



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, Linda Elmer, (414) 286-2232

Fax: (414) 286-3456, E-mail: lelmer@milwaukee.gov

File Specialist: Charlotte Rodriguez, 286-8797, E-mail: crodriguez@milwaukee.gov

Monday, July 21, 2008

1:30 PM

Room 301-B, City Hall

Meeting convened: 1:35 P.M.

Present 5 - Hamilton, Witkowski, Bohl, Davis, Donovan

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, July 21, 2008 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 is rendering advice concerning strategy to be adopted by the City with respect to an item that may be subject to litigation and for the purpose of conferring with the City Attorney who is rendering advice concerning strategy to be adopted by the City with respect for Item #1...Resolution authorizing settlement in the case entitled Morales v. Jones, et al. and Item #2...Resolution authorizing settlement of US Oil v. City, tax assessment case and then will go into open session for the regular agenda.

Ald. Witkowski moved that the Judiciary and Legislation Committee convene into closed session pursuant to s. 19.85(1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who is rendering advice concerning strategy to be adopted by the City with respect to an item that may be subject to litigation and for the purpose of conferring with the City Attorney who is rendering advice concerning strategy to be adopted by the City with respect for Item #1...Resolution authorizing settlement in the case entitled Morales v. Jones, et al. and Item #2...Resolution authorizing settlement of US Oil v. City, tax assessment case and then will go into open session for the regular agenda.

Roll call:

Ayes - Ald. Donovan, Ald. Witkowski, Ald. Hamilton - 3

Excused: Ald. Davis and Ald. Bohl - 2

Ald. Davis arrived during the closed session at 1:37 P.M.

Ald. Bohl arrived during the closed session at 1:38 P.M.

Individuals present:

Miriam Hurwitz, Ellen Tangen and Grant Langley - City Attorney's Office

Steve Mahan - Community Block Grant Administration

Jan Smokowicz - City Attorney's Office

Jim Michalski - Comptroller's Office

1. [080448](#)

Resolution authorizing settlement in the case entitled Morales v. Jones, et al.

Sponsors: THE CHAIR

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

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

No 0

2. [080396](#) Resolution authorizing settlement of US Oil v. City, tax assessment case.

Sponsors: THE CHAIR

Held as no agreement has been reached.

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

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

No 0

2:15 P.M.

3. [080393](#) Resolution canceling a City invoice against Super Excavators.

Sponsors: THE CHAIR

Individual present: Megan Crump - City Attorney's Office

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

4. [080353](#) Resolution approving revised Municipal Court Non-Traffic and Boating Deposit Schedules.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

- 5a. [080418](#) Communication transmitting petitions relating to requiring employers to provide paid sick days for persons they employ in the City of Milwaukee.

Sponsors: THE CHAIR

City staff present:

Ron Leonhardt - City Clerk

Tom Miller - City Attorney's Office

Supporters:

Amy Stear - 9to5

Sheila Cochran - Milwaukee Area Labor Council

Pastor Jeanetta Perry - Calvary Hill Temple

Patricia McManus - Black Health Coalition of Wisconsin

Peter Blewett - Milwaukee Public Schools Board

Mr. Blewett provided a letter for the file.

Jennifer Epps - Good Jobs/Livable Neighborhoods

Paula Pennebaker - YWCA of Greater Milwaukee

Bonnie Brusky - Milwaukee Public Schools/Milwaukee Teachers' Education Association

Sherry Johnson - 9to5

Jayne Montgomery - Campaign Against Violence

David Palmer - 3535 N. 79th St.

Ellen Bravo - 8118 W. Lynmar Terrace

Lisa Craig - 9to5

Larry Miller - 8118 W. Lynmar Terrace

Dennis Oulahan - Milwaukee Teachers' Education Association

Lee Henderson - Coalition of Black Trade Unionist, AFSCME Retiree's Chapter 36, ACLU (Milw. Chapter)

Opponent:

Jaime Maliszewski - 5230 S. 13th St. - RPW, Inc.

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

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

No 0

5b. [080419](#)

Substitute resolution submitting to the electors for approval or disapproval a proposed ordinance requiring employers within the City of Milwaukee to provide paid sick leave to employees.

Sponsors: THE CHAIR

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

Aye 3 - Hamilton, Bohl and Davis

No 1 - Donovan

Abstain 1 - Witkowski

5c. [080420](#)

A substitute ordinance requiring employers within the city to provide paid sick leave to employees.

Sponsors: THE CHAIR

A motion was made by ALD. DAVIS that this Ordinance be RECOMMENDED

FOR PLACING ON FILE. The motion PREVAILED by the following vote:

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

No 0

6. [080255](#) Resolution relative to various legislative bills.

Sponsors: THE CHAIR

Individuals present:

Paul Vornholt - Intergovernmental Relations

Brenda Wood - City Clerk/Common Council

Ald. Witkowski asked that this form be sent to boards and commissions.

