~[[s. 5.327(1) Comm]]~~ >>s. SPS 305.327(1)<<, Wis. Adm. Code and s. 101.96, Wis. Stats.

Part 54. Section 246-19 of the code is amended to read:

246-19. Responsibilities of Owners and Occupants. All manufactured home owners and occupants of manufactured homes in a manufactured home community shall comply with ~~[[ch. Comm 26.19]]~~ >>ch. SPS 326.19<<, Wis. Adm. Code, as amended, including, but not limited to, registration and maintenance of their site and unit. In addition, owners and occupants of manufactured homes in a manufactured home community shall obey all orders from the city and comply with all federal, city and state health and safety laws and regulations.

Part 55. Section 251-1 of the code is amended to read:

251-1. Adoption of State Code. Except as otherwise provided in this chapter, the city of Milwaukee adopts ~~[[s. Comm 61.05]]~~ >>s. SPS 361.05 <<, Wis. Adm. Code, as amended, and ss. 145.01(1), (2), and (4), 145.15(4), 145.165, and 145.175, Wis. Stats., as amended, as part of this code.

Part 56. Section 252-71-1 and 2-h of the code is amended to read:

252-71. Drainage. 1. ROOF GUTTERS AND CONDUCTORS. Except for private detached accessory buildings not more than 1,000 square feet in area, all roofs of buildings and structures shall be provided with approved watertight gutters and conductors for conducting water from roofs as regulated in ~~[[ch. Comm 82]]~~ >> ch. SPS 382 <<, Wis. Adm. Code. Such gutters and conductors shall be fastened in place in an approved manner and maintained in good repair at all times, and all conductors shall be provided with approved screens. The cross-section of all conductors shall be as regulated in ~~[[ch. Comm 82]]~~ >>ch. SPS 382<<, Wis. Adm. Code.

2. DRAINAGE OF PAVED AREAS.

h. Washing of Motor Vehicles. All premises, now or hereafter used for the washing of motor vehicles, where because of such use water drains over a street walk or onto an adjoining premises, approved drains connected to a city sewer shall be provided and constructed as regulated in ~~[[s. Comm 82.34]]~~ >>s. SPS 382.34<<Wis. Adm. Code.

Part 57. Section 252-74-5-e of the code is amended to read:

252-74. Paving of Parking Lots, Areas and Spaces.

5. PLANS, PLAN EXAMINATIONS, FEES AND PERMITS

e. Drains for Parking Lots. Trench drains shall be installed in compliance with ch. 225. Catch basins

e. Drains for Parking Lots. Trench drains shall be installed in compliance with ch. 225. Catch basins and storm inlets shall be installed in compliance with ~~[[s. Comm 82.34]]~~ >> s. SPS 382.34 <<, Wis. Adm. Code.

Part 58. Section 257-17-6 of the code is amended to read:

257-17. Basement Rooms.

6. Such rooms shall be provided with 2 means of exiting. The exiting requirements shall comply with ~~[[ch. Comm 62]]~~ >>ch. SPS 362<<, Wis. Adm. Code, as amended.

Part 59. Section 261-98-9 of the code is amended to read:

261-98. Beer Gardens.

9. FIRE EXTINGUISHERS. Portable fire extinguishers shall be provided as set forth in ~~[[chs. Comm 61 and 62]]~~ >>chs. SPS 361 and 362<<, Wis. Adm. Code, as amended.

Part 60. Section 265-01 of the code is amended to read:

265-01. Adoption of State Code. The city of Milwaukee adopts ~~[[ch. Comm 65]]~~ >>ch. SPS 365<<, Wis. Adm. Code, as amended, as part of this code

Part 61. Section 275-61-3-f of the code is amended to read:

275-61. Heating Facilities.

3. SPACE HEATERS.

f. The clearance of automatically controlled gas space heaters to combustible construction shall be as set forth in ~~[[s. Comm 23.17]]~~ >>s. SPS 323.17<<, Wis. Adm. Code, as amended.

Part 62. Section 295-415-9-b-2 and c-4 of the code is amended to read:

295-415. Nonconformities.

9. FLOODPLAIN OVERLAY ZONES.

b-2. No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in a floodway overlay zone. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway overlay zone shall meet the applicable requirements of this code and ~~[[ch. Comm 83]]~~ >>ch. SPS 383<<, Wis. Adm. Code, as amended.

c-4. Any new private sewage disposal system, or addition to, replacement, repair or maintenance of a private sewage disposal system, shall meet all the applicable provisions of this code and ~~[[ch. Comm 83]]~~ >>ch. SPS 383<<, Wis. Adm. Code, as amended.

