



# City of Milwaukee

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

## Meeting Minutes JUDICIARY & LEGISLATION COMMITTEE

**ALD. ASHANTI HAMILTON, CHAIR**

**Ald. Terry Witkowski, Vice-Chair**

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

**Staff Assistant, Joanna Polanco, 286-2366**

**Fax: 286-3456, [jpolan@milwaukee.gov](mailto:jpolan@milwaukee.gov)**

**Legislative Liaison, Richard Withers, 286-8532,  
[rwithe@milwaukee.gov](mailto:rwithe@milwaukee.gov)**

---

Monday, September 12, 2011

1:30 PM

Room 301-B, City Hall

---

Meeting convened at 1:37 P.M.

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, September 12, 2011 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.

*Ald. Bohl moved that the Judiciary and Legislation Committee may convene into closed session, 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.*

*Roll call taken at 1:38 P.M.*

*Individuals present:*

*Ald. Hamilton, Bohl, Davis, Donovan,  
City Atty. Grant Langley, Deputy City Atty. Linda Burke, City Atty Assts. Marynell Regan, Kathy Block, Sue Lappen and Rhonda Kelsy Purchasing Director EBE Program.*

*Ald. Witkowski moved to convened into open session.*

*Roll call taken at 2:47 P.M.*

*Individuals present:*

*Alds. Hamilton, Witkowski, Bohl, Donovan and Davis*

1. [110525](#)

Resolution authorizing a settlement of the lawsuit entitled Tervel Ezell and Serena Ezell, et al. v. Jeffrey Maio and City of Milwaukee.

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

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

**No** 0

2. [110607](#)

Resolution authorizing settlement of the lawsuit entitled Whon Phrakousonh and Dolores Estrada, et al. v. City of Milwaukee.

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

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

**No** 0

3. [110554](#)

Resolution to approve the settlement agreement in the matter of Bernson v. City of Milwaukee and Kurt Kezeske.

**A motion was made by ALD. DAVIS that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

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

**No** 0

4. [110419](#)

Resolution authorizing settlement of the lawsuit entitled Braun v. Barrett, et al., in the amount of \$25,000.

**A motion was made by ALD. DONOVAN that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

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

**No** 0

5. [110539](#)

Resolution relating to assessment by the U.S. Postal Service of continued postal services in the Milwaukee central city, and urging the Postmaster General and the U.S. Postal Regulatory Commission to maintain affordable, secure and dependable postal services in the City.

*Individuals present:*

*Ald. Coggs and Wade*

*Ald. Coggs presented a map of proposed post office closings, Ald. Davis made motion to make this document part of the record. There were no objections.*

*Ald. Coggs presented a letter from Congresswoman Gwen Moore date August 8, 2011 address to United States Postal Services (USPS). Ald. Donovan moved to accept this document as part of the record. There were no objections.*

*Ald. Wade, Davis and Hamilton requested to be added as co-sponsors. There were no objections.*

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

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

No 0

6. [110647](#) Appointment of Linda Reaves to the Equal Rights Commission by the Mayor. (5th Aldermanic District)

*Mrs. Reaves present to accept her appointment.*

**A motion was made by ALD. WITKOWSKI that this Appointment be RECOMMENDED FOR CONFIRMATION. This motion PREVAILED by the following vote:**

**Aye** 4 - Hamilton, Witkowski, Davis and Donovan

**No** 0

**Excused** 1 - Bohl

7. [110496](#) Substitute resolution authorizing the return of real estate located at 1625 N Warren Ave, in the 3rd Aldermanic District to its former owner. (Ilmar Junge)

*Individuals present:*

*Mr. Junge*

*Karen Taylor - DCD*

*Lynne Steffen - DNS*

*Kim Uhen-McCarthy - Treasurer*

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

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

**No** 0

8. [110598](#) Substitute resolution authorizing the return of real estate located at 2324-2326 West Clarke St, in the 15th Aldermanic District to its former owner. (Auntrae Boyd Letonia Boyd, requester Ocwen Loan Servicing LLC c/o Blommer Peterman S.C.)

*Individual present:*

*Karen Taylor - DCD*

*Lynne Steffen - DNS*

*Kim Uhen-McCarthy - Treasurer*

*Cristina Demokapolis*

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

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

**No** 0

9. [110631](#) Substitute resolution authorizing the return of real estate located at 2434-2436 N 29th St, in the 15th Aldermanic District to its former owner. (Hollis Tate)

*Individuals present:*

*Hollis Tate*

*Karen Taylor - DCD*

*Lynne Steffen - DNS*

*Kim Uhen-McCarthy - Treasurer*

*Pending reinspection fees \$1,425 need to be paid prior to CC Sept 20, 2011*

**A motion was made by ALD. DAVIS that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

10. [110582](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2009 and 2010 tax rolls, plus interest applicable to date of repayment, if appropriate.

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

**Aye** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

11. [110617](#) Resolution authorizing payment of the claim of Jennifer Lofy, in the amount of \$5,700.

