



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, Linda Elmer, 286-2232

Fax: 286-3456, lelmer@milwaukee.gov

**Legislative Liaison, Richard Withers, 286-8532,
rwithe@milwaukee.gov**

Monday, June 28, 2010

1:30 PM

Room 301-B, City Hall

1. [100252](#) Resolution to cancel real estate taxes levied against a certain parcel, 2576 N. Farwell Avenue, on the 2009 tax roll, plus interest applicable to date of repayment, if appropriate.

Sponsors: THE CHAIR
Attachments: [Claim Form](#)
[Cover Letter](#)
[Fiscal Note](#)
[Hearing Notice List](#)

2. [100251](#) Resolution authorizing payment of the claim of Thomas Johnson, in the amount of \$10,516.

Sponsors: THE CHAIR
Attachments: [Fiscal Note.doc](#)
[Cover Letter.doc](#)
[Settlement Draft Request.PDF](#)
[Hearing Notice List](#)

3. [100250](#) Resolution authorizing payment of the claim of Benjamin Smith, in the amount of \$25,000.

Sponsors: THE CHAIR
Attachments: [Cover Letter.doc](#)
[Fiscal Note.doc](#)
[Settlement Draft Request.PDF](#)
[Hearing Notice List](#)

4. [100212](#) Resolution relating to an appeal from Cynthia Michael for costs to retrieve her dog. (6th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [City Attorney Letter](#)
[Appeal](#)
[Hearing Notice List](#)
---\$124.63
5. [100213](#) Resolution relating to an appeal from Olanrewaju George for property damage. (9th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [City Attorney Letter](#)
[Appeal](#)
[Hearing Notice List](#)
---\$980.00
6. [100200](#) Resolution relating to an appeal from Delores Pillow for property damage.
Sponsors: THE CHAIR
Attachments: [City Attorney Letter](#)
[Appeal](#)
[Hearing Notice List](#)
---\$1,224.24

1:45 P.M.

7. [100194](#) Substitute resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation relating to the regulation of precious gem and gold dealers.
Sponsors: Ald. Bohl and Ald. Coggs
Attachments: [Fiscal Note](#)
[City Attorney Opinion](#)
[Hearing Notice List](#)

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

Members of the Common Council and its standing committees who are not members of this committee may attend this meeting to participate or to gather information. Notice is given that this meeting may constitute a meeting of the Common Council or any of its standing committees, although they will not take any formal action at this meeting.



Legislation Details (With Text)

File #: 100252 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 6/15/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution to cancel real estate taxes levied against a certain parcel, 2576 N. Farwell Avenue, on the 2009 tax roll, plus interest applicable to date of repayment, if appropriate.

Sponsors: THE CHAIR

Indexes: TAX CANCELLATIONS

Attachments: Claim Form, Cover Letter, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
6/15/2010	0	COMMON COUNCIL	ASSIGNED TO		
6/17/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **319-1289-000-X**
2576 N. Farwell Av.
Abiola M. Adetoro

Year: 2009

Amount of Assessment Reduction: \$26,900

Amount of Tax Reduction: \$698.96

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: Abiola H. Adetoro

Date: May 27, 2010

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

RECEIVED
2010 JUN -1 PM 12:26
ASSESSOR
CITY OF MILWAUKEE

June 11 2010

The Honorable, The Common Council
City of Milwaukee

Dear Members of the Common Council:

Attached is a resolution to cancel real estate property taxes levied against tax key number 319-1289-000-X on the 2009 tax roll, plus interest applicable to date of repayment, if appropriate.

A reduction has been made in the real estate assessment of this property by the Board of Review under authority of Section 70.511 (2), Wisconsin Statutes. It is now necessary to accomplish the reduction of taxes by means of the attached resolution.

Your favorable approval of the attached resolution is respectfully requested.

Yours very truly,

Mary P. Reavey
Assessment Commissioner

pcw/kat

CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)

A) DATE: June 11, 2010

FILE NUMBER: _____

Original Fiscal Note ☒ **Substitute** ☐

SUBJECT: Resolution to cancel real estate taxes levied against a certain parcel bearing Taxkey Number 319-1289-000-X on the 2009 tax rolls, plus interest applicable to date of repayment, if appropriate.

B) SUBMITTED BY (name/title/dept./ext.): Mary P. Reavey, Assessment Commissioner, Assessor's Office, Ext. 3101.

C) CHECK ONE: ☒ ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
☐ ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
☐ NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: ☐ DEPARTMENTAL ACCOUNT (DA) ☐ CONTINGENT FUND (CF)
☐ CAPITAL PROJECTS FUND (CPF) ☒ SPECIAL PURPOSE ACCOUNTS (SPA)
☐ PERM. IMPROVEMENT FUNDS (PIF) ☐ GRANT & AID ACCOUNTS (G & AA)
☐ OTHER SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER 0001 Org 9990	<i>Remission of Taxes Fund</i>		\$745.23		
<i>Prog 0001 Sub-cl S163</i>					
<i>Acct 006300</i>					
TOTALS:			\$745.23		

F) 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.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

NOTICES SENT TO FOR FILE 100252:

[illegible]



Legislation Details (With Text)

File #: 100251 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 6/15/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing payment of the claim of Thomas Johnson, in the amount of \$10,516.

Sponsors: THE CHAIR

Indexes: CLAIMS PAYMENT

Attachments: Fiscal Note.pdf, Cover Letter.pdf, Settlement Draft Request.PDF, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
6/15/2010	0	COMMON COUNCIL	ASSIGNED TO		
6/17/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100251

Version

ORIGINAL

Reference

890916

Sponsor

THE CHAIR

Title

Resolution authorizing payment of the claim of Thomas Johnson, in the amount of \$10,516.

Analysis

This resolution authorizes payment of the claim of Thomas Johnson in the amount of \$10,516.

Body

Whereas, The claimant, Thomas Johnson (C.I. File No. 07-L-115), through his attorneys, Cermele & Associates, S.C., has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 62.67, for injuries and damages incurred on July 1, 2007, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$10,516; and

Whereas, Pursuant to Common Council Resolution File No. 890916, the City Attorney's Office retained the services of the law firm of Crivello, Carlson & Mentkowski, S.C., to administer the City of Milwaukee's uninsured motorist self-insurance plan; and

Whereas, The law firm of Crivello, Carlson & Mentkowski, S.C., recommends and the Common Council of the City of Milwaukee deems it expeditious and just to settle this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$10,516.00, payable to Thomas Johnson and Cermele & Associates, S.C.-Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2632, Sub Class No. S118; and, be it

Further Resolved, That the law firm of Crivello, Carlson & Mentkowski, S.C., shall upon payment to claimant obtain a release of claim and deliver the original release to the City Attorney.

Requestor

City Attorney

Drafter

Rudolph M. Konrad

RMK:lmb

06/08/2010

1032-2009-3118:158598

CITY OF MILWAUKEE FISCAL NOTE

A) DATE: June 8, 2010

FILE NUMBER: _____

ORIGINAL FISCAL NOTE ☒ SUBSTITUTE ☐

SUBJECT: Payment of the uninsured motorist claim of Thomas Johnson

B) SUBMITTED BY name/title/dept./ext.): Rudolph M. Konrad, Deputy City Attorney, ext. 2601

C) CHECK ONE: ☒ ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.

☐ ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
LIST ANTICIPATED COSTS IN SECTION G BELOW.