Part 63. Section 295-503-2-x-3 of the code is repealed and recreated to read:

295-503. Uses.

2. LIMITED USE STANDARDS.

x Live Entertainment Special Event.

x-3. The person, firm or organization coordinating the event shall obtain a public entertainment premises license or a temporary public entertainment premises permit, as required by ch. 108.

Part 64. Section 295-603-2-aa-3 of the code is repealed and recreated to read:

295-603. Uses.

2. LIMITED USE STANDARDS.

aa. Live Entertainment Special Event.

aa-3. The person, firm or organization coordinating the event shall obtain a public entertainment premises license or a temporary public entertainment premises permit, as required by ch. 108.

Part 65. Section 295-703-2-u-3 of the code is repealed and recreated to read:

295-703. Uses.

2. LIMITED USE STANDARDS.

u. Live Entertainment Special Event.

u-3. The person, firm or organization coordinating the event shall obtain a public entertainment premises license or a temporary public entertainment premises permit, as required by ch. 108.

Part 66. Section 295-803-2-hh-3 of the code is repealed and recreated to read:

295-803. Uses.

2. LIMITED USE STANDARDS.

hh. Live Entertainment Special Event.

hh-3. The person, firm or organization coordinating the event shall obtain a public entertainment premises license or a temporary public entertainment premises permit, as required by ch. 108.

Part 67. Section 295-803-4-b-10-d of the code is recreated to read:

b. Motor Vehicle Repair Services or Maintenance on Lots Used for Residential Purposes.

b-10-d. The person, firm or organization coordinating the event shall obtain a public entertainment premises license or a temporary public entertainment premises permit, as required by ch. 108.

Part 68. Section 295-905-2-b-10-d of the code is recreated to read:

2. USES

b. Limited Use Standards.

b-10. Seasonal Market.

b-10-d. The person, firm or organization coordinating the event shall obtain a public entertainment premises license or a temporary public entertainment premises permit, as required by ch. 108.

Part 69. Section 295-1011-9-f-4 and 10-h of the code is amended to read:

295-1011. Floodplain Overlay Zones (FW, FF, FSD)

9. STANDARDS FOR DEVELOPMENT IN THE FLOODWAY OVERLAY ZONE.

f-4. Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Wisconsin department of natural resources-approved campgrounds that meet applicable city code provisions and [~~ch. Comm 83~~] >> ch. SPS 383 <<, Wis. Adm. Code, as amended.

10. STANDARDS FOR DEVELOPMENT IN THE FLOOD FRINGE OVERLAY ZONE

h. Sewage Systems. All on-site sewage disposal systems shall be floodproofed, in accordance with sub. 14, to the flood protection elevation and shall comply with all applicable city code provisions and the provisions of [~~ch. Comm 83~~] >> ch. SPS 383 <<, Wis. Adm. Code, as amended.

Part 70. Section 295-1015-3-b-8-d of the code is

295-1015. LAKEFRONT OVERLAY ZONE (LF)

3. STANDARDS.

b-8. Seasonal Market.

b-8-d. The person, firm or organization coordinating the event shall obtain a public entertainment premises license or a temporary public entertainment premises permit, as required by ch. 108.

Part 71. Section 320-16-2 of the code is amended to read:

320-16. Public Transportation Review Board.

2. MEMBER TERMS. All members of the public transportation review board shall serve terms of 3 years [[beginning July 1, 2011]]. Each member shall designate in writing an alternate to act in the absence of the member.

Part 72. Section 320-29 of the code is renumbered 304-27.5:

Part 73. Section 350-50 of the code is repealed.

Part 74. Section 365-4 of the code is amended to read:

365-4. Application. This ~~[[section]]~~ >>chapter<< shall not apply to any competitive bid contract for the construction, execution, repair, remodeling or improvement of a public work building, or for the furnishing of supplies or material of any kind for the construction, execution, repair, remodeling or improvement of a public work or building.

LRB
APPROVED AS TO FORM

Legislative Reference Bureau

Date:_____

Attorney

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date:_____

Requestor

Drafter

LRB135607-2

Teodros W. Medhin

12/21/2011



Legislation Details (With Text)

File #: 110458 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 7/26/2011 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to legislative bills.

