

Thanks very much.

Joanna – FYI and for the file.

Jim

From: Kruse, Gregory <gkruse@milwaukee.gov>
Sent: Thursday, January 13, 2022 3:52 PM
To: Owczarski, Jim <jowcza@milwaukee.gov>; Hillard, Christopher <Christopher.Hillard@milwaukee.gov>
Subject: RE: Review for Legality and Enforceability

Jim,

With the upcoming holiday, I assume this needs to get to you by tomorrow morning. I have been working with Chris on the update and understand that this is really just a placeholder for whatever is coming as an amendment. That said, based on what I know this appears legal and enforceable as written (although I think using CDC data, which originates at the state and local level and then is put through their filter) is practically going to be difficult to get and hard for MHD to timely publish to let people know whether compliance is required at any given time. Chris is diligently following up with MHD to ensure whatever metric is used in the amended file ends up being the most practical data set for them, be that City County, State, or CDC.

Thanks

Greg

From: Owczarski, Jim <jowcza@milwaukee.gov>
Sent: Tuesday, January 11, 2022 3:28 PM
To: Kruse, Gregory <gkruse@milwaukee.gov>; Hillard, Christopher <Christopher.Hillard@milwaukee.gov>
Subject: RE: Review for Legality and Enforceability

Thanks for this, Greg.

I ask you both to remember that the question is ultimately whether the ordinance *as recommended* is legal and enforceable.

If it is not deemed to be so, the OCA has followed two courses:

1. Rarely, it has opined that it is not and, by operation of the Code, it is returned to Committee and will not be before the Common Council.

2. Even more rarely, the OCA has recommended changes to be made on the floor of the Common Council prior to passage in the expectation – and it is only that – that the Council will pass them.

Thanks again to you – and to Christopher – for your work here.

Jim

From: Kruse, Gregory <gkruse@milwaukee.gov>
Sent: Tuesday, January 11, 2022 3:24 PM
To: Hillard, Christopher <Christopher.Hillard@milwaukee.gov>
Cc: Owczarski, Jim <jowcza@milwaukee.gov>
Subject: RE: Review for Legality and Enforceability

Quite alright. I can do noon tomorrow and the reply will follow with a teams invite.

From: Hillard, Christopher <Christopher.Hillard@milwaukee.gov>
Sent: Tuesday, January 11, 2022 3:23 PM
To: Kruse, Gregory <gkruse@milwaukee.gov>
Cc: Owczarski, Jim <jowcza@milwaukee.gov>
Subject: Re: Review for Legality and Enforceability

Greg,

Yes, absolutely. Let's discuss at noon if that's ok, since there's the F&P meeting at 1 and I'll be needed for that.

My apologies for not getting back to you right away, I've been out sick since last week and now my son is home from daycare because of a COVID exposure there. I'm also sorry for not discussing this earlier, this was kind of thrown in last minute the week of so there wasn't a great deal of time to get feedback.

Best,

Chris Hillard

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From: Kruse, Gregory <gkruse@milwaukee.gov>
Sent: Tuesday, January 11, 2022 3:08:58 PM
To: Hillard, Christopher <Christopher.Hillard@milwaukee.gov>
Cc: Owczarski, Jim <jowcza@milwaukee.gov>
Subject: FW: Review for Legality and Enforceability

Chris,

I have a few concerns about how its drafted from a clarity/enforceability standpoint before I sign it. I also understand that the ordinance might be significantly altered based on the hearing Friday in ways that may make it unenforceable (or at least practically so). Have some time this week to discuss? My schedule is pretty flexible this week other than tomorrow 11-2.

Greg

From: Jackson, Celia <cmjacks@milwaukee.gov>
Sent: Tuesday, January 11, 2022 1:17 PM
To: Farris, Todd <tfarris@milwaukee.gov>
Subject: FW: Review for Legality and Enforceability

Hi Todd,

Referring this ordinance draft too for legality. Please advise if you will handle or assign to an ACA.

Thank you,

Celia M. Jackson
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Milwaukee, WI 53202
Direct Dial – 414-286-2290
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cmjacks@milwaukee.gov

From: Owczarski, Jim <jowcza@milwaukee.gov>
Sent: Tuesday, January 11, 2022 10:49 AM
To: Spencer, Tearman <tspencer@milwaukee.gov>
Cc: Jackson, Celia <cmjacks@milwaukee.gov>; Farris, Todd <tfarris@milwaukee.gov>; Polanco, Joanna <jpolan@milwaukee.gov>
Subject: Review for Legality and Enforceability

Good Morning,

I would ask that the attached ordinance, recommended for passage at last week's Public Safety and Health Committee, be reviewed for legality and enforceability.

My Thanks,

Jim