



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Minutes JUDICIARY & LEGISLATION COMMITTEE

ALD. MICHAEL S. D'AMATO, CHAIR

Ald. Donald F. Richards, Vice Chair

Ald. Marlene E. Johnson-Odom, Ald. Michael J. Murphy,

Ald. Fredrick G. Gordon

Staff Assistant, Kathleen Marquardt, 286-2231,

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

File Specialist, Marian Hartner, 286-3926, E-mail: mhartn@milwaukee.gov

**Italicized comments following the titles of Council files are explanatory only and not intended to limit the scope of the debate or any possible amendments.*

Monday, October 7, 2002

9:00 AM

Room 301-B, City Hall

Present 5 - D'Amato, Richards, Johnson-Odom, Murphy, Gordon

9:00 A.M.; Meeting convened 9:20 A.M.

Ald. Murphy moved that the Judiciary and Legislation Committee convene into closed session pursuant to Section 19.85 (1)(g), Wisconsin Statutes, for the purpose of conferring with the City Attorney who is rendering advice concerning strategy to be adopted by the City with respect to litigation in which the City is involved relative to Item #2 - File Number 020881 - Resolution approving stipulations to resolve proposed litigation by the State of Wisconsin against the City of Milwaukee; and Item #3 - File Number 020896 - Resolution to approve the expenditure of \$9,000 from the Outside Counsel-Expert Witness Fund for expenses for expert witnesses to conduct a study relative to defending the passing point for background investigations for the position of police officers and police aides for the Milwaukee Police Department, and other expenses in connection with current litigation in the case captioned United States of America, et al., v. City of Milwaukee, et al., United States Court Civil Action No. 74-C-480 and then go into open session for the regular agenda.

Roll Call: Ayes: Ald. Murphy, Johnson-Odom, Richards and D'Amato-4.

Noes: 0.

Excused: Ald. Gordon-1.

(Prevailed).

CLOSED SESSION

Ald. Richards moved that the Committee reconvene into open session.

(Prevailed).

1) [020774](#)

Communication from Ald. Michael D'Amato, Chair, Judiciary and Legislation Committee, requesting that the Election Commission prepare a report as to the changes being made for a fair and efficient election process.

Motion by Ald. Richards to Receive and Place of File. Prevailed. Motion by Ald. Murphy to reconsider. Prevailed.

A motion was made by Ald. Murphy that this matter be RECOMMENDED FOR PLACING ON FILE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

9:20 A.M.

2) [020881](#)

Resolution approving stipulations to resolve proposed litigation by the State of Wisconsin against the City of Milwaukee. (City Attorney)

A motion was made by Ald. Murphy that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

3) [020896](#)

Resolution to approve the expenditure of \$9,000 from the Outside Counsel-Expert Witness Fund for expenses for expert witnesses to conduct a study relative to defending the passing point for background investigations for the position of police officers and police aides for the Milwaukee Police Department, and other expenses in connection with current litigation in the case captioned United States of America, et al., v. City of Milwaukee, et al., United States Court Civil Action No. 74-C-480. (City Attorney)

A motion was made by Vice Chair Richards that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 4 - D'Amato, Richards, Johnson-Odom and Murphy

No 0

Excused 1 - Gordon

4) [020849](#)

Resolution relative to the cancellation of weed cutting charges placed on the 2002 Tax Roll.

A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

5) [020819](#)

Resolution relative to the cancellation of weed cutting charges placed on the 2001 Tax Roll. (Sanitation)

A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 6) [020687](#) Communication from the City Attorney's Office transmitting a communication from Pamela Weindling relative to a claim for personal injuries.

A motion was made by Ald. Gordon that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 7) [020812](#) Appeal of Gwenette Anderson relative to a claim for property damage. (7th Aldermanic District)

A motion was made by Ald. Gordon that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

9:30 A.M.

- 8) [020494](#) Appeal of Mike Rybicki relative to a claim for property damage. (11th Aldermanic District)

A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 9) [020810](#) Communication from the City Attorney's Office transmitting a communication from Gail Perla, Property Claim Analyst on behalf of American Family Insurance relative to a claim for property damage.

A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 10) [020814](#) Substitute resolution to settle claim of Annette Patton for property damage.

A motion was made by Ald. Murphy that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 11) [020813](#) Appeal of Joe Rivera relative to a claim for property damage. (7th Aldermanic District)

A motion was made by Vice Chair Richards that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 12) [020816](#) Substitute resolution to settle claim of Mr. and Mrs. George Giles for property damage.

A motion was made by Ald. Gordon that this matter be RECOMMENDED FOR ADOPTION. The motion carried by the following vote:

Aye 3 - D'Amato, Johnson-Odom and Gordon

No 2 - Richards and Murphy

9:45 A.M.

- 13) [020708](#) Appeal of Annetta Winters Howard relative to a claim for property damage. (15th Aldermanic District)

A motion was made by Vice Chair Richards that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 14) [020808](#) Communication from the City Attorney's Office transmitting a communication from Mrs. Willie Sanders relative to a claim for loss of property.

A motion was made by Vice Chair Richards that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 15) [020809](#) Communication from the City Attorney's Office transmitting a communication from Robert Moodie and Thomas Schmitzer on behalf of Raymond and Theresa Markowski relative to a claim for personal injuries.

A motion was made by Vice Chair Richards that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

- 16) [020811](#) Communication from the City Attorney's Office transmitting a communication from Attorney Marcus Sengstock on behalf of Patricia Mary Kubacki relative to a claim for personal injuries.

A motion was made by Ald. Gordon that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

17) [020815](#)

Appeal of Captain Roger Chapman relative to a claim for loss of earnings. (14th Aldermanic District)

A motion was made by Vice Chair Richards that this matter be HELD TO CALL OF THE CHAIR. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

18) [020688](#)

Communication from the City Attorney's Office transmitting a communication from Henry Jackson relative to a claim for property damage.

A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 5 - D'Amato, Richards, Johnson-Odom, Murphy and Gordon

No 0

19) [020483](#)

Communication from the City Attorney's Office transmitting a communication from Atty. Richard Frederick on behalf of Good Hope/Pilgrim Rest Cemetery Corp. relative to a claim for property damage.

A motion was made by Ald. Murphy that this matter be RECOMMEND TO DISALLOW & INDEF. POSTPONE. The motion carried by the following vote:

Aye 4 - D'Amato, Johnson-Odom, Murphy and Gordon

No 1 - Richards

Meeting Adjourned: 11:52 A.M.

*Kathleen M. Marquardt
Staff Assistant*