Sponsors: THE CHAIR

Indexes: FEDERAL LEGISLATION, STATE LEGISLATION

Attachments: Agenda 01-09-12.pdf, Ethics Board_2011-2012_Relating to_Status.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
7/26/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
1/5/2012	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100458

Version

Original

Reference

Sponsor

The Chair

Title

Resolution relating to legislative bills.

Drafter

CC-CC

jp:dkf

7/26/11

LEGISLATIVE HEARING CALENDAR

COMMITTEE ON JUDICIARY-LEGISLATION

MONDAY, JANUARY 9, 2012 AT 1:30PM

Room 301-B City Hall

Update on the status of bills reported to the Government Accountability Board during the 2011-2012 Legislative Session.

BILLS REPORTED TO THE GOVERNMENT ACCOUNTABILITY BOARD
2011-2012 Legislative Session

01/03/12

BILL	POSITION	AUTHORITY	RELATING TO:	STATUS
SS AB-3 January	Support	Leg/Pkg Per J. Gonda Comp. SS SB-3	An income and franchise tax credit for businesses that relocate to this state.	2011 Wisconsin Act 3
SS AB-4 January	Support	Leg/Pkg Per J. Gonda Comp. SS SB-4	Increasing the amount of the credits under the economic development tax credit program.	2011 Wisconsin Act 4
SS AB-11 January	Oppose/ Need Amendments	Per P. Vornholt Comp. SS SB-11 Jud/Leg 2/21/11	State finances, collective bargaining for public employees, compensation and fringe benefits of public employees, the state civil service system, the Medical Assistance program, sale of certain facilities, granting bonding authority, and making an appropriation.	2011 Wisconsin Act 10
SS AB-12 January	No Position	Per P. Vornholt Comp. SB-23 Comp. AB-41	Preemption of city, village, town, or county ordinances requiring employers to provide employees with leave from employment to deal with family, medical, or health issues.	Companion to 2011 Wisconsin Act 16
SS AB-14 January	For Information Only	Per P. Vornholt Comp. SS SB-13	Regulation of telecommunications utilities and alternative telecommunications utilities; telecommunications provider of last-resort obligations; telecommunications intrastate switched access rates; interconnected voice over Internet protocol service; and use of transmission equipment and property by video service providers.	Companion to 2011 Wisconsin Act 22
SS AB-1 September	Support	Jud/Leg 10/24/11 Comp. AB-179 Comp. SS SB-1	Authorizing the creation of a multijurisdictional tax incremental financing district.	Companion to 2011 Wisconsin Act 77
AB-7	Oppose	Jud/Leg 1/31/11 CC 2/8/11 Seeking Amendments Comp. SB-6	Requiring certain identification in order to vote at a polling place or obtain an absentee ballot, verification of the addresses of electors, absentee voting procedure in certain residential care apartment complexes and adult family homes, identification cards issued by the DOT, creating an identification certificate issued by the DOT, requiring the exercise of rule-making authority, and providing a penalty.	2011 Wisconsin Act 23
AB-8	Support	Leg/Pkg Comp. SB-11	The filing of certain forms related to Tax Incremental Financing District #72 in the city of Milwaukee.	Companion to 2011 Wisconsin Act 12
AB-14	Support	Leg/Pkg Per J. Gonda	County and municipal expenditures for emergency services.	Public hearing held on 4/26/11.
AB-37	Support	Leg/Pkg Comp. SB-20	Authorizing the City of Milwaukee to sell city-owned property used for school purposes.	Companion to 2011 Wisconsin Act 17

