



# City of Milwaukee

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

## Meeting Minutes

### JUDICIARY & LEGISLATION COMMITTEE

**ALD. MICHAEL J. MURPHY, CHAIR**

*Ald. Cavalier Johnson, Vice-Chair*

*Ald. Robert J. Bauman, Ald. Mark A. Borkowski, and Jose G. Perez*

**Staff Assistant, Joanna Polanco, 286-2366**

**Fax: 286-3456, [jpolan@milwaukee.gov](mailto:jpolan@milwaukee.gov)**

**Legislative Liaison, Jeffrey Osterman, 286-2262,  
[joster@milwaukee.gov](mailto:joster@milwaukee.gov)**

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Monday, January 30, 2017

9:00 AM

Room 301-B, City Hall

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Meeting convened at 9:00 AM

**Present** 4 - Murphy, Johnson, Borkowski, Perez

**Excused** 1 - Bauman

1. [161298](#) Resolution providing for continuance of deferred payment of assessments for worthy indigent resident property owners and appropriating funds for this purpose with the City cost to be \$615.75 with a six-year total of the deferred properties being \$8,543.10.

**Sponsors:** THE CHAIR

*Appearing:*  
*Mary Dziewiontkoski*

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

**Aye** 3 - Murphy, Johnson and Borkowski

**No** 0

**Excused** 2 - Bauman and Perez

2. [161297](#) Resolution deferring payments of the special assessments and appropriating funds for this purpose.

**Sponsors:** THE CHAIR

*Appearing:*  
*Mary Dziewiontkoski*

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

**Aye** 3 - Murphy, Johnson and Borkowski

No 0

Excused 2 - Bauman and Perez

Ald. Perez arrived at 9:17 am

3. [161103](#) Resolution relating to the appeal of Frank Johnson for property damage. (15th Aldermanic District)

**Sponsors:** THE CHAIR

*Appearing:*

*Patricia Fricker - ACA*

*Mr. Frank Johnson*

*Gerard Washington - Asst Chief MFD*

*Notwithstanding the recommendation of the City Attorney and City department's testimony, Ald. Borkowski moved this appeal be paid in the amount of \$1,500.00*

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

**Aye** 2 - Johnson and Borkowski

**No** 1 - Murphy

**Excused** 1 - Bauman

**Abstain** 1 - Perez

- [161103](#) Substitute resolution relating to an appeal from Frank Johnson for property damage.

**Sponsors:** THE CHAIR

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

**Aye** 2 - Johnson and Borkowski

**No** 1 - Murphy

**Excused** 1 - Bauman

**Abstain** 1 - Perez

4. [161167](#) Resolution relating to the appeal of Richard D'Aloia, agent for 5th Ward Partners LLC, for property damage. (12th Aldermanic District)

**Sponsors:** THE CHAIR

*Appearing:*

*Patricia Fricker - ACA*

*Mr. Richard D'Aloia*

*Tom Pechacek - Electrical Services*

*Brian Peksa - Electrical Services*

*Based on City Attorney's recommendations, Ald. Murphy moved denial of this claim.*

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

**Aye** 3 - Murphy, Johnson and Borkowski

**No** 1 - Perez

**Excused** 1 - Bauman

5. [161263](#) Resolution relating to the appeal of Tonnie Tolliver for loss of property. (15th Aldermanic District)

**Sponsors:** THE CHAIR

*Appearing:*

*Patricia Fricker - ACA*

*Srgt. Christopher Marshall - MPD*

*Mr. Tonnie Tolliver*

*Based on City Attorney's recommendations and MPD testimony, Ald. Borkowski moved denial of this appeal.*

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

**Aye** 4 - Murphy, Johnson, Borkowski and Perez

**No** 0

**Excused** 1 - Bauman

6. [161158](#) Substitute resolution authorizing the return of real estate located at 4473-4473A N. 76th Street, in the 5th Aldermanic District to its former owner Willye Banks.

**Sponsors:** THE CHAIR

*Ms. Banks requested this item be held until further notice.*

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

**Aye** 4 - Murphy, Johnson, Borkowski and Perez

**No** 0

**Excused** 1 - Bauman

7. [160979](#) Substitute resolution authorizing the return of real estate located at 2862 N. 51st Street, in the 7th Aldermanic District to its former owner Jerry Vang.

**Sponsors:** THE CHAIR

*Appearing:*  
Karen Taylor - DCD  
Emily McKeown - DNS  
kerry Urban - Treasurer Office

2014-2016 taxes if paid by February \$10,155.45 if paid by March 9, 2017 \$10,290.02

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

**Aye** 4 - Murphy, Johnson, Borkowski and Perez

**No** 0

**Excused** 1 - Bauman

8. [160997](#) Substitute resolution authorizing the return of real estate located at 2843 N. 23rd Street, in the 15th Aldermanic District to its former owner Rebecca N. Hunter.