☐ NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: ☐ DEPARTMENTAL ACCOUNT (DA)

☐ CONTINGENT FUND (CF)

☐ CAPITAL PROJECTS FUND (CPF)

☒ SPECIAL PURPOSE ACCOUNTS (SPA)

☐ PERM. IMPROVEMENT FUNDS (PIF)

☐ GRANT & AID ACCOUNTS (G & AA)

☐ OTHER (SPECIFY) Damages and Claims Fund

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	Uninsured Motorist Settlement-Thomas Johnson	636505 0001 1490 2632 S118	10,516.00		
TOTALS			10,516.00		

F) 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.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

#1032-2009-3118:158599

GRANT F. LANGLEY
City Attorney

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



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
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JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

June 8, 2010

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

Re: Resolution Authorizing Payment of the Uninsured Motorist Claim
of Thomas Johnson, C.I. File No. 07-L-115

Dear Council Members:

Enclosed is a resolution recommending settlement of the above-referenced claim, which we ask be introduced and referred to the Committee on Judiciary and Legislation for their recommendation.

Claimant, Thomas Johnson, through his attorneys, Cermele and Associates, S.C., alleges that on July 1, 2007, while in the scope of his employment as a City of Milwaukee police officer, he was involved in a vehicle accident with an uninsured motorist, sustaining certain injuries and damages. The claimant has agreed to settle this claim for the amount of \$10,516.00.

Settlement of this claim is recommended based upon the reasons stated on the enclosed Settlement Draft Request from the law firm of Crivello, Carlson & Mentkowski, S.C. This firm has been retained to administer the City of Milwaukee's uninsured motorist self-insurance plan.

Very truly yours,

s/Grant F. Langley
GRANT F. LANGLEY
City Attorney

s/Rudolph M. Konrad
RUDOLPH M. KONRAD
Deputy City Attorney

RMK:lmb
enclosures
1032-2009-3118:158597

CITY OF MILWAUKEE

SETTLEMENT DRAFT REQUEST

Uninsured Motorist Claim Under Sec. 62.67 Stats.

CASE NAME: Thomas Johnson

DATE OF LOSS: July 1, 2007

C.I. FILE NO: 07-L-115

CC FILE NO: 0095-0800165

AMOUNT REQUESTED: \$10,516.00

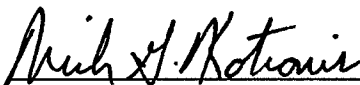
PAYABLE TO: Thomas Johnson and Cermele and Associates, S.C. – Trust Account

REASON FOR REQUEST:

Thomas Johnson, City of Milwaukee Police Officer, was in the scope his employment and a passenger in a City of Milwaukee police vehicle that was travelling east on West State Street. As the City vehicle proceeded through the intersection of West State Street and North 10th Street, the uninsured motorist, who was travelling north on North 10th Street, failed to yield the right away and proceeded through a red traffic signal, striking the police vehicle causing the accident. As a result of the conduct of the uninsured motorist, there is liability on the City of Milwaukee pursuant to § 62.67 Stats., and the City of Milwaukee's Uninsured Motorist Self-Insurance plan.

Officer Johnson sustained injuries to his shoulders, neck and hip. The claimed medical expenses and lost wages total \$7,740.77.

DATED: 06/07/10

BY: 
Nick G. Kotsonis
Crivello Carlson, S.C.

NOTICES SENT TO FOR FILE 100251:

[illegible]



Legislation Details (With Text)

File #: 100250 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 6/15/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution authorizing payment of the claim of Benjamin Smith, in the amount of \$25,000.

Sponsors: THE CHAIR

Indexes: CLAIMS PAYMENT

Attachments: Cover Letter.pdf, Fiscal Note.pdf, Settlement Draft Request.PDF, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
6/15/2010	0	COMMON COUNCIL	ASSIGNED TO		
6/17/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100250

Version

ORIGINAL

Reference

890916

Sponsor

THE CHAIR

Title

Resolution authorizing payment of the claim of Benjamin Smith, in the amount of \$25,000.

Analysis

This resolution authorizes payment of the claim of Benjamin Smith in the amount of \$25,000.

Body

Whereas, The claimant, Benjamin Smith (C.I. File No. 06-L-99), through his attorneys, Cermele & Associates, S.C., has filed a claim for damages against the City of Milwaukee pursuant to Wis. Stat. § 62.67, for injuries and damages incurred on November 8, 2006, as a result of a vehicle accident with an uninsured motorist; and

Whereas, The claimant has agreed to settle his claim in the amount of \$25,000; and

Whereas, Pursuant to Common Council Resolution File No. 890916, the City Attorney's Office retained the services of the law firm of Crivello, Carlson & Mentkowski, S.C., to administer the City of Milwaukee's uninsured motorist self-insurance plan; and

Whereas, The law firm of Crivello, Carlson & Mentkowski, S.C., recommends and the Common Council of the City of Milwaukee deems it expeditious and just to settle this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$25,000.00, payable to Benjamin Smith and Cermele & Associates, S.C.-Trust Account, in full and final settlement of said claim, said check to be delivered to the City Attorney upon his request, said amount to be charged to the Damages and Claims Fund, Account No. 636505, Fund No. 0001, Organization No. 1490, Program No. 2632, Sub Class No. S118; and, be it

Further Resolved, That the law firm of Crivello, Carlson & Mentkowski, S.C., shall upon payment to claimant obtain a release of claim and deliver the original release to the City Attorney.

Requestor

City Attorney

Drafter

Rudolph M. Konrad

RMK:imb

06/08/2010

1032-2009-3119:158608

GRANT F. LANGLEY
City Attorney

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



THOMAS O. GARTNER
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Assistant City Attorneys

June 8, 2010

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

Re: Resolution Authorizing Payment of the Uninsured Motorist Claim
of Benjamin Smith, C.I. File No. 06-L-99

Dear Council Members:

Enclosed is a resolution recommending settlement of the above-referenced claim, which we ask be introduced and referred to the Committee on Judiciary and Legislation for their recommendation.

Claimant, Benjamin Smith, through his attorneys, Cermele and Associates, S.C., alleges that on November 8, 2006, while in the scope of his employment as a City of Milwaukee police officer, he was involved in a vehicle accident with an uninsured motorist, sustaining certain injuries and damages. The claimant has agreed to settle this claim for the amount of \$25,000.00.

Settlement of this claim is recommended based upon the reasons stated on the enclosed Settlement Draft Request from the law firm of Crivello, Carlson & Mentkowski, S.C. This firm has been retained to administer the City of Milwaukee's uninsured motorist self-insurance plan.

Very truly yours,

s/Grant F. Langley
GRANT F. LANGLEY
City Attorney

s/Rudolph M. Konrad
RUDOLPH M. KONRAD
Deputy City Attorney

RMK:lmb
enclosures
1032-2009-3119:158606

CITY OF MILWAUKEE FISCAL NOTE

A) DATE: June 8, 2010

FILE NUMBER: _____

ORIGINAL FISCAL NOTE ☒ SUBSTITUTE ☐

SUBJECT: Payment of Uninsured Motorist Claim of Benjamin Smith

B) SUBMITTED BY name/title/dept./ext.): Rudolph M. Konrad, Deputy City Attorney, ext. 2601

- C) CHECK ONE: ☒ ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
☐ ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
LIST ANTICIPATED COSTS IN SECTION G BELOW.
☐ NOT APPLICABLE/NO FISCAL IMPACT.