AB-41	No Position	Leg/Pkg Per P. Vornholt Comp. SB-23 Comp. SS AB-12	Preemption of city, village, town, or county ordinances requiring employers to provide employees with leave from employment to deal with family, medical, or health issues.	Companion to 2011 Wisconsin Act 16
AB-44	Oppose	Leg/Pkg Per P. Vornholt Comp. SB-34	Prohibiting the Milwaukee Public Schools from imposing residency requirements on teachers.	Public hearing held on 4/7/11.
AB-51	For Information Only	Per P. Vornholt Comp. SB-22	Creating a Charter School Authorizing Board, providing additional charter school authorizers, etc.	Passage recommended by Education & Joint Finance Committees on 10/27/11.
AB-63	No Position Support as Amended AA1-AB63	Per B. Wood Comp. SB-44 Jud/Leg 4/4/11	Closing hours for certain alcohol beverage retailers.	2011 Wisconsin Act 97.
AB-65	Oppose	Leg/Pkg Per P. Vornholt Comp. SB-30	Placing limits on residency requirements for 1 st class city police officers and fire fighters.	Recommended for passage by Assembly Committee on 5/25/11.
AB-69	Undecided	Per J. Gonda Comp. SB-79	The privilege of self-defense.	2011 Wisconsin Act 94.
AB-81	Support	Leg/Pkg Per J. Gonda	Special identification cards issued by the DOT providing parking privileges for persons with physical disabilities and providing a penalty.	2011 Wisconsin Act 98.
AB-92	Oppose	Leg/Pkg Per P. Vornholt	Eliminating the enrollment cap for the Milwaukee Parental Choice Program and extending the program to permit private schools located in Milwaukee County to participate.	Enacted in State Budget.
AB-115	Oppose	Leg/Pkg Per P. Vornholt Comp. SB-66	A property tax exemption for a nonprofit resale store.	Referred to committee on 5/5/11.
AB-116	Support	Leg/Pkg Per P. Vornholt Comp. SB-71	Creating a microstamping requirement for certain handguns, certification of compliance with the microstamping requirement, requiring the exercise of rule-making authority, and providing penalties.	Referred to committee on 5/5/11.
AB-126	For Information Only	Jud/Leg 5/16/11 Comp. SB-90	Carrying a concealed weapon; licenses authorizing persons to carry concealed weapons; possessing or transporting a firearm, bow, or crossbow under certain circumstances; disorderly conduct limitations; photographic identification cards for former law enforcement officers; providing an exemption from emergency rule procedures; requiring the exercise of rule-making authority; making appropriations; and providing penalties.	Public hearing held. Bill content was consolidated with SB-93 and enacted.
AB-135	Oppose	Leg/Pkg Per J. Gonda	The interest rate on delinquent property taxes.	Referred to committee on 5/17/11.
AB-138	Support	Leg/Pkg Per P. Vornholt	County and municipal expenditures for emergency services.	Referred to committee on 5/17/11.
AB-139	Support	Leg/Pkg Per P. Vornholt	Loans to study or implement the consolidation, or cooperation for the provision, of local governmental unit services or the consolidation of local governmental units and granting rule-making authority.	Referred to committee on 5/17/11.

AB-140	Support	Leg/Pkg Per P. Vornholt	Exceptions to county and municipal levy limits and school district revenue limits for expenditures related to the implementation of service consolidation or cooperation, or to the implementation of political subdivision or school district consolidation.	Referred to committee on 5/17/11.
AB-150	Support	Leg/Pkg Per P. Vornholt Comp. SB-99	Interest rates on payday loans and loans by licensed lenders	Referred to committee on 5/25/11.
AB-155	No Position	Leg/Pkg Per J. Gonda Comp. SB-107	Prohibiting ordinances that place certain limits on landlords.	Companion to 2011 Wisconsin Act 108
AB-169	Support	Leg/Pkg Comp. SB-269	Residency of election officials.	Public hearing held on 6/9/11.
AB-179	Support	Per P. Vornholt Jud/Leg 10/24/11 Comp. SS SB-1 Comp. SS AB-1	Authorizing the creation of a multijurisdictional tax incremental financing district.	2011 Wisconsin Act 77
AB-180	Support	Jud/Leg 7/18/11 Comp. SB-125	Liability of cities, villages, towns, and counties for damages caused by an insufficiency or want of repair of a highway.	Recommended for passage by Committee 10/25/11. Comp SB-125 passed Senate messaged to Assembly on 11/7/11.
AB-182	Oppose	Per P. Vornholt Per J/L Previous Session	Assignment of income, prizes, and earnings to pay a municipal court judgment and prohibiting municipal electric or water utilities from collecting certain utility arrearages from owners of rental properties as property liens.	Referred to committee on 6/13/11.
AB-190	No Position	Per P. Vornholt Comp. SB-131	Carrying a concealed weapon if prohibited from possessing a firearm, purchasing a firearm for a person who is prohibited from possessing a firearm, and providing a penalty.	Referred to committee on 6/21/11.
AB-219	Oppose	Jud/Leg 9/12/11 Comp. SB-240	Funding postretirement health care benefits of local government employees.	Recommended for passage by committee on 10/19/11.
AB-226	Support	Per P. Vornholt/ Jud/Leg on AB-7 Comp. SB-162	Notice of the fee for identification cards issued by the DOT.	Referred to committee on 8/26/11.
AB-234	Oppose	Jud/Leg 10/24/11	Ordinances, regulations, resolutions, or other restrictions of local governmental units that restrict hunting with a bow and arrow.	Recommended for passage by committee on 10/19/11.
AB-240	Support/Seeking Amendments	Leg/Pkg Per J. Gonda Comp. SB-173	The disclosure of electronic juvenile court records to law enforcement agencies and providing a penalty.	Referred to committee on 8/30/11.
AB-244	Oppose	Jud/Leg 10/24/11 Comp. SB-175	Restricting eligibility for the homestead tax credit.	Public hearing held on 11/1/11.
AB-262	Oppose	Leg/Pkg Per J. Gonda Jud/Leg 10/24/11 Comp. SB-182	Excluding permits and licenses from the definition of real property for property tax purposes.	Referred to committee on 9/15/11.

