



# 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. Robert J. Bauman, Ald. Mark Borkowski, and Ald. T.**  
**Anthony Zielinski**  
**Staff Assistant, Joanna Polanco, 286-2366**  
**Fax: 286-3456, [jpolan@milwaukee.gov](mailto:jpolan@milwaukee.gov)**  
**Legislative Liaison, La-Wanda Fletcher, 286-8661,**  
**[lfletc@milwaukee.gov](mailto:lfletc@milwaukee.gov)**

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Monday, October 26, 2015

1:30 PM

Room 301-B, City Hall

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Meeting called to order at 2:54 P.M.

**Present** 5 - Hamilton, Witkowski, Bauman, Borkowski, Zielinski

1. [150779](#) Resolution authorizing the return of real estate located at 4369 N. 42nd Place in the 7th Aldermanic District to former owner Cheryl Hobbs (Application made by Moriah Properties LLC).

*Appearing:*  
*Karen Taylor - DCD*  
*Emily Mckeown - DNS*  
*Kerry Urban - Treasurer Office*  
*Moriah Properties LLC Atty David Haring*

*2011- 2014 taxes if paid by December 3, 2015*  
*\$15,872.47*

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

**Aye** 3 - Hamilton, Witkowski and Borkowski

**No** 0

**Excused** 2 - Bauman and Zielinski

2. [150780](#) Resolution authorizing the return of real estate located at 3943 N. 77th Street in the 5th Aldermanic District to former owner Darci J. Damrau.

*Appearing:*  
*Karen Taylor - DCD*  
*Emily Mckeown - DNS*  
*Kerry Urban - Treasurer Office*  
*Shawn*  
*Darci*

*2011-2014 Taxes if paid by December 3, 2015*

\$13,104.09

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

3. [150781](#)

Resolution authorizing the return of real estate located at 3513-3515 W. Lloyd Street in the 15th Aldermanic District to former owner Archie Lee Hamilton.

*Appearing:*

*Karen Taylor - DCD*

*Emily Mckeown - DNS*

*Kerry Urban - Treasurer Office*

*Archi Lee Hamilton*

*2012-2014 taxes if paid by December 3, 2015*

*\$5,772.39*

*OTHER PROPERTIES OWNED BY THE APPLICANT:*

*2474 W Hopkins St taxes paid in full*

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

4. [150782](#)

Resolution authorizing the return of real estate located at 3113 W. Clybourn Street in the 4th Aldermanic District to former owner Charmian Graham NKA Penda.

*Appearing:*

*Karen Taylor - DCD*

*Emily Mckeown - DNS*

*Kerry Urban - Treasurer Office*

*Charmian Graham*

*DNS charges for recording fees \$912.60 Due by Noon on Friday, October 30*

*2012-2014 Taxes if paid by December 3, 2015*

*\$6,974.77*

*Ald. Bauman moved to hold file to the call of the chair. In order for the applicant to purchase property back from City.*

*There were no objections.*

*This file was held in order for the property to be set up for a sale.*

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

No 0

5. [150783](#) Resolution authorizing the return of real estate located at 3050 S. 9th Place in the 14th Aldermanic District to former owner Fabian E. Benitez.

*Appearing:*  
*Karen Taylor - DCD*  
*Emily Mckeown - DNS*  
*Kerry Urban - Treasurer Office*  
*Fabian Benitez*

*2012-2014 Taxes if paid by December 3, 2015*  
*\$8,581.33*

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

**Aye** 4 - Hamilton, Witkowski, Borkowski and Zielinski

**No** 0

**Excused** 1 - Bauman

6. [150816](#) Resolution authorizing the return of real estate located at 3228-3230 N. 30th Street in the 7th Aldermanic District to former owner Viola Martin NKA Viola Wade (Application made by Karla Wade).

*Appearing:*  
*Karen Taylor - DCD*  
*Emily Mckeown - DNS*  
*Kerry Urban - Treasurer Office*  
*Karla Wade*

*DNS clean up charges of \$30.42 due by noon on Friday,*  
*October 30*

*2012-2014 Taxes if paid by December 3, 2015*  
*\$8,667.41*

*APPLICANT ALSO HAS OWNERSHIP INTEREST ON*  
*4521 N 24 STREET*  
*taxes paid in full*

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

7. [150867](#) Resolution authorizing the return of real estate located at 8859 N. Swan Road, Unit G in the 9th Aldermanic District to former owner Jorge Olivo-Garcia.

*Appearing:*

*Karen Taylor - DCD*

*Emily Mckeown - DNS*

*Kerry Urban -Treasurer Office*

*Jorge Olivo Garcia*

*Margarita Gutierrez (interpreting for Mr. Garcia)*

*2012-2014 Taxes if paid by December 3, 2015*

*\$3,341.26*

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

8. [150427](#) Substitute resolution authorizing the return of real estate located at 3561 S. 61st Street in the 11th Aldermanic District to its former owner Michael L. Gaertner.

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

9. [150531](#) Substitute resolution authorizing the return of real estate located at 7035 W. Acacia Street in the 9th Aldermanic District to its former owner Dontanian Green.

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

10. [150699](#) Substitute resolution authorizing the return of real estate located at 2060 S. Muskego Avenue in the 8th Aldermanic District to its former owner Lina Koch.