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

12. [110283](#) Resolution relating to an appeal from Steven Buccellato for property damage. (4th Aldermanic District)

*Individuals present:*

*Steven Buccellato, Claimant*

*Jan Smokowicz - Asst City Atty*

*Bernice Flemmings - Water Works*

*Jeff Delleman - Infrastructure*

*Claim granted in the amount of \$194.44*

**A motion was made by ALD. BOHL that this Resolution be SUBSTITUTED. This motion PREVAILED by the following vote:**

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

**No** 0

[110283](#)

Substitute resolution relating to an appeal from Steven Buccellato for property damage. (4th Aldermanic District)

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED**

**FOR ADOPTION. This motion PREVAILED by the following vote:**

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

**No** 0

13. [110476](#) Resolution relating to an appeal from Nathan Tusler and Stephanie La Haye for loss of property. (4th Aldermanic District)

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

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

**No** 0

14. [110522](#) Resolution relating to an appeal from Marlon Townsend for property damage. (9th Aldermanic District)

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

**Aye** 4 - Hamilton, Witkowski, Davis and Donovan

**No** 0

**Excused** 1 - Bohl

15. [110526](#) Resolution relating to an appeal from Peggy Horn for property damage. (13th Aldermanic District)

*Individuals present:*

*Asst City Atty. Jan Smokowicz*

*Chuck Schumacker -*

*Ms. Peggy Horn - Claimant*

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

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

**No** 0

16. [110542](#) Resolution relating to an appeal from Daniel Strom for property damage.

*applicant not present*

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

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

**No** 0

17. [110632](#) Resolution relating to an appeal from Danielle Goodwin for property damage. (2nd Aldermanic District)

*Individuals present:*  
*Claimant, Danielle Goodwin*  
*Asst Cty Atty, Jan Smokowicz*

*Claim granted in the amount of \$114.05*

**A motion was made by ALD. BOHL that this Resolution be SUBSTITUTED.  
This motion PREVAILED by the following vote:**

**Aye** 4 - Hamilton, Bohl, Davis and Donovan

**No** 1 - Witkowski

**110632**

Substitute resolution relating to an appeal from Danielle Goodwin for property damage. (2nd Aldermanic District)

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 4 - Hamilton, Bohl, Davis and Donovan

**No** 1 - Witkowski

**18. 110505**

Resolution relating to an appeal from Steve Isley for property damage.

*Individuals present:*  
*Claimant, Steve Isley*  
*Infrastructure, Jeff Dellemann*

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

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

**No** 0

**Ald. Donovan excused at 3:57 P.M.**

**19. 110493**

Resolution relating to an appeal from Robert Jesko for property damage.

*Based on non appearance*

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

**Aye** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

**20. 110192**

Resolution relating to the claim of the Carlata Wesley for property damage. (5th Aldermanic District)

*Individuals present:*

*Claimant, Ms. Wesley*

*Tow Lot Manager, Dave Lawrence*

*Motion by Ald. Witkowski to denied this claim. Failed 1-3 (Alds. Davis, Bohl and Hamilton voted No; Ald. Donovan Exc)*

*Ald Davis moved to approve claim in the amount of \$5,900. Prevailed 3-1 (Ald. Witkowski voted No, Ald. Donovan exc.)*

*Claim granted in the amount of \$5,900.*

**A motion was made by ALD. DAVIS that this Resolution be SUBSTITUTED.  
This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Bohl and Davis

**No** 1 - Witkowski

**Excused** 1 - Donovan

**110192**

Substitute resolution relating to the claim of the Carlata Wesley for property damage.  
(5th Aldermanic District)

**A motion was made by ALD. DAVIS that this Resolution be RECOMMENDED  
FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 3 - Hamilton, Bohl and Davis

**No** 1 - Witkowski

**Excused** 1 - Donovan

**21. 110537**

Resolution relating to the claim of the Atty. Michael Demo on behalf of James Wilcox  
for personal injuries. (1st Aldermanic District)

*Applicant not present*

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

**Aye** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

**22. 110561**

Resolution relating to the claim of James and Terry Robertson for loss of property.  
(7th Aldermanic District)

*Individuals present:*

*Asst Cty Atty, Jan Smokowicz*

*Claimants, James and Terry Robertson*

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

**Aye** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

23. [110600](#) Resolution relating to the claim of We Energies for property damage.

*Applicant not present*

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

**Aye** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

24. [110516](#) Resolution relating to the claim of the Jake Lewis, Jr. for loss of property. (6th Aldermanic District)

*Applicant not present*

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

**Aye** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

25. [110514](#) Resolution relating to the claim of the Scott and Margo Meier relating to property damage. (10th Aldermanic District)

*Applicant not present*

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

**Aye** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

26. [110553](#) Resolution relating to the claim of Robert Harvey, agent for American Family Insurance on behalf of Lauren Joyce for property damage.

*Applicant not present*

**A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. This**

**motion PREVAILED by the following vote:**

**Aye** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

27. [110474](#) Substitute resolution amending the election ward lines in the City of Milwaukee.

*Individuals present:*

*Richard Pfaff - LRB Manager*

*Rich Watts - LRB*

**A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**

**Aye** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

28. [110475](#) An ordinance relating to amending 2012 aldermanic district boundaries.

*Individuals present:*

*Richard Pfaff - LRB Manager*

*Rich Watts - LRB*

**A motion was made by ALD. DAVIS that this Ordinance be RECOMMENDED FOR PASSAGE. This motion PREVAILED by the following vote:**

**Aye** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

29. [110243](#) Resolution relating to legislative bills.

*Individual present:*

*IRD, ADM - Jennifer Gonda*

*Ald. Bohl moved to opposed to AB 219 as it is currently written.*

*Prevailed 4-0 Donovan Exc*

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

**Aye** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

- [110243](#) Substitute resolution relative to various legislative bills.

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

**Aye** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

**Meeting adjourned at 4:39 P.M.**

**Joanna Polanco**

**Staff Assistant**

*This meeting can be viewed in its entirety through the City's Legislative Research  
Center at <http://milwaukee.legistar.com/calendar>.*