AB-263	Support	Jud/Leg 10/24/11	Costs associated with providing false information to a law enforcement officer.	Passed Assembly, referred to Senate committee on 10/26/11.
AB-269	Support	Jud/Leg 10/24/11	Prohibitions against contacting certain persons and providing penalties.	Passed Assembly on 10/21/11. Senate hearing held on 11/29/11.
AB-285	Support	Leg/Pkg Per J. Hooper Comp. SB-252	Municipal Court fees.	Public hearing held on 12/15/11.
AB-286	Oppose	Comp. SB-207 (Jud/Leg 10/24/11)	Permitting an employer to refuse to employ or to bar or terminate from employment an individual who has been convicted of a felony and who has not been pardoned for that felony and preempting cities, villages, towns, and counties from adopting provisions concerning employment discrimination based on arrest or conviction record that prohibit activity that is allowed under the state fair employment law.	Passage recommended by Assembly committee on 10/20/11.
AB-288	Support	Jud/Leg 10/24/11 Comp. SB-199	Adoption by governmental units of a maintenance program that applies to private sewage systems.	Public hearing held on 10/19/11.
AB-295	Oppose	Per J. Gonda Jud/Leg 10/24/11	Requiring a referendum before a municipality or county may impose a local motor vehicle registration fee.	Public hearing held on 12/13/11.
AB-311	Oppose	Jud/Leg 10/24/11	Creating a sporting recruitment and retention council, programs to encourage recruitment of hunters and trappers, restrictions on expenditures under the Warren Knowles-Gaylord Nelson stewardship program, reduced fees for certain first-time hunting and trapping approvals, high school credit under and administration of the hunter and trapper education programs, waiving fishing license requirements for a weekend ice fishing event, and sturgeon spearing license age requirements.	Passed Assembly on 11/2/11. Portion of the bill that was of major concern (hunting allowed on stewardship land) was removed in substitute amendment. Senate hearing held on 12/7/11.
AB-316	Support	Leg/Pkg Per J. Gonda Comp.SB-209	Financial assistance for local recycling programs and making an appropriation.	Referred to committee on 10/12/11.
AB-326	Support	Leg/Pkg Per J. Gonda	Creation of a Joint Committee on State Mandates and required funding of state mandates.	Public hearing held on 10/25/11.
AB-337	Oppose	Comp. SB-237 (Jud/Leg 10/24/11)	Providing instruction in human growth and development.	Companion SB-237 passed the Senate on 11/2/11. Public hearing held on 11/16/11.
AB-366	Support	Per P. Vornholt Jud/Leg on AB-7	Notice of the fee for identification cards issued by the Department of Transportation.	Referred to committee on 11/9/11.
AB-368	Support	Per Leg/Pkg Comp. SB-272	Restoring indexing provisions to the homestead tax credit.	Referred to committee on 11/9/11.
AB-407	Support	LRB-3141/1 to Jud/Leg 11/21/11	Creating an individual income tax deduction for certain amounts paid for sewer, water, and garbage collection fees.	Referred to committee on 12/7/11.
AB-414	Support	Per Leg/Pkg Comp. SB-307	Foreclosure on abandoned properties.	Referred to committee on 12/7/11.