- D) CHARGE TO: ☐ DEPARTMENTAL ACCOUNT (DA) ☐ CONTINGENT FUND (CF)
☐ CAPITAL PROJECTS FUND (CPF) ☒ SPECIAL PURPOSE ACCOUNTS (SPA)
☐ PERM. IMPROVEMENT FUNDS (PIF) ☐ GRANT & AID ACCOUNTS (G & AA)
☐ OTHER (SPECIFY) Damages and Claims Fund

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	Uninsured Motorist Claim Settlement	636505 0001 1490 2632 S118	25,000.00		
TOTALS			25,000.00		

F) 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.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

#1032-2009-3119:158609

CITY OF MILWAUKEE

SETTLEMENT DRAFT REQUEST

Uninsured Motorist Claim Under Sec. 62.67 Stats.

CASE NAME: Benjamin Smith **DATE OF LOSS:** November 8, 2006

C.I. FILE NO: 06-L-99 **CC FILE NO:** 0095-0700625

AMOUNT REQUESTED: \$25,000.00

PAYABLE TO: Benjamin Smith and Cermele and Associates, S.C. – Trust Account

REASON FOR REQUEST:

Benjamin Smith, City of Milwaukee Police Officer, was in the scope of his employment and a passenger in a City of Milwaukee police vehicle that was northbound on North Holton Street. After the City vehicle stopped in traffic, waiting to make a left turn onto East Locust Street, the uninsured motorist, who was also travelling northbound on North Holton Street, failed to yield the right away, and rear-ended the police vehicle causing the accident. As a result of the conduct of the uninsured motorist, there is liability on the City of Milwaukee pursuant to § 62.67 Stats., and the City of Milwaukee's Uninsured Motorist Self-Insurance plan.

Officer Smith sustained injuries to his head, neck, back and arms. The treating physician has indicated that the back injury is permanent. The claimed medical expenses and lost wages total \$35,161.00.

DATED: 06/07/10

BY: 
Nick G. Kotsonis
Crivello Carlson, S.C.

NOTICES SENT TO FOR FILE 100250:

[illegible]

2003 Statistics**GENERAL INFORMATION ABOUT MILWAUKEE**

Altitude (City datum)	.581.2 feet
City Area	.96.1 square miles
Geographic Center	North 42nd Street and West North Avenue
Shoreline of Lake Michigan in City	.10.2 miles
Incorporated by Wisconsin Charter	January 31, 1846

GENERAL INFORMATION ABOUT MILWAUKEE'S INFRASTRUCTURE

Alleys, total	.414.6 miles
Freeways	.40.1 miles
Paved City Streets	.1,417 miles
Unpaved City Streets	.15 miles
Total city streets	.1,432 miles
Miles of lighted streets	.1,288.54 miles
City maintained bridges	.220
Movable bridges	.20
Total bridge openings	.18,119
Total sewer mileage in operation (sanitary, storm and combined)	.2,437
Main line sewers in the City	.120 miles
Streets with interim lighting	.81.84 miles
Unlit streets	.43.69 miles
Street lighting units	.66,871
Alley lighting units	.8,790
Traffic control signals	.728 intersections
Traffic control signs	.102,058
Underground conduit	.546.3 miles
Bus stops, signage maintained	.4,267

MILWAUKEE WATER WORKS

Howard Avenue plant capacity	.105 million gallons/day (MGD)
Linnwood plant capacity	.275 million gallons/day (MGD)
Total annual pumpage (gallons)	.46.1 billion
Consumption per capita per day (gallons)	.65
Meters in service	.160,966
Water hydrants	.19,726
Water mains in service (miles)	.1,954
Revenue	\$.74.5 million
Milwaukee Water Works' purification process is comprised of ozone disinfection, alum coagulation, dual media filtration, fluoridation, corrosion control, and chloramine post-disinfection.	
<u>Retail customers:</u> Franklin, Greenfield, Hales Corners, St. Francis, West Milwaukee	
<u>Wholesale customers:</u> Brown Deer, Butler, Greendale, Menomonee Falls, Milwaukee County Grounds, New Berlin, Shorewood, Wauwatosa, West Allis, WE Energies Water Services	

SANITATION

Residential Waste collected	.179,784 Tons
Recyclables collected	.26,100 Tons
Leaves and Yard Waste collected & composted	.25,285 Tons
Snowfall (January - December)	.32.6 Inches
General snow plowings	.2
Ice control operations	.23

FORESTRY DIVISION

Trees on city streets	.200,000
Shade trees planted	.2,731
Trees pruned	.50,258
Trees removed (all causes)	.3,529
Stumps removed	.4,143
Boulevard medians & greenspaces maintained	.476 acres
Flowers produced, annuals	.371,546
Flowers planted, annuals	.185,448
Flowers planted, perennials & bulbs	.7,455
Shrubs planted	.1,497
Evergreens planted	.107
Landscaped boulevard medians	.121.8 miles
Greenspaces maintained	.59
Totlots maintained	.57
City properties maintained	.20
Service requests	.9,620

INFRASTRUCTURE SERVICES -**SEWER DESIGN AND MAINTENANCE**

Sewers examined	.84 miles
Sewers cleaned	.422.2 miles
New sewers	.81 miles
Replacement sewers	.13.11 miles
Sewer lining	.2.0 miles
Service calls answered	.7,937

FLEET SERVICES

Work Orders	.31,415
Preventive Maintenance Inspections Performed	.7,359
Tires Mounted	.3,933
Field Service Calls, Tires	.4,392
Field Service Calls, Other	.7,212
Stockroom Activity	\$.4710,704
Vehicles Serviced	
Passenger Vehicles	.1,047
Packers, Rear Load	.144
Packers, Front Load and Roll-off	.22
Packers, Recycling	.51
Tractors	.65
Street Sweepers	.29
Sewer cleaners, flushers, etc.	.7
Construction equipment	.487
Trucks, all other	.842
Compressors	.96
Vehicle Total	.2,790
Non-automotive equipment	.1,395
Total Serviced	.4,185

STREET AND BRIDGE MAINTENANCE

Bridges, inspected	.180
Bridges, number of openings	.14,119
Pavement seal coating (square yards)	.261,288
Asphalt surface by contract (tons)	.3,057
Production of asphalt mixes (tons)	.15,012

Average Total DPW Employees, 20032,400

Rec'd 2/24/2005



Legislation Details (With Text)

File #: 100212 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 6/15/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to an appeal from Cynthia Michael for costs to retrieve her dog. (6th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS APPEAL

Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
6/15/2010	0	COMMON COUNCIL	ASSIGNED TO		
6/17/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/17/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100212

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to an appeal from Cynthia Michael for costs to retrieve her dog. (6th Aldermanic District)

Drafter

CC-CC

dkf

6/4/10

GRANT F. LANGLEY
City Attorney

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

CITY OF
MILWAUKEE
Office of the City Attorney



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DANIELLE M. BERGNER
Assistant City Attorneys

May 27, 2010

Ms. Cynthia Michael
1026 West Chambers Street
Milwaukee, WI 53206

RE: Cynthia Michael
C.I. File No.: 10-S-130

Dear Ms. Michael:

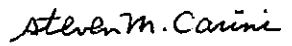
We have received your claim in the amount of \$124.63, relating to the retrieval costs for the family dog after the police, while they were seeking your son for questioning, had entered your residence, found the dog and removed it.

Our investigation reveals that the police action taken in this matter was necessary and appropriate. Since the police were not negligent, but rather were acting in the sphere of their responsibility, the City would not be liable. Accordingly, 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
1032-2010-1308:158392

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: 414.288.8550

CITY OF MILWAUKEE
RECEIVED

2010 JUN -3 PM 2:40

OFFICE OF
CITY ATTORNEY

JUNE 3, 2010

CYNTHIA MICHAEL
1026 W CHAMBERS ST
MILWAUKEE, WI 53206


MILWAUKEE CITY CLERK
200 E WELLS ST, RM 205
MILWAUKEE, WI 53202

RE: C.I. FILE NO.: 10-S-130

I AM APPEALING THE DECISION TO DENY MY CLAIM, TO RETREIVE
COST FOR REMOVAL OF FAMILY DOG FROM HOME. THE POLICE ACTION
TAKEN WAS NOT NECESSARY OR APPROPRIATE. THE POLICE WERE
NEGLIGENT, THE DOG WAS NOT A STRAY.

