



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. Joe Davis, Sr., Ald. Robert Puente, and Ald. Robert
Donovan**

Staff Assistant, Joanna Polanco, 286-2366

Fax: 286-3456, jpolan@milwaukee.gov

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

Tuesday, September 17, 2013

1:30 PM

Room 301-B, 3rd Fl., City Hall

Meeting call to order at 1:47 P.M.

Present 4 - Hamilton, Witkowski, Puente, Donovan

Excused 1 - Davis

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Tuesday, September 17, 2013 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. Witkowski moved the Legislation and Judiciary Committee 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 involve and then will go into open session for the regular agenda.

Roll call:

Ald. Puente, Witkowski, Donovan, Hamilton

Ald. Davis excused

Asst City Atty. Ed Ehrlich

Asst. Atty. Adam Stephens

City Atty Grant Langley

Ald. Perez

Ald. Zielinski

Asst. City Atty Sue Lappen

City Atty Rudolph Konrad

Ald. Bohl

Deputy City Clerk Rebecca Grill

Mayor's Office Clifton Crump

Ald. Kovac

Ald. Dudzik

Ald. Murphy

Asst City Atty Joanna Gibelev

*Asst City Atty Kevin Sullivan
LRB Manager Richard Pfaff
LRB Richard Withers*

Ald. Davis arrived at 1:56 p.m.

At 2:47 p.m.

Ald. Witkowski moved the Judiciary and Legislation Committee go into open session .

Ald. Hamilton, Witkowski, Puente, Davis

Ald. Donovan excused from the meeting

1. [130617](#) Resolution authorizing settlement of the lawsuit entitled Family Worship Center Pentecostal Church of Holiness, Inc., et al. v. See, et al.

Sponsors: THE CHAIR

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, Davis and Puente

No 0

Excused 1 - Donovan

2. [130445](#) Reappointment of Joanne Barndt to the Ethics Board by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

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 Puente

No 0

Excused 1 - Donovan

3. [130636](#) Reappointment of Sheldyn Himle to serve as Chief Court Administrator by Judge Phillip M. Chavez.

Sponsors: THE CHAIR

Appearing:

Sheldyn Himle

Chief Judge Phillip M. Chavez

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 Puente

No 0

Excused 1 - Donovan

4. [130379](#) Resolution relating to an appeal from Jemal Billings for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Ed Ehrlich - Asst City Atty

Jemal Billings - Appelant

Jeff Dellemann - DPW Infrastructure Division

Ald. Davis moved to grant claim in the amount of \$207.06

Failed 2-1

Ald. Witkowski, Donovan excused

Ald. Hamilton and Puente voted no

Ald. Davis voted yes

Ald. Puente moved denial based on city atty testimony.

Prevailed 3-0

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

Aye 2 - Hamilton and Davis

No 1 - Puente

Excused 2 - Witkowski and Donovan

At 3:04 p.m.

Ald. Hamilton was excused for rest of meeting.

5. [130559](#) Resolution relating to the appeal of Rose McClain for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

Based on non appearance, Ald. Puente moved to denial.

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

6. [130560](#) Resolution relating to the appeal of Bruce Narten for property damage. (12th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Ed Ehrlich - Asst City Atty

Mr. Bruce Narten - appellant

Jeff Dellemann - DPW Infrastructure

Based on city attorney and DPW testimony, Ald. Puente moved denial.

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

7. [130530](#) Resolution relating to the appeal of Bernadette Lewis for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Ms. Bernadette Lewis - Appellant

Jeff Delleman - DPW Infrastructure

Ed Ehrlich - Asst City Atty

Based on testimony of city attorney, Ald. Puente moved denial.

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

8. [130529](#) Resolution relating to the appeal of Steven LeMaster for property damage. (4th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Mr. Steven LeMaster - Appellant

Jeff Dellemann - DPW Infrastructure

Ed Ehrlich -Asst City Atty

Based on the city attorney's and DPW's testimony, Ald. Puente moved denial.

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

9. [130483](#) Resolution relating to the appeal of Eudell Harris, Sr. for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

Based on non appearance, Ald. Puente moved to denial.

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

10. [130417](#) Resolution relating to an appeal from Dennis Janczak for property damage.

Sponsors: THE CHAIR

Based on non appearance, Ald. Puente moved to denial.