AB-435	Support	Per P. Vornholt Jud/Leg on AB-7	Services of the DOT relating to operator's licenses and identification cards.	Referred to committee on 12/20/11.
AJR-41	Support	Per P. Vornholt	Different property tax levy rates for parts of cities, villages, towns, counties, and school districts added by attachments to school districts, consolidations, and boundary changes under cooperative agreements (first consideration).	Recommended for passage by Assembly committee on 10/12/11.
BILL	POSITION	AUTHORITY	RELATING TO:	STATUS
SS SB-3 January	Support	Leg/Pkg Per J. Gonda Comp. SS AB-3	An income and franchise tax credit for businesses that relocate to this state.	Companion to 2011 Wisconsin Act 3
SS SB-4 January	Support	Leg/Pkg Per J. Gonda Comp. SS AB-4	Increasing the amount of the credits under the economic development tax credit program.	Companion to 2011 Wisconsin Act 4
SS SB-11 January	Against/ Need Amendments	Per P. Vornholt Comp. SS AB-11 J/L 2/21/11 - Oppose	State finances, collective bargaining for public employees, compensation and fringe benefits of public employees, the state civil service system, the Medical Assistance program, sale of certain facilities, granting bonding authority, and making an appropriation.	Companion to 2011 Wisconsin Act 10
SS SB-13 January	For Information Only	Per P. Vornholt Comp. SS AB-14	Regulation of telecommunications utilities and alternative telecommunications utilities; telecommunications provider of last-resort obligations; telecommunications intrastate switched access rates; interconnected voice over Internet protocol service; and use of transmission equipment and property by video service providers.	2011 Wisconsin Act 22
SS SB-1 September	Support	Jud/Leg 10/24/11 Comp. AB-179 Comp. SS AB-1	Authorizing the creation of a multijurisdictional tax incremental financing district.	Companion to 2011 Wisconsin Act 77
SB-6	Oppose	J/L 1/31/11 CC 2/8/11 Seeking Amendments Comp. AB-7	Requiring certain identification in order to vote at a polling place or obtain an absentee ballot, verification of the addresses of electors, absentee voting procedure in certain residential care apartment complexes and adult family homes, identification cards issued by the DOT, creating an identification certificate issued by the DOT, requiring the exercise of rule-making authority, and providing a penalty.	Companion to 2011 Wisconsin Act 23
SB-8	Support	Jud/Leg 1/31/11	Conforming the state family and medical leave law to the federal family and medical leave law and granting rule-making authority.	Referred to committee on 1/21/11.
SB-11	Support	Leg/Pkg Comp. AB-8	The filing of certain forms related to Tax Incremental Financing District #72 in the city of Milwaukee.	2011 Wisconsin Act 12

SB-20	Support	Leg/Pkg Comp. AB-37	Authorizing the City of Milwaukee to sell city-owned property used for school purposes.	2011 Wisconsin Act 17
SB-22	For Information Only	Per P. Vornholt Comp. AB-51	Creating a Charter School Authorizing Board, providing additional charter school authorizers, etc.	Passage recommended by Education & Joint Finance Committees on 10/26/11.
SB-23	No Position	Per P. Vornholt Comp. SS AB-12 Comp. AB-41	Preemption of city, village, town, or county ordinances requiring employers to provide employees with leave from employment to deal with family, medical, or health issues.	2011 Wisconsin Act 16
SB-30	Oppose	Leg/Pkg Per P. Vornholt Comp. AB-65	Placing limits on residency requirements for 1 st class city police officers and fire fighters.	Public hearing held on 3/22/11.
SB-32	Oppose	Per P. Vornholt; J. Hooper Jud/Leg 4/26/11	Ordinances establishing standards for places of employment and public buildings.	Referred to committee 3/9/11.
SB-34	Oppose	Leg/Pkg Per P. Vornholt Comp. AB-44	Prohibiting the Milwaukee Public Schools from imposing residency requirements on teachers.	Public hearing held 3/23/11.
SB-44	No Position	Per B. Wood Jud/Leg 4/4/11 Comp. AB-63	Closing hours for certain alcohol beverage retailers.	Companion to 2011 Wisconsin Act 97.
SB-54	Support	Leg/Pkg Per J. Gonda	Certain controlled substances and providing a penalty.	2011 Wisconsin Act 31
SB-58	Oppose	Jud/Leg 4/26/11	Liability of public utility customers for unbilled utility service.	Committee failed to recommend passage on 10/20/11.
SB-66	Oppose	Leg/Pkg Per P. Vornholt Comp. AB-115	A property tax exemption for a nonprofit resale store.	Referred to committee on 4/16/11.
SB-71	Support	Leg/Pkg Per P. Vornholt Comp. AB-116	Creating a microstamping requirement for certain handguns, certification of compliance with the microstamping requirement, requiring the exercise of rule-making authority, and providing penalties.	Referred to committee on 4/20/11.
SB-79	Undecided	Per J. Gonda Comp. AB-69	The privilege of self-defense.	Companion to Wisconsin Act 94.
SB-83	Oppose	Per P. Vornholt Jud/Leg 7/18/11	Various changes to the eminent domain laws.	Recommended for passage by committee on 5/12/11.
SB-90	For Information Only	Jud/Leg 5/16/11 Comp. AB-126	Carrying a concealed weapon; licenses authorizing persons to carry concealed weapons; possessing or transporting a firearm, bow, or crossbow under certain circumstances; disorderly conduct limitations; photographic identification cards for former law enforcement officers; providing an exemption from emergency rule procedures; requiring the exercise of rule-making authority; making appropriations; and providing penalties.	Bill content was consolidated with SB-93 and enacted.
SB-93	Oppose	Jud/Leg 5/16/11	Going armed with weapons, possessing or transporting a firearm, bow, or crossbow under certain circumstances, disorderly conduct limitations, and electric weapons.	2011 Wisconsin Act 35