I AM REQUESTING A HEARING.

VERY TRULY YOURS,


CYNTHIA MICHAEL
CITIZEN

RONALD D. LEONARD
CITY CLERK

2010 JUN -3 AM 11:48

CITY OF MILWAUKEE

MAY 5, 2005

CITY OF MILWAUKEE

2010 MAY -7 PM 1:48

CYNTHIA MICHAEL
1026 W CHAMBERS ST
MILWAUKEE WI 53206

RONALD D. LEONARD
CITY CLERK

CITY HALL
200 E WELLS ST
CITY CLERK RM 205
MILWAUKEE WI 53202

RE: FAMILY DOG IMPOUNDED.

TO WHOM IT MAY CONCERN:

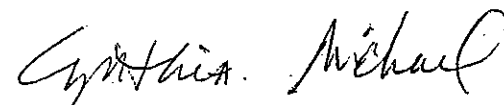
POLICE CAME TO 1026 W CHAMBERS ST, ON APRIL 23, 2010 AT ABOUT 8:00PM, SEEKING MY SON FOR QUESTIONING. THEY ENTERED THE PROPERTY THRU A UNLOCKED DOOR, NO ONE WAS HOME, SO THEY REMOVED THE FAMILY DOG.

THE DOG HAD FRESH WATER, FOOD & THERE WAS NO ANIMAL WASTE IN THE HOUSE. THEY REMOVED OUR DOG, SAYING SHE COULD NOT BE HOME ALONE & TOOK HER TO AN ANIMAL SHELTER.

I WENT TO MILWAUKEE AREA DOMESTIC ANIMAL CONTROL THE FOLLOWING DAY - SAT TO RETREIVE OUR DOG, COSTING ME \$124.63.

PLEASE REFUND THIS COST TO ME. THIS WAS NOT A STRAY DOG, SHE WAS IN HER HOME, WELL NOURISHED AND BOTHERING NO ONE.

THANK YOU,



CYNTHIA MICHAEL
414-286-2830

OFFICE OF
CITY ATTORNEY

2010 MAY 10 PM 2:53

CITY OF MILWAUKEE
RECEIVED

Milwaukee Area Domestic Animal Control Commission

3839 W. Burnham Street, West Milwaukee, WI 53215

Phone: (414) 649-8640

www.madacc.com

Fax: (414) 649-8651

Receipt Number: R10-077239

Receipt Date: Saturday, April 24, 2010

PID: P140572

Phone: (414) 374-7022

Received From: CYNTHIA MICHAEL

Hash No:

CYNTHIA MICHAEL
1026 W CHAMBERS ST
MILWAUKEE WI 53206

Item:	Animal ID:	Reference No:	Price:	Each:	Amount:
RDM RABIE	A206752	R10-001347	\$25.00	1	\$25.00
LIC M D U	A206752	L10-017373	24.00	1	24.00
EXAM	A206752	T10-138194	.00	1	.00
S DEWORMING	A206752	T10-138195	.00	1	.00
S DA2PP	A206752	T10-138196	.00	1	.00
S INTRATAC3	A206752	T10-138197	.00	1	.00
IMP-UNLIC	A206752		30.00	1	30.00
BOARD	A206752		15.00	2	30.00
PEN M LAT DU	A206752		12.00	1	12.00
MISC. A FEE	A206752		3.63	1	3.63
Total Fees Due:					\$124.63

Payments: Cash: \$ 0.00 Check: \$ 0.00 Credit Card: \$ 124.63
Change: \$0.00 Balance Due: \$0.00 Total Payments Received: \$124.63

Animal Information:

A206752 DIAMOND - 1 YEAR 6 MONTHS OF AGE, FEMALE, BORDER COLLIE/MIX, BLACK DOG

Treatment Information:

Type:	Animal#	Description:	Medication:	Cost:	Treat #	Date:
	A206752 DIAMOND				T10-138194	2010/04/
S DEWORMING	A206752 DIAMOND				T10-138195	2010/04/
S DA2PP	A206752 DIAMOND				T10-138196	2010/04/
S INTRATAC3	A206752 DIAMOND				T10-138197	2010/04/

Total Medical Fees: \$0.00

License & Certificate Information:

Tag Number:	Expires:	Animal#	Vac Dte:	Term:	Expires:	MFG By:	Lot#:	Lot Exp:	Amount:	Type:
L10-017373	12/31/2010	A206752	04/26/2010	12	04/26/2011		873197A	11-1-11	\$24.00	LIC M D U
R10-001347	04/26/2011	A206752	04/26/2010	12	04/26/2011		873197A	11-1-11	\$25.00	RDM RABIE
STAFF: S. Rupp, CVT 9400778 K. Rowe, DVM 5320 C. Castelein, DVM 1903									Total License Fees:	\$49.00

Kennel Information:

Animal ID:	Activity No:	Intake Dte:	In Type:	Ward:	Tag:	Outcome Dte:	Out Type:
A206752		04/23/2010	SAFEKEEP	KENNEL 2		04/24/2010	RTO

Shelter Hours

Monday - Friday 10:00AM - 8:00PM* Saturday - Sunday 10:00AM - 5:00PM*

Shelter CLOSED Holidays

by Sara

SHELTER

Transaction Date: 4/24/2010

Print Date/Time: 4/26/2010 5:19:10 PM

RecptCtMWav2FITPrintDev.rpt 04_09

NOTICES SENT TO FOR FILE 100212:

[illegible]



Legislation Details (With Text)

File #: 100213 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 6/15/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to an appeal from Olanrewaju George for property damage. (9th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS APPEAL

Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
6/15/2010	0	COMMON COUNCIL	ASSIGNED TO		
6/17/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/17/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100213

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to an appeal from Olanrewaju George for property damage. (9th Aldermanic District)

Drafter

CC-CC

dkf

6/4/10

GRANT F. LANGLEY
City Attorney

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



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ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

May 20, 2010

Olanrewaju George
6339 West Boehlke Avenue
Milwaukee, WI 53223

RE: Olanrewaju George
C.I. File No.: 10-S-48

Dear Mr. George:

We have received your claim in the amount of \$980.00, relating to your vehicle that was recycled by the City of Milwaukee Tow Lot.

Our investigation reveals that your 1988 Oldsmobile was towed to the tow lot on August 22, 2009 as Prisoner's Property. The vehicle's status was changed to evidence on August 24, 2009 and ultimately to Safekeeping on December 21, 2009. The tow lot records reflected they sent a notification to you at 6339 West Boehlke Avenue, Milwaukee, WI. This information was the last known address the Department of Motor Vehicle had on record for you. We were informed, that the police department and the tow lot reviewed your vehicle once it was transferred from an evidence to a safekeeping tow; it was determined your vehicle had a low salvage value, thus no further communication was sent out. The vehicle was recycled per applicable regulations, as such, we are denying your claim.