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

11. [130509](#) Resolution relating to the appeal of Russell Loving for property damage. (15th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Ed Ehrlich - Asst City Atty

Jason Blasiola - Fleet Services

Mr. Russell Loving - appellant

Based on testimony from city attorney and Fleet services division, Ald. Puente moved denial of this claim.

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

12. [130476](#) Resolution relating to the appeal of Ramon Bruzon for loss of property. (8th Aldermanic District)

Sponsors: THE CHAIR

Based on non appearance, Ald. Puente moved to denial.

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

13. [130475](#) Resolution relating to the appeal of Atty. Jeanette Corbett on behalf of Alicia Meier for damages. (14th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Ms. Alicia Meier - Appellant

Ed Ehrlich - Asst City Atty

Based on City Atty testimony, Ald. Puente moved denial.

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

14. [130398](#) Resolution relating to an appeal from Sholem Horowitz for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Mr. Sholem Horowitz - Appellant

Ed Ehrlich - Asst City Atty

Based on city atty testimony, Ald. Puente moved denial.

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

15. [130418](#) Resolution relating to an appeal from LaKesha Ledford for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

Based on non appearance, Ald. Puente moved to denial.

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

16. [130462](#) Substitute resolution amending the 2013-2014 State Legislative Package relating to the establishment of a state facility or facilities to house released sexually violent offenders and to end the program that places them in residential neighborhoods.

Sponsors: Ald. Zielinski

Appearing:

Ald. Zielinski - Sponsor

Ted Medhin - LRB

Ald. Puente moved to amend the current text to include "Further Resolved, That the Common Council supports the establishment of the facility or facilities only in the state's rural communities; and, be it"

Ald. Puente asked to be added as co sponsor.

There were no objections

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

16. [130462](#) Substitute resolution amending the 2013-2014 State Legislative Package relating to the establishment of a state facility or facilities to house released sexually violent offenders and to end the program that places them in residential neighborhoods.

Sponsors: Ald. Zielinski and Ald. Puente

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

Aye 2 - Davis and Puente

No 1 - Witkowski

Excused 2 - Hamilton and Donovan

17. [130538](#)

Resolution authorizing the proper City official to execute an amendment to the contract between the City and Kohn Law Firm, S.C. for the Collection of City Receivables, regarding the fee for collecting delinquent personal and real property tax bills.

Sponsors: THE CHAIR

Appearing:
Jim Klajbor - Deputy City Treasurer

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

18. [130643](#)

Resolution expressing the City of Milwaukee's opposition to recently-enacted anti-gay laws in Russia and calling upon the repeal of such laws.

Sponsors: Ald. Zielinski, Ald. Kovac, Ald. Perez and Ald. Bauman

Appearing:
Ald. Zielinski - Sponsor

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

Aye 2 - Witkowski and Puente

No 0

Excused 2 - Hamilton and Donovan

Abstain 1 - Davis

19. [130647](#)

Communication from City intergovernmental relations staff relating to the portions of the Southeastern Wisconsin Regional Planning Commission's report, Regional Housing Plan for Southeastern Wisconsin 2035, that will be presented to state and federal legislators.

Sponsors: THE CHAIR

Appearing:
Brenda Wood - CC CC IRD

A motion was made by ALD. DAVIS that this Communication be
RECOMMENDED FOR PLACING ON FILE. This motion **PREVAILED** by the
following vote:

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

20. [130101](#) Substitute resolution amending the 2013-2014 state legislative
package relating to disabled parking.

Sponsors: Ald. Murphy

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

21. [130444](#) Resolution relative to legislative bills.

Sponsors: THE CHAIR

Appearing:

Brenda Wood - CC CC IRD

Neil Albrecht - Executive Director of Election Commission

SB-262 Labeling of duplicate ballots

Ald. Puente moved committee takes a position to Support SB-262

3-0

SB-263 Challenging an elector's registration during recount proceedings

Ald. Davis moved committee takes a position to Opposed SB-263

3-0

*SB-266 The procedure for recounting ballots when electors voting in person are
required to sign the poll list and fail to do so*

Ald. Puente moved committee takes a position to Opposed SB-266

3-0

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

Aye 3 - Witkowski, Puente and Donovan

No 0

Excused 2 - Hamilton and Davis

21. [130444](#) Substitute resolution relative to legislative bills.

Sponsors: THE CHAIR

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

Aye 3 - Witkowski, Davis and Puente

No 0

Excused 2 - Hamilton and Donovan

Meeting adjourned at 4:51 p.m.

Joanna Polanco

Staff Assistant

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