SB-99	Support	Leg/Pkg Per P. Vornholt Comp. AB-150	Interest rates on payday loans and loans by licensed lenders	Referred to committee on 5/20/11.
SB-107	No Position	Leg/Pkg Per J. Gonda Comp. AB-155	Prohibiting ordinances that place certain limits on landlords.	2011 Wisconsin Act 108.
SB-125	Support	Jud/Leg 7/18/11 Comp. AB-180	Liability of cities, villages, towns, and counties for damages caused by an insufficiency or want of repair of a highway.	Passed Senate on 11/2/11. Messaged to Assembly.
SB-131	No Position	Per P. Vornholt Comp. AB-190	Carrying a concealed weapon if prohibited from possessing a firearm, purchasing a firearm for a person who is prohibited from possessing a firearm, and providing a penalty.	Public hearing held on 6/21/11.
SB-150	Oppose	Jud/Leg 7/18/11	Division of municipalities into wards and redistricting of supervisory and aldermanic districts and appointing a panel to hear challenges to the apportionment of a congressional or legislative district, and hearing certain appeals.	2011 Wisconsin Act 39
SB-153	Support	Leg/Pkg Per J. Gonda	Permitting governmental employers who are not participating employers in the Wisconsin Retirement System to be covered in the local government health insurance plan offered by the group insurance board.	Passed Senate on 10/27/11. Assembly hearing scheduled for 1/11/12.
SB-162	Support	Per P. Vornholt Jud/Leg on AB-7 Comp. AB-226	Notice of the fee for identification cards issued by the DOT.	Referred to committee on 8/10/11.
SB-165	Support	CC #110741	Birth certificates for Milwaukee County residents.	Referred to committee on 8/11/11.
SB-173	Support/Seeking Amendments	Leg/Pkg Per J. Gonda Comp. AB-240	The disclosure of electronic juvenile court records to law enforcement agencies and providing a penalty.	Referred to committee on 8/30/11.
SB-175	Oppose	Jud/Leg 10/24/11 Comp. AB-244	Restricting eligibility for the homestead tax credit.	Referred to committee on 8/30/11.
SB-182	Oppose	Leg/Pkg Per J. Gonda Jud/Leg 10/24/11 Comp. AB-262	Excluding permits and licenses from the definition of real property for property tax purposes.	Referred to committee on 9/14/11.
SB-196	Support	Jud/Leg 10/24/11	Excluding from the calculation of expenditure restraint payments expenditures made pursuant to a purchasing agreement with a school district.	2011 Wisconsin Act 106.
SB-199	Support	Jud/Leg 10/24/11 Comp. AB-288	Adoption by governmental units of a maintenance program that applies to private sewage systems.	Passed Senate and Assembly on 11/3/11. Stalled on message until next session day.
SB-201	Support	Jud/Leg 10/24/11	An income and franchise tax credit for hiring unemployed individuals.	Public hearing held on 10/18/11.