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

Olanrewaju George

May 20, 2010


Page 2

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 LANGLEY
City Attorney



ROBERT OVERHOLT
Investigator Adjuster

RMO:ms

c: Dave Lawrence
1044-2010-537:158062

Dear: Office of City of attorney

My file # is 10548, and I want to appeal the denial of my claim pertaining to my vehicle. My name is Olanrewaju A. George, birth date 6/26/91. I showed on paper how much I came out of my pocket just to purchase the vehicle. I didn't disclose all the money, I put into the vehicle. The car also was well over 20 years old, it would've been 30 yrs old in 5 yrs from now. I put quite a plausible amount of money into the vehicle. I'm well prepared to provide receipts to show well over \$1500 extra, I've put into my vehicle, so I believe a meager one thousand is reasonable for the mistake of the ^{Milwaukee} ~~Wisconsin~~ Tow Lot.

Thank

you

Olanrewaju

George

CITY OF MILWAUKEE
2010 JUN -4 PM 3:05
RONALD D. LEONARD
CITY CLERK

I'm asking for \$980.00 back, because that was the cost of my vehicle, the amount that I payed for it. ~~My best~~ The best number to reach me at is ⁽⁴¹⁴⁾403-9216, which is my cell phone. My e-mail address is Olanrewajuag@yahoo.com
Olanrewajuag@yahoo.com

I'm a full-time college student at MATC, and in-line to get a part-time job, and I've lived in Milwaukee my entire life, and find it inconvenient ~~with~~ to be without a vehicle. Especially during this period of my life. Including the case my car was taken for is still pending, and my car has a lot of sentimental value to me. I had a job back in 08 in New Berlin, WI, and with all the money, I saved up bought that vehicle. That was my first car ever, and I bought it. It meant a lot to me being so young when I bought it.

OFFICE OF
CITY ATTORNEY

2010 FEB 15 PM 3:10

CITY OF MILWAUKEE
RECEIVED

CITY OF MILWAUKEE
2010 FEB 15 PM 1:59
RONALD D. LEONARD
CITY CLERK

COMPLAINT AND INVESTIGATION FORM

OFFICER USE ONLY	CUSTOMER INFORMATION
TOW #: <u>1417487</u>	NAME: <u>Olanrewaju George</u>
DATE: <u>2/12/2010</u>	ADDRESS: <u>6339 West Boehlke Ave</u> <u>mil, WI 53223</u>
CLERK ID: <u>MPH SS</u>	PHONE #: <u>(414) 403-9216</u>

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

DATE FILED: 2/12/10

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

CITIZEN'S STATEMENT

On August 22, 2009 my vehicle was towed by Milwaukee Police Department. In which, I was arrested, and placed in jail for 1 week. My car was placed on a police hold, when I got out of jail I tried to go on get it, but was refused due to the hold. The case in which they put the hold on my car for is still pending. I was reincarcerated Oct 1 and was there for 3 months. I got out in January, and was never informed my car hold was lifted. My address never changed, but yet I got a letter on Feb 8th, 2010 stating that my vehicle was disposed of and stating I had to pay a bill. My complaint is I want to be ~~reimbursed~~ reinforced for my vehicle. Due to the fact, I wasn't informed, and when I called ~~there~~ I was told there still was an hold on it. No notification by phone or mail, ~~marked~~ ^{being} prior to the car ~~being~~ disposed, had I known I would've come to get it.

Olanrewaju George
 ***SIGNATURE

2/12/10
 DATE

-OVER-

WISCONSIN TITLE & LICENSE PLATE APPLICATION

MV1 1/2008

Processor (DNR)

Received - Date Opened

Title No. - New License Plate No.

09119 MEO066

Amount Received, Document No.

Check Cash

80

DO NOT WRITE ABOVE THIS LINE.
Complete form using BLUE or BLACK INK.

Section A - Vehicle Owner Information

Owner Legal Name - Last, First, Middle Initial OR Business Name George Olmstead A	Birth Date 6/26/91	Owner Social Security # or Driver License # or FEIN - Required 397-08-7124
Co-Owner (if any) - Name - Last, First, Middle Initial	Birth Date	Co-Owner Social Security # or Driver License # or FEIN - Required
<input type="checkbox"/> OR <input type="checkbox"/> AND (check one)		
Street Address (Include PO Box if applicable) 6339 W Buena Vista Ave	City Milwaukee	State WI
	ZIP Code 53223	Owner Daytime Area Code - Telephone Number 414 463-9216
If this is a leased vehicle, list Lessee Name		Lessee Social Security # or Driver License # or FEIN - Required
Lessee Street Address	City	State
	ZIP Code	Lessee Daytime Area Code - Telephone Number

Section B - Vehicle Information

Vehicle Identification Number IG3BY69Y2FY323599	Year 1985	Make Oldsmobile	Type (car, truck, van, etc) car	Color Silver aluminum	Fleet No. (Optional)
WI License Plate to Transfer or Temporary Plate	Plate Type	Check box if plates transferred between husband/wife. <input type="checkbox"/> License plates cannot be transferred between other family members.			
Date you first drove this vehicle in Wisconsin: 11/1/2008	Check any that apply (See Instructions)				
	<input type="checkbox"/> Title Transfer	<input type="checkbox"/> Title Only	<input type="checkbox"/> Salvage	<input type="checkbox"/> Police	<input type="checkbox"/> Taxi
				<input type="checkbox"/> Flood Damaged	<input type="checkbox"/> Hall Damaged
Vehicle is kept in County OF: Milwaukee	City Village Town (Check one) Milwaukee				

Section C - Loan Information

Secured Party Number(s)	Name of Lending Agency(s) or Person(s)	Street Address, City, State, ZIP Code	Area Code - Telephone Number
-------------------------	--	---------------------------------------	------------------------------

Section D - Fees

Title Fee \$69.50 (Replacement \$20)	\$
Purchase Price \$980.00 (WARNING: It is a crime to understate the purchase price.)	\$
Less trade-in allowance	\$
Amount subject to tax	\$
State Sales Tax (Amount subject to tax X 0.05)	\$
Local Sales Tax (See example)	\$
Loan Filing Fee \$4 (Pay fee for each loan in section C)	\$
License Plate Fee (check one box)	\$75
<input type="checkbox"/> Passenger Vehicle \$75	
<input type="checkbox"/> Light Truck (Private operation only):	
4500 pounds gross weight or less \$75	
6000 pounds gross weight or less \$84	
8000 pounds gross weight or less \$106	
<input type="checkbox"/> Other License Plate Types (See information at right)	
Miscellaneous Fees (See Instructions to determine if any apply.)	
• Wheel Tax (See instructions)	\$
• Motor Carrier Class Fee from section G	\$
• Temporary Plate Fee \$3 (Only if no plate to transfer, and if applying at an authorized agent)	\$
Optional Fees (Customer Initials to OK)	
• Mail-In Priority Service Fee \$4 (Use Priority Service Address)	\$
• Counter Service Fee \$5 (If you apply in person at DOT)	\$5
• Electronic Title/License Plate Filing Fee (If applying thru an agent that files electronically, then an additional fee will be charged. Make check payable to the agent)	\$
ENTER FEE TOTAL	\$80

Pay title fee if you are changing the owner(s) on the title, or titling the vehicle in Wisconsin for the first time. Pay replacement title fee if replacing a lost, stolen or mutilated Wisconsin title.

See Instructions to determine which taxes apply.

If tax exempt, enter code

If other, list reason

See instruction on local sales tax to determine your tax rate.

Example: \$10,000 X .005 = \$50
(Amount subject to tax) (Rate) (Local tax)

For other plate types see section G on back of this page.

Enter plate type

and gross weight if applicable

and registration period

and enter fee at left.

Note - For Heavy vehicles that qualify for Consecutive Monthly or Quarterly registration, see back page of instructions for more information and special address.