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

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

No 0

Roll call taken at 5:00 P.M. (approximately)

Present 4 - Hamilton, Witkowski, Bohl, Davis

Excused 1 - Donovan

7. [080077](#) Substitute resolution expressing City of Milwaukee support for efforts to discontinue federal corn ethanol mandates, cease incentives for corn ethanol production and end tariffs on imported biofuels.

Sponsors: Ald. Bohl

Speakers:

Ann Beier - Office of Environmental Sustainability

Opposed:

Joel Zielke - Steamfitters Local 601

Bob Welch - Wisconsin Corn Growers, Wisconsin Bioindustry Alliance and Renew Energy, LLC

Held rather than being placed on file at the request of the sponsor.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

8. [080456](#) Substitute resolution directing the Department of Administration-Intergovernmental Relations Division to seek introduction and passage of state legislation allowing the collection of neighborhood improvement district special assessments from residential properties containing less than 8 dwelling units.

Sponsors: Ald. Donovan

Will be made part of the legislative package.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

9. [080256](#) Resolution to settle claims for the defense of various police officers.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

Items below will be heard no earlier than 3:00 P.M.:

10. [080359](#) Resolution relating to an appeal from Saint Griffin for property damage. (6th Aldermanic District)

Sponsors: THE CHAIR

Held as claimant not present, but he did speak with staff prior to the meeting.

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

Aye 3 - Hamilton, Witkowski and Bohl

No 0

Excused 2 - Davis and Donovan

11. [080219](#) Resolution relating to the claim of Kickie Coleman for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

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

Aye 3 - Hamilton, Witkowski and Bohl

No 0

Excused 2 - Davis and Donovan

12. [080360](#) Resolution relating to an appeal from Donaven Gauger for property damage. (11th

Aldermanic District)

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

13. [080358](#)

Resolution relating to an appeal from Olivia Green for personal injuries. (15th Aldermanic District)

Sponsors: THE CHAIR

Also present:

Leroy Green - son of the claimant

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

14. [071663](#)

Resolution relating to an appeal from Cleo Theresa Simmons for property damage and loss of property. (1st Aldermanic District)

Sponsors: THE CHAIR

This claim was settled.

A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

Roll call taken at 5:30 P.M.

Present 3 - Witkowski, Bohl, Davis

Excused 2 - Hamilton, Donovan

15. [080364](#)

Substitute resolution relating to an appeal from Alan Peters for loss of property.

Sponsors: THE CHAIR

Settle in the amount of \$1,000

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

Aye 3 - Witkowski, Bohl and Davis

No 0

Excused 2 - Hamilton and Donovan

[080364](#)

Substitute resolution relating to an appeal from Alan Peters for loss of property.

Sponsors: THE CHAIR

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

Aye 3 - Witkowski, Bohl and Davis

No 0

Excused 2 - Hamilton and Donovan

16. [080008](#)

Resolution relating to an appeal from Gregory Liebergen for property damage.

Sponsors: THE CHAIR

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

Aye 3 - Witkowski, Bohl and Davis

No 0

Excused 2 - Hamilton and Donovan

17. [080365](#)

Resolution relating to an appeal from Sharon Mary Theresa Maliszewski for property damage. (14th Aldermanic District)

Sponsors: THE CHAIR

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

Aye 3 - Witkowski, Bohl and Davis

No 0

Excused 2 - Hamilton and Donovan

18. [080366](#)

Resolution relating to an appeal from Rosalee Patrick for property damage.

Sponsors: THE CHAIR

A motion was made by ALD. BOHL that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the

following vote:

Aye 3 - Witkowski, Bohl and Davis

No 0

Excused 2 - Hamilton and Donovan

19. [080363](#)

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

Sponsors: THE CHAIR

Also present:

Ervin and Erven Jackson - children of the claimant

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

Aye 3 - Witkowski, Bohl and Davis

No 0

Excused 2 - Hamilton and Donovan

20. [080367](#)

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

Sponsors: THE CHAIR

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

Aye 3 - Witkowski, Bohl and Davis

No 0

Excused 2 - Hamilton and Donovan

21. [080361](#)

Resolution relating to an appeal from Lynn Brown for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

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

Aye 3 - Witkowski, Bohl and Davis

No 0

Excused 2 - Hamilton and Donovan

22. [080362](#)

Resolution relating to an appeal from Rina Ragsdale for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

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

Aye 3 - Witkowski, Bohl and Davis

No 0

Excused 2 - Hamilton and Donovan

23. [080434](#)

Resolution relating to an appeal from Donna Stanczak for property damage.

Sponsors: THE CHAIR

Held at the request of the claimant.

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

Aye 3 - Witkowski, Bohl and Davis

No 0

Excused 2 - Hamilton and Donovan

Meeting adjourned: 6:13 P.M.

Linda M. Elmer

Staff Assistant

This meeting can be viewed in its entirety in the web-casting archives found at www.milwaukee.gov/channel25.