



# 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**

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**Monday, June 23, 2008**

**1:30 PM**

**Room 301-B, City Hall**

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*Meeting convened: 1:38 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, June 23, 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 Item #1...Resolution authorizing settlement of the claim of Harrison Kern and then will go into open session for the regular agenda.

*Ald. Witkowski moves 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 Item #1...Resolution authorizing settlement of the claim of Harrison Kern and then will go into open session for the regular agenda.*

*Roll call:*

*Ayes - Ald. Davis, Ald. Bohl, Ald. Donovan, Ald. Witkowski and Ald. Hamilton - 5*

*Individuals present:*

*Mary Nell Regan - City Attorney's Office*

*Kim Montgomery - Mayor's Office*

1. [080259](#) Resolution authorizing settlement of the claim of Harrison Kern.

**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

**1:45 P.M.**

2. [080255](#) Resolution relative to various legislative bills.

**Sponsors:** THE CHAIR

*Individuals present:*

*Jennifer Gonda - Intergovernmental Relations*

*Judge Jim Gramling and Kristine Hinrichs - Municipal Court*

*John Ledvina - Budget Office*

*Linda Burke - City Attorney's Office*

*Held so that the differing parties can get together to see if an agreement can be reached.*

**A motion was made by ALD. DONOVAN 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

3. [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

*Jeff Doose - Dept. of Public Works Fleet Services*

*Mike Talarczyk - Legislative Reference Bureau*

*Proposed Substitute A accepted.*

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

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

**No** 0

[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

*Hold one cycle in the hopes that those individuals who were noticed in opposition to this item will attend.*

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

**No** 0

4. [080162](#)

Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2006 tax roll, plus interest applicable to date of repayment, if appropriate.

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

**No** 0

5. [080088](#)

A resolution authorizing cancellation of the City of Milwaukee's subrogation claim against Deborah Wolfram for medical services under the Basic Health Plan.

**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

6. [070993](#)

Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

**Sponsors:** THE CHAIR

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

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

**No** 0

7. [080308](#)

Resolution appropriating funds from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining outside legal counsel in a case involving the Board of Zoning Appeals.

**Sponsors:** Ald. Bauman

*Individuals present:*

*Ald. Robert Bauman*

*Barbara Woldt and Assistant City Attorney Jan Smokowicz - City Attorney*

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

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

**No** 2 - Witkowski and Davis

8. [080256](#)

Resolution to settle claims for the defense of various police officers.

**Sponsors:** THE CHAIR

*Held as there were no claims to pay.*

**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

**Items below will be heard no earlier than 2:00 P.M.:**

9. [080219](#) Resolution relating to the claim of Kickie Coleman for property damage. (1st Aldermanic District)
- Sponsors:** THE CHAIR
- Claimant not present, but had spoken to both the staff assistant and the alderman.*
- 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
10. [080215](#) Resolution relating to the claim of Audrey White for property damage. (9th Aldermanic District)
- Sponsors:** THE CHAIR
- A motion was made by ALD. DONOVAN that this Resolution be RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT. The motion PREVAILED by the following vote:**
- Aye** 5 - Hamilton, Witkowski, Bohl, Davis and Donovan
- No** 0
11. [071663](#) Resolution relating to an appeal from Cleo Theresa Simmons for property damage and loss of property. (1st Aldermanic District)
- Sponsors:** THE CHAIR
- Chris Leseur - driver of the vehicle when it was left in the snowbank*
- Held so that the police department can be present (or can address) whether or not the officer remained with the car until the tow driver arrived.*
- 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
12. [080107](#) Substitute resolution relating to an appeal from William F. Culp for property damage.
- Sponsors:** THE CHAIR
- Grant 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 - Hamilton, Bohl and Donovan

**No** 2 - Witkowski and Davis

**080107**

Substitute resolution relating to an appeal from William F. Culp for property damage.

**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 - Hamilton, Bohl and Donovan

**No** 2 - Witkowski and Davis

*Ald. Donovan excused from the rest of the meeting at 4:00 p.m.*

**Present** 4 - Hamilton, Witkowski, Bohl, Davis

**Excused** 1 - Donovan

13. **080138**

Substitute resolution relating to an appeal from Denise McCaskill for property damage.

**Sponsors:** THE CHAIR

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

**Aye** 2 - Witkowski and Davis

**No** 2 - Hamilton and Bohl

**Excused** 1 - Donovan

*Grant for the full amount (\$281.97).*

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

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

**No** 1 - Witkowski

**Excused** 1 - Donovan

**080138**

Substitute resolution relating to an appeal from Denise McCaskill for property damage.

**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 - Witkowski

**Excused** 1 - Donovan

14. **080214**

Resolution relating to the claim of Steven Chiles, Agent for Afni Insurance Services on

behalf of Thomas & Mary Craine for property damage. (14th Aldermanic District)

**Sponsors:** THE CHAIR

*Claimant not present.*

**A motion was made by ALD. DAVIS 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

15. [080220](#)

Resolution relating to the claim of Jason & Beth Senfleben for property damage. (13th 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** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

16. [080235](#)

Resolution relating to an appeal from Sharon Schnepf 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** 4 - Hamilton, Witkowski, Bohl and Davis

**No** 0

**Excused** 1 - Donovan

17. [080234](#)

Substitute resolution relating to an appeal from Nan Markowski for property damage.

**Sponsors:** THE CHAIR

*Grant in the full amount (\$225.19).*

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

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

**No** 0

Excused 1 - Donovan

[080234](#)

Substitute resolution relating to an appeal from Nan Markowski for property damage.

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

**No** 0

Excused 1 - Donovan

18a. [080223](#)

Resolution relating to the claim of Atty. Mark Wurtz on behalf of Tony and Amy Nice for personal injuries.

**Sponsors:** THE CHAIR

*Claimant not present.*

**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

18b. [080213](#)

Resolution relating to the claim of Betty Carl, Agent for General Casualty on behalf of Tony Nice and Ken Markwardt Sales & Service for personal injuries.

**Sponsors:** THE CHAIR

*Claimant not present.*

**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

18c. [080222](#)

Resolution relating to the claim of Kerry Cartier, Agent for General Casualty on behalf of Ken Markwardt Sales & Service for personal injuries and property damage.

**Sponsors:** THE CHAIR

*Claimant not present.*

**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

*Meeting adjourned: 4:49 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](http://www.milwaukee.gov/channel25).*