REGULAR SERVICE:

Mail the original vehicle Title (not a copy), application and check to:

WI Dept. of Transportation
PO Box 7949
Madison WI 53707-7949

PRIORITY SERVICE: (not available for personalized plates)

Mail the original vehicle Title (not a copy), application and check with extra \$4 priority service fee to:

WI Dept. of Transportation
PO Box 7306
Madison WI 53707-7306

SPECIAL PLATES: For all special plates, mail entire application to:

WI Dept. of Transportation
PO Box 7911
Madison WI 53707-7911

Make check payable to: Registration Fee Trust

Vehicle Owner Certification - If an owner is under 18 years old, complete Consent to Purchase (Section E) on back of this page.

I (we) certify that the information and statements on this application are true and correct. Commercial Carrier: I further certify that I have knowledge of applicable federal and state motor carrier safety rules, regulations, standards, and orders, and declare that all operations will be conducted in compliance with such requirements.

X Olmstead George 4/24/99 X
(Owner Signature) (Date)

(Co-Owner Signature)

(Date)

Did you: Enclose a signed check with correct fees? Enclose your original vehicle title if needed? Sign the application?

2 - CUSTOMER

NOTICES SENT TO FOR FILE 100213:

[illegible]



Legislation Details (With Text)

File #: 100200 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 6/15/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Resolution relating to an appeal from Delores Pillow for property damage.

Sponsors: THE CHAIR

Indexes: CLAIMS APPEAL

Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
6/15/2010	0	COMMON COUNCIL	ASSIGNED TO		
6/17/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100200

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to an appeal from Delores Pillow for property damage.

Drafter

CC-CC

dkf

6/2/10

GRANT F. LANGLEY
City Attorney

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



THOMAS O. GARTNER
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JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

May 20, 2010

Delores Pillow
2137 West College Avenue, #503
Oak Creek, WI 53154

RE: Delores Pillow
C.I. File No.: 10-S-129

Dear Ms. Pillow:


We have received your claim in the amount of \$1,224.24, relating to alleged damage to your vehicle when a manhole cover flipped and struck your vehicle on April 13, 2010 at South 92nd Street and West Howard Avenue.

Our investigation reveals that the Sewer Maintenance Section was advised of a loose manhole cover at 1:30 p.m. on April 13, 2010 and arrived on scene at 1:50 p.m. They reset and tarred the lid. They also checked manholes in the area and found all of the City structures were secure at that time. Since the City had no prior notice of this defect, it would not be liable 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
1030-2010-1127:158153

I just received a letter saying you are denying my claim. (#10-5-129) I am filing an appeal. If you still have, & carefully read my first letter, you will see that the incident occurred between 1:10 & 1:15 PM. I have witnesses who will verify that the cover had flipped just minute prior to my accident. It was replaced but not secured. According to your letter, Sewer Maintenance was notified of a loose cover at 1:30 PM, & at 1:50 PM they reset & tarred the cover. Which means the cover posed a hazard at the time I drove over it, not knowing it was loose.

Two cars were damaged - mine & the one right behind me. There was no way of me knowing it was unsafe to drive over said cover, thus I feel damages to my car should be covered.

Hoping to hear from you.

Dolores Pillow
2137 W. College Ave
OAK Creek WI 53154
(414) 218-4053

5-23-10

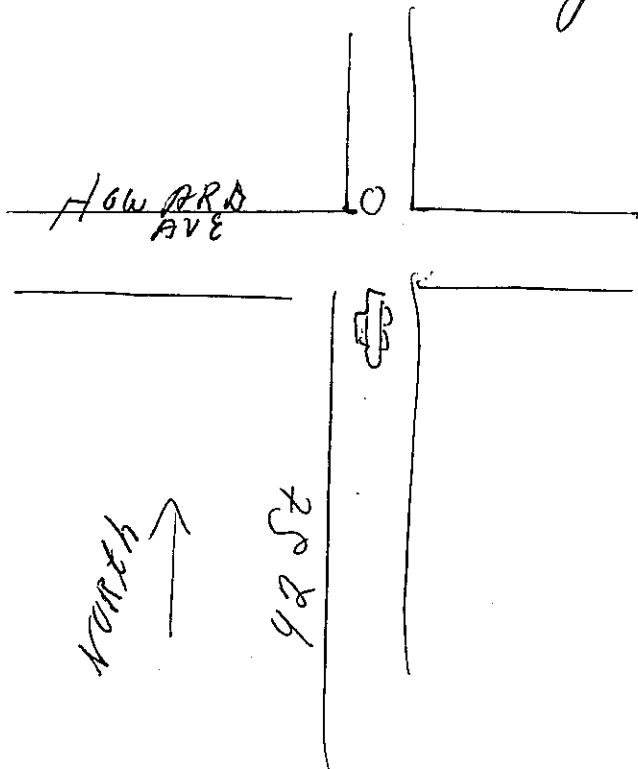
CITY OF MILWAUKEE
2010 MAY 25 AM 11:50
RONALD D. LEONHART
CITY CLERK
CITY OF MILWAUKEE
KEE
RECEIVED
2010 MAY 26 PM 2:57
OFFICE
CITY ATTORNEY



Enclosed are 2 estimates for damage to my car.

On April 13, approximately 1:15 PM, I was driving north on 92 St. I just crossed Howard Avenue when I heard an awful loud noise, & felt a thud. Upon pulling over, I discovered a manhole cover had flipped, hit my car, & rolled against the boulevard.

I am also enclosing the name of a utility worker who was working nearby. He told me that the same thing had happened about 10 min. earlier. The cover was put back, but not marked in any way with barricades, even though it was not secure. Thus, my car was damaged, as was one immediately behind me.



Dolores Pillow

2137 W. College Ave
#503

Oak Creek, WI 53154

Phone (414) 218-4053

Witness:

Pom Mc Coy

% Sigma Environmental
1300 N. Canal St.

Contact: Mark Kruger

414-643-4210

QUALITY AUTO BODY
EXPERT COLLISION REPAIR
4930 SOUTH 6TH STREET
MILWAUKEE, WI 53221

CITY OF MILWAUKEE

PHONE: 414-481-7576 FAX: 414-481-7715

2010 APR 20 PM 12:22

RONALD D. LEONARD CD LOG NO 19270-1 DATE 04/16/10
CITY CLERK

SHOP: QUALITY AUTO BODY
ADDRESS: 4930 SOUTH 6TH STREET
CITY STATE: MILWAUKEE, WI
ZIP: 53221-

INSP DATE: 04/16/10
CONTACT: BRIAN D. BULL
PHONE 1: (414) 481-7576
FAX: (414) 481-7715

OWNER: PILLOW, DELORES
ADDRESS: 2137 W. COLLEGE AVE
CITY STATE: OAK CREEK, WI
ZIP: 53154

HOME PHONE: (414) 218-4053

POINT OF IMPACT: 0

LIC#: 929AGC
BODY COLOR:
CONDITION:

STATE: WI

VIN: 1NXBR32E23Z084937
MILEAGE:
ACCTNG CTL#:

PROD. DATE:

PAINT CODE: 1C8

*=USER-ENTERED VALUE

EC=REPLACE ECONOMY

UM=REMAN/REBUILT PRT

OE=REPLACE PXN OE SRPLS

TE=PARTL REPL PRICE

I=REPAIR

TT=TWO-TONE

N=ADDITIONAL LABOR

AA=APPEAR ALLOWANCE

E=REPLACE OEM

UE=REPLACE OE SURPLUS

EU=REPLACE SALVAGE

PC=PXN RECONDITIONED

ET=PARTL REPL LABOR

L=REFINISH

CG=CHIPGUARD

RI=R&I ASSEMBLY

RP=RELATED PRIOR

NG=REPLACE NAGS

UC=RECONDITIONED PRT

EP=REPLACE PXN

PM=PXN REMAN/REBUILT

IT=PARTIAL REPAIR

BR=BLEND REFINISH

SB=SUBLET

P=CHECK

UP=UNRELATED PRIOR

2003 TOYOTA COROLLA CE 4DOOR SEDAN 4CYL GASOLINE 1.8
CODE: Y2114A/A OPTNS R/24

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES

TWO-STAGE - INTERIOR SURFACES

OP	GDE	MC	DESCRIPTION	MFG. PART NO.	PRICE	AJ%	B%	HOURS	R
I	0289		PNL, REAR DOOR OUTER LT REPAIR					1.0	*1
L	0289	13	PNL, REAR DOOR OUTER LT REFINISH					3.1	4
				2.1 SURFACE					
				0.6 TWO STAGE SETUP					
				0.4 TWO STAGE					
RI	0327		MLDG, REAR DOOR BELT LT R&I ASSEMBLY					0.3	1
RI	0323		MLDG, REAR DOOR SIDE LT R&I ASSEMBLY					0.4	1
RI	0307		PNL, INNER DOOR TRIM LT R&I ASSEMBLY					INC	1
RI	0305		HANDLE, RR DOOR OUTE LT R&I ASSEMBLY					1.1	1

OFFICE OF
CITY ATTORNEY

2010 APR 20 PM 3:40

RECEIVED

2003 TOYOTA COROLLA CE 4DOOR SEDAN
CD LOG NO 19270-1

RI0345	MLDG, ROOF DRIP	LT R&I ASSEMBLY		0.4	1
I 0389	PANEL, QUARTER	LT REPAIR		4.0*	1
L 0389	PANEL, QUARTER	LT REFINISH		2.5	4
		2.1 SURFACE			
		0.4 TWO STAGE			
BR0397	DOOR, FUEL FILLER	LT BLEND REFINISH		0.2	4
		0.1 BLEND			
		0.1 TWO STAGE			
E 1312	GUARD, QUARTER STONE	LT 5874202060	11.72	0.2	1
RI0533	TAILLAMP ASSEMBLY	LT R&I ASSEMBLY		0.3	1
N 0566	REAR BUMPER COVER R&I	ADDNL LABOR OPERA		1.2	1
N M14	CORROSION PROTECTION	ADDNL LABOR OPERA	10.00*	0.3*	1*
N M17	COVER CAR EXTERIOR	ADDNL LABOR OPERA	5.00*		1*
ECM60	HAZARD. WSTE. REM.	ECONOMY PART	5.00*		1*
I	SET UP FOR ROUGH PULL	REPAIR		1.0*	1*
I	ROUGH PULL	REPAIR		2.0*	3*

18 ITEMS

MC MESSAGE(S)

13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS				11.72
OTHER PARTS				20.00
PAINT MATERIAL				185.60
PARTS & MATERIAL TOTAL				217.32
TAX ON PARTS & MATERIAL @			5.600%	12.17
LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	52.00	2.7	7.5	530.40
2-MECH/ELEC	80.00			
3-FRAME	55.00		2.0	110.00
4-REFINISH	52.00	5.8		301.60
5-PAINT MATERIAL	32.00			
LABOR TOTAL				942.00
TAX ON LABOR		@	5.600%	52.75
SUBLET REPAIRS				
TOWING				
STORAGE				
GROSS TOTAL				1,224.24
NET TOTAL				1,224.24

SHOPLINK U8901 ES CD LOG 19270-1 DATE 04/16/10 01:38:28PM R6.37 CD 02/10
PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53221
EDU: 0301 HOST LOG
(C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

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

2003 TOYOTA COROLLA CE 4DOOR SEDAN
CD LOG NO 19270-1

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE REPLACEMENT PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THE REPLACEMENT PARTS RATHER THAN BY THE MANUFACTURER OF YOUR MOTOR VEHICLE.

ALL ESTIMATES ARE SUBJECT TO ADDITIONAL DAMAGES PENDING
TEAR-DOWN INSPECTION OF VEHICLE.
ALL MONIES DUE UPON COMPLETION FOR THE RELEASE OF VEHICLES.

DON JACOBS TOYOTA
5727 SOUTH 27TH STREET
MILWAUKEE, WI 53221
OFFICE: 414-281-3100 FAX: 414-423-2077
FEDERAL ID# 39-1288187

CD LOG NO 25966-1 DATE 04/16/10

SHOP: DON JACOBS TOYOTA INSP DATE: 04/16/10
ADDRESS: 5727 S 27TH ST CONTACT: ADAM LEFEVRE
CITY STATE: MILWAUKEE, WI PHONE 1: (414) 281-3100 EXT 162
ZIP: 53221- PHONE 2: (800) 572-6490 EXT 162
FAX: (414) 423-2077

OWNER: PILLOW, DOLORES HOME PHONE: (414) 218-4053
ADDRESS: 2137 W COLLEGE AVE
#503
CITY STATE: OAK CREEK, WI
ZIP: 53154

POINT OF IMPACT: 0

LIC#: STATE: VIN: 1NXBR32E23Z084937
BODY COLOR: MILEAGE:
CONDITION: ACCTNG CTL#:

*=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

2003 TOYOTA COROLLA LE 4DOOR SEDAN 4CYL GASOLINE 1.8
CODE: Y2114B/A OPTNS R/24EFG

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES
POWER DOOR LOCKS
REMOTE KEYLESS ENTRY SYSTEM

TWO-STAGE - INTERIOR SURFACES
POWER WINDOWS

OP	GDE	MC	DESCRIPTION	MFG.	PART NO.	PRICE	AJ%	B%	HOURS	R
E	0969		COVER, REAR WHEEL	LT	42621AB110	88.14				1
RI	0258		MLDG, FRONT DOOR BEL	LT	R&I ASSEMBLY				0.3	1
RI	0254		MLDG, FRONT DOOR SID	LT	R&I ASSEMBLY				0.4	1
RI	0229		MIRROR, OUTER R/C	LT	R&I ASSEMBLY				0.3	1
RI	0227		HANDLE, FRONT DOOR O	LT	R&I ASSEMBLY				0.6	1
I	0287		DOOR SHELL, REAR	LT	REPAIR				1.5*	1
L	0287	13	DOOR SHELL, REAR	LT	REFINISH				3.1	4

2003 TOYOTA COROLLA LE 4DOOR SEDAN
CD LOG NO 25966-1

RI0327	MLDG, REAR DOOR BELT LT R&I ASSEMBLY			0.3	1
RI0323	MLDG, REAR DOOR SIDE LT R&I ASSEMBLY			0.4	1
RI0305	HANDLE, RR DOOR OUTE LT R&I ASSEMBLY			1.1	1
I 0389	PANEL, QUARTER LT REPAIR			3.0*	1
L 0389	PANEL, QUARTER LT REFINISH			2.5	4
CG0389	PANEL, QUARTER LT CHIPGUARD			0.3	4
RI0533	TAILLAMP ASSEMBLY LT R&I ASSEMBLY			0.3	1
N 0566	REAR BUMPER COVER R&I	ADDNL LABOR OPERA		1.2	1
ECM14	CORROSION PROTECTION	ECONOMY PART	10.00*	0.5*	4
N M60	HAZARD. WSTE. REM.	ADDNL LABOR OPERA	3.00*		1

17 ITEMS

MC MESSAGE(S)

13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS					88.14
OTHER PARTS					13.00
PAINT MATERIAL					217.60
PARTS & MATERIAL TOTAL					318.74
TAX ON PARTS & MATERIAL @				5.600%	17.85
LABOR	RATE	REPLACE HRS	REPAIR HRS		
1-SHEET METAL	54.00	3.7	5.7		507.60
2-MECH/ELEC	95.00				
3-FRAME	54.00				
4-REFINISH	54.00	6.4			345.60
5-PAINT MATERIAL	34.00				
LABOR TOTAL					853.20
TAX ON LABOR		@		5.600%	47.78
SUBLET REPAIRS					
TOWING					
STORAGE					

GROSS TOTAL - 1,237.57

NET TOTAL 1,237.57

SHOPLINK U4249 ES CD LOG 25966-1 DATE 04/16/10 01:08:38PM R6.37 CD 02/10

PXN: NO GEOCODE

HOST LOG

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

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

OUR SYSTEM WILL RETAIN THIS ESTIMATE FOR 60 DAYS.