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

11. [150692](#) Substitute resolution authorizing the return of real estate located at 5877 N. 80th Street in the 2nd Aldermanic District to its former owner Rodney & Jean Fischer.

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

12. [150675](#) Resolution relating to the appeal of Bernard Bondar for overpayment of water bills. (3rd Aldermanic District)

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

13. [150569](#) Resolution relating to the appeal of Charles Sharman for property damage. (3rd Aldermanic District)

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

14. [150841](#) Resolution relating to the appeal of Craig and Maribeth Bedford for property damage. (5th Aldermanic District)

*Appearing:*

*Patricia Fricker - ACA*

*Randy Krouse - Forestry*

*Ms. Maribeth Bedford - claimant*

*Based on the City Attorney's and Forestry department testimony, Ald. Witkowski moved denial of this claim.*

*Ald. Witkowski withdrew his motion to denied.*

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

[150841](#)

*Ald. Borkowski moved to pay this claim in the amount of \$500.00*

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

**Aye** 4 - Hamilton, Bauman, Borkowski and Zielinski

**No** 1 - Witkowski

15. [150649](#) Resolution authorizing settlement of lawsuit, Jane Flint v. City of Milwaukee, et al., in the amount of \$52,500.

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

**Aye** 4 - Hamilton, Witkowski, Bauman and Zielinski

**No** 1 - Borkowski

16. [150844](#) Resolution authorizing payment of the claim of WE Energies in the amount of \$5,432.61.

**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, Bauman, Borkowski and Zielinski

**No** 0

17. [150805](#) Resolution authorizing payment of the claim of Reginald Carthen, in the amount of \$3,300.

**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, Bauman, Borkowski and Zielinski

**No** 0

18. [150843](#) Resolution authorizing payment of the claim of Joshua Washington in the amount of \$9,808.50.

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

19. [150819](#) Resolution authorizing payment of the claim of WE Energies in the amount of \$8,665.21.

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

No 0

20. [150788](#) A substitute ordinance relating to the appeal procedure for certain city fees.

**This Ordinance was HELD TO CALL OF THE CHAIR**

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

*Appearing:*  
*Jim Owczarski - City Clerk*

*Ald. Witkowski asked to be added as a co-sponsor*  
*There were no objections.*

**This Ordinance was RECONSIDERED**

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

21. [150423](#) Communication from the City Attorney relating to costs and expenditures associated with litigation and claims alleging police misconduct.

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

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

22. [150897](#) Resolution urging the State of Wisconsin to authorize a surcharge on municipal forfeitures in order to recover the costs of police-worn body cameras.

*Appearing:*  
*Ald. Witkowski - Sponsor*  
*Adam Wickersham - LRB*  
*Chris Ahmuty - American Civil Liberties Union*  
*Jennifer Gond - IRD Director*

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

**Aye** 4 - Witkowski, Bauman, Borkowski and Zielinski

**No** 1 - Hamilton

23. [150561](#) Resolution relative to legislative bills.

*Appearing:*  
*Kim Montgomery - IRD*  
*Paulina De Haan - IRD*  
*Jennifer Gonda - IRD Director*

*Ald. Zielinski moved committee take a position to OPPOSE:*  
*There were no objections*  
*--- AB-349/SB-263 Relating to: applying financial accountability provisions that currently apply to certain tax incremental districts to all tax incremental districts created by a city or village.*

*IRD recommendation is for committee to OPPOSED this AB-340/SB-248*  
*Ald. Zielinski moved that this committee DOES NOT take a position at this time*  
*-- AB-340/SB-248 Relating to: strip searches of certain detained persons.*

*Ald. Witkowski moved committee take a position to SUPPORT contingent upon the police department's recommendations are included*  
*Ald. Borkowski and Zielinski voted no*  
*--- AB-378/SB-280 Relating to: the age at which a person who is alleged to have violated a criminal law, a civil law, or a municipal ordinance and who has not been charged with certain violent offenses, and has not, after previously being convicted of a crime or adjudicated delinquent, been charged with a crime or alleged in a complaint or citation to have violated a civil law or municipal ordinance, is subject to juvenile court jurisdiction.*

**This Resolution was SUBSTITUTED**

**Aye** 5 - Hamilton, Witkowski, Bauman, Borkowski and Zielinski

**No** 0

[150561](#)

Substitute resolution relating to legislative bills.

**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, Bauman, Borkowski and Zielinski

**No** 0

**The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, October 26, 2015 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 committee go into closed session.*

*Roll call*  
*Ald. Bauman*  
*Ald. Borkowski*  
*Ald. Witkowski*

*Ald. Hamilton*

*Deputy City Attorney, Miriam Horwitz  
Adam Stephens  
Vincent Moschella  
Allison Flannigan  
Steve Miner - Assessor's office  
Peter Bronek - Assesor's Office  
Jackie Carter -nBudget Office  
Deputy Inspector Michael Brunson - MPD  
Jason Shunk - License Division  
Ald. Kovac*

**Meeting adjourned at 5:13 P.M.**

**This meeting will be webcast live at [www.milwaukee.gov/channel25](http://www.milwaukee.gov/channel25).**

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