**Sponsors:** THE CHAIR

*Appearing:*  
Karen Taylor - DCD  
Emily McKeown - DNS  
Kerry Urban - Treasurer Office

2013-2016 taxes if paid by February \$7,611.70 if paid by March 9, 2017 \$7,691.37

*Other properties owned by applicant*  
2505 N 36th St protected under bankruptcy

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

**Aye** 4 - Murphy, Johnson, Borkowski and Perez

**No** 0

**Excused** 1 - Bauman

9. [161237](#) Resolution authorizing the return of real estate located at 716 S. 7th Street, in the 12th Aldermanic District, to former owners Joseph Padron Sr. and Angelica Padron.

**Sponsors:** THE CHAIR

*Appearing:*  
Karen Taylor - DCD  
Emily McKeown - DNS  
Treasurer Office - Kerry Urban

DNS charges Reinspection fees \$1,014.40

2013-2016 if paid by February \$14,674.35 if paid by March 9, 2017 \$14,859.71

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

**Aye** 4 - Murphy, Johnson, Borkowski and Perez

**No** 0

**Excused** 1 - Bauman

**10.** [161232](#)

Resolution authorizing the return of real estate located at 7802 W. Beechwood Avenue, in the 9th Aldermanic District, to former owner Kinamonique Jenkins.

**Sponsors:** THE CHAIR

*Appearing:*

*Karen Taylor - DCD*

*Emily McKeown - DNS*

*Treasurer Office - Kerry Urban*

*2013-2016 if paid by February \$16,445.34 if paid by March 9, 2017 \$16,648.34*

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

**Aye** 3 - Murphy, Johnson and Borkowski

**No** 0

**Excused** 2 - Bauman and Perez

**11.** [161233](#)

Resolution authorizing the return of real estate located at 4925 N. 36th Street, in the 1st Aldermanic District, to former owner Martel C. Scott.

**Sponsors:** THE CHAIR

*Appearing:*

*Karen Taylor - DCD*

*Emily McKeown - DNS*

*Kerry Urban - Treasurer Office*

*2013-2016 taxes if paid by February \$12,843.53 if paid by March 9, 2017 \$12,990.18*

*Other properties owned by applicant:*

*5248 N 51 BLVD PIF*

*48480N 36th St PID*

*4841 N Mother Daniels Way PID*

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

**Aye** 3 - Murphy, Johnson and Borkowski

**No** 0

**Excused** 2 - Bauman and Perez

12. [161231](#) Resolution authorizing the return of real estate located at 4831-A N. Mother Daniels Way, in the 1st Aldermanic District, to former owner Martel C. Scott

**Sponsors:** THE CHAIR

*Appearing:*

*Karen Taylor - DCD*

*Emily McKeown - DNS*

*Kerry Urban - Treasurer Office*

*2013-2016 taxes if paid by February \$16,048.55 if paid by March 9, 2017 \$16,231.16*

*Other properties owned by applicant*

*5248 N 51 BLVD PIF*

*48480N 36th St PID*

*4841 N Mother Daniels Way PID*

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

**Aye** 3 - Murphy, Johnson and Borkowski

**No** 0

**Excused** 2 - Bauman and Perez

13. [161228](#) Resolution authorizing the return of real estate located at 4839 N. Sherman Boulevard, in the 1st Aldermanic District, to former owner Carolyn A. Allen.

**Sponsors:** THE CHAIR

*Appearing:*

*Karen Taylor - DCD*

*Emily Mckeown - DNS*

*Treasurer - Kerry Urban*

*DNS charges on other properties owned by the applicant*

*2822 N 9th St \$1,760.70*

*6674 N 43rd St \$2,053.35*

*\$3,814.05 need to be paid by 2/6/17*

*2012-2016 taxes if paid by February \$12,226.04 if paid by March 9, 2017 \$12,360.51*

*Other properties owned by the applicant*

*7449 N 86th St PIF*

*6674 N 43rd St PIF*

*2822 N 9th 2016 installment*

*3161 W Drury Lane PIF*

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

**Aye** 4 - Murphy, Johnson, Borkowski and Perez

**No** 0

**Excused** 1 - Bauman

14. [161223](#)

Resolution authorizing the return of real estate located at 5865 N. 75th Street, in the 2nd Aldermanic District, to former owner Christ Tabernacle Church of God in Christ, Inc. (Application made by James Bufford, authorized representative).

**Sponsors:** THE CHAIR

*Appearing:*

*Karen Taylor - DCD*

*Emily Mckeown - DNS*

*Kerry Urban - Treasurer*

*Mr. Bufford*

*2013-2016 Taxes if paid by February \$9,983.18 if paid by March 9, 2017 \$4,023.12*

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

**Aye** 4 - Murphy, Johnson, Borkowski and Perez

**No** 0

**Excused** 1 - Bauman

15. [160998](#)

Substitute resolution authorizing the return of real estate located at 3933-3935 N. Teutonia Avenue, in the 6th Aldermanic District to its former owner Alexander Echols.