NOTICES SENT TO FOR FILE 100200:

[illegible]



Legislation Details (With Text)

File #: 100194 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 5/25/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation relating to the regulation of precious gem and gold dealers.

Sponsors: ALD. BOHL, ALD. COGGS

Indexes: LICENSES, SECONDHAND DEALERS, STATE LEGISLATION

Attachments: Fiscal Note, City Attorney Opinion, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/25/2010	0	COMMON COUNCIL	ASSIGNED TO		
6/2/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/2/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/7/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	3:0
6/17/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/17/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/22/2010	1	CITY CLERK	Sponsor added		

Number
100194

Version
SUBSTITUTE 1

Reference

Sponsor
ALD. BOHL AND COGGS

Title
Substitute resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation relating to the regulation of precious gem and gold dealers.

Analysis
This resolution directs the Intergovernmental Relations Division - Department of Administration to develop, introduce and pursue passage of state legislation expanding municipal authority to approve, issue, deny, refuse renewal, suspend and revoke precious metal and gem dealer licenses.

Body
Whereas, Section 134.71, Wis. Stats., sets a single criteria for denial of a precious metal and gem dealer license - namely that the applicant has not been convicted of a felony or serious misdemeanor, or violated a local ordinance governing precious metal and gem dealers within the last 10 years; and

Whereas, Changes in the precious metal and gem marketplace, including but not limited to the emergence of "cash for gold" storefront operations, have significantly altered the impact precious metal and gem dealer operations have on the health, safety and welfare of the communities surrounding these dealer operations; and

Whereas, An expansion of municipal authority under State statute to approve, issue, deny, refuse renewal, suspend and revoke precious metal and gem dealer licenses will give municipalities the resources needed to effectively protect the health, safety and welfare of municipal residents; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee, That the Intergovernmental Relations Division - Department of Administration is directed to develop, introduce and pursue the passage of state legislation expanding municipal authority to approve, issue, deny, refuse renewal, suspend and revoke precious metal and gem dealer licenses; and, be it

Further Resolved, This state legislation shall substantially include, but not necessarily be limited to, the municipal authority to:

1. Consider possible or existing neighborhood problems stemming from a dealer's operation when granting or denying a license.
2. Consider the impact of an overconcentration of precious metal and gem dealer operations, or similar operations such as pawnbrokers, check cashing and payday loan establishments, on the surrounding neighborhood when granting or denying a license.
3. Consider other factors reasonably judged to affect the health, safety and welfare of the surrounding neighborhood when granting or denying a license.
4. Suspend dealer licenses for 10 to 90 days if the dealer fails to properly record and report transactions, buys items under clearly suspicious circumstances or knowingly buys stolen items, or if neighborhood problems develop as a result of a dealer's operation, or to protect and preserve the health, safety and welfare of the surrounding neighborhood.
5. Revoke dealer licenses if the dealer or a dealer's operation:
 - a. Fails to meet municipal qualification standards, fails to comply with recordkeeping, reporting and all other municipal operating regulations or fails to comply with all building and zoning code regulations.
 - b. Results in neighborhood problems.
 - c. Establishes a pattern of buying items under clearly suspicious circumstances or knowingly buying stolen items.
 - d. Undermines or threatens to undermine the health, safety and welfare of surrounding neighborhoods.

Requestor**Drafter**

LRB #10259-1

ANC

06/03/2010

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 6/3/10FILE NUMBER: 100194Original Fiscal Note ☒ Substitute ☐

SUBJECT: Resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of state legislation relating to the regulation of precious gem and gold dealers.

B) SUBMITTED BY (Name/title/dept./ext.): Linda Elmer – Staff Assistant, City Clerk's Office

C) CHECK ONE: ☐ ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES
☐ ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED. LIST ANTICIPATED COSTS IN SECTION G BELOW.
☒ NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: ☐ DEPARTMENT ACCOUNT(DA) ☐ CONTINGENT FUND (CF)
☐ CAPITAL PROJECTS FUND (CPF) ☐ SPECIAL PURPOSE ACCOUNTS (SPA)
☐ PERM. IMPROVEMENT FUNDS (PIF) ☐ GRANT & AID ACCOUNTS (G & AA)
☐ OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

F) 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**.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS	

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE ☐

GRANT F. LANGLEY
City Attorney

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

**CITY OF
MILWAUKEE**
Office of the City Attorney



Milwaukee's Future: IT'S IN OUR HANDS

www.milwaukee.gov/2010census

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN O. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
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
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

May 21, 2010

Ronald D. Leonhardt
City Clerk
City Hall, 205

Re: Moratorium on the issuance of Licenses
for Precious Metal and Gem Dealer Licenses

Dear Mr. Leonhardt:

You have asked us for an opinion on the ability of the Common Council to create a task force to study any problems associated with "cash for gold" operations and to impose a moratorium on the issuance of the precious metal and gem dealer license under the provisions of Section 92-10 of the Milwaukee Code of Ordinances during that study. The authority to so regulate the second hand transactions in jewelry is granted by Wis. Stat. Sec. 134.71.

Wis. Stat. § 134.71 (7) provides as follows:

(7) LICENSE ISSUANCE. (a) The governing body of the county or municipality shall grant the license if all of the following apply:

1. The applicant, including an individual, a partner, a member of a limited liability company or an officer, director or agent of any corporate applicant, has not been convicted within the preceding 10 years of a felony or within the preceding 10 years of a misdemeanor, statutory violation punishable by forfeiture or county or municipal ordinance violation in which the circumstances of the felony, misdemeanor or other offense substantially relate to the circumstances of being a pawnbroker, secondhand jewelry dealer, secondhand article dealer or secondhand article dealer mall or flea market owner.

2. With respect to an applicant for a pawnbroker's license, applicant provides to the governing body a bond of \$500, with not less than 2 sureties, for the observation of all municipal ordinances relating to pawnbrokers.

(b) No license issued under this subsection may be transferred.

Ronald D. Leonhardt
May 21, 2010
Page 2

- (c) 1. Each license for a pawnbroker, secondhand article or secondhand jewelry dealer is valid from January 1 until the following December 31.
2. Each license for a secondhand article dealer mall or flea market is valid for 2 years, from May 1 of an odd-numbered year until April 30 of the next odd-numbered year.


Because the license "shall be granted" upon the applicant meeting the foregoing criteria we do not believe there is the authority to create a moratorium on the granting of such a license.

However, we believe that establishing a task force to study any problems associated with the operation of such stores is well within the authority of the Common Council to legislate for the health, safety and welfare of the citizens.

We will be happy to assist the Council in any way it deems appropriate in such a task force.

Very truly yours,


GRANTE LANGLEY
City Attorney


BRUCE D. SCHRIMPF
Assistant City Attorney

MRS:wt:158188
1055-2010-1399

NOTICES SENT TO FOR FILE 100194:

[illegible]