**Sponsors:** THE CHAIR

*Appearing:*

*Karen Taylor - DCD*

*Emily Mckeown - DNS*

*Treasurer - Kerry Urban*

*2013-2016 taxes if paid by February \$16,785.41 if paid by March 9, 2017 \$16,974.41*

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

**Aye** 4 - Murphy, Johnson, Borkowski and Perez

**No** 0

**Excused** 1 - Bauman

16. [161220](#)

Substitute resolution authorizing the return of real estate located at 921-923 W. Clarke Street, in the 15th Aldermanic District to its former owner Wacheyne Evans.

**Sponsors:** THE CHAIR

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

*DNS Reinspection fees \$2,940.60*

*2013-2016 taxes if paid by February \$9,113.98 if paid by March 9, 2017 \$9,220.68*

*Other properties owned by by the applicant:*  
916 W Clarke St 2014-2016 outstanding (2017-2)  
2014 bill totals \$1,377.52  
2015 bill totals \$5,100.26  
2016 bill totals \$8,460.73  
Grand Total \$14,938.51

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

**Aye** 4 - Murphy, Johnson, Borkowski and Perez

**No** 0

**Excused** 1 - Bauman

17. [161270](#)

Resolution urging the State Legislature to pass legislation requiring municipal assessors to use the comparable sale method of valuation when establishing property tax evaluations.

**Sponsors:** Ald. Johnson, Ald. Witkowski and Ald. Murphy

*Ald. Johnson Sponsor*  
*Jennifer Gonda - IRD*

*Ald. Murphy requested to be co-sponsor. There were no objections.*

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

**Aye** 4 - Murphy, Johnson, Borkowski and Perez

**No** 0

**Excused** 1 - Bauman



The Judiciary and Legislation Committee may convene into closed session on Monday, January 30, 2017 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. Johnson moved committee goes into Closed Session*

18. [161324](#) Resolution authorizing payment of the claim of William Wilson, in the amount of \$25,000.

**Sponsors:** THE CHAIR

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

**Aye** 4 - Murphy, Johnson, Borkowski and Perez

**No** 0

**Excused** 1 - Bauman

19. [161309](#) Resolution authorizing settlement of claims in the Wisconsin Equal Rights Division charge entitled Rodney Lynk v. City of Milwaukee, in the amount of \$21,500.

**Sponsors:** THE CHAIR

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

**Aye** 4 - Murphy, Johnson, Borkowski and Perez

**No** 0

**Excused** 1 - Bauman

20. [161272](#) Resolution authorizing settlement of the lawsuit entitled The Catholic Mutual Relief Society of America, et al. v. City of Milwaukee, for the total amount of \$25,000.

**Sponsors:** THE CHAIR

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

**Aye** 3 - Murphy, Johnson and Borkowski

**No** 1 - Perez

**Excused** 1 - Bauman

21. [161350](#) Resolution authorizing settlement of claims in the lawsuit entitled Naythan A. Schwab v. Milwaukee Police Department, et al, for the total amount of \$7,500.

**Sponsors:** THE CHAIR

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

**Aye** 4 - Murphy, Johnson, Borkowski and Perez

**No** 0

**Excused** 1 - Bauman

22. [161305](#) Resolution to approve settlement agreement in the matter of Williams v. City of Milwaukee, in the amount of 50,000.

**Sponsors:** THE CHAIR

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

**Aye** 4 - Murphy, Johnson, Borkowski and Perez

**No** 0

**Excused** 1 - Bauman

23. [161352](#) Resolution authorizing settlement of claims in the lawsuit entitled Iema Lemons v. City of Milwaukee, et al, for the total amount of \$2,500,000.

**Sponsors:** THE CHAIR

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

**Aye** 3 - Murphy, Johnson and Perez

**No** 1 - Borkowski

**Excused** 1 - Bauman

**Meeting adjourned at 11:39 AM**

**Joanna Polanco**

**Staff Assistant**

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

**In the event that Common Council members who are not members of this committee attend this meeting, this meeting may also simultaneously constitute a meeting of the Common Council or any of the following committees: Community and Economic Development, Finance and Personnel, Judiciary and Legislation, Licenses, Public Safety, Public Works, Zoning, Neighborhoods & Development, and/or Steering and Rules. Whether a simultaneous meeting is occurring depends on whether the presence of one or more of the Common Council member results in a quorum of the Common Council or any of the above committees, and, if there is a quorum of another committee, whether any agenda items listed above involve matters within that committee's realm of authority. In the event that a simultaneous meeting is occurring, no action other than information gathering will be taken at the simultaneous meeting.**

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