



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, January 12, 2009

1:30 PM

Room 301-B, City Hall

Meeting convened: 1:42 P.M.

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

1. [081224](#) Appointment of Daniel Sweeney to the Board of Assessment by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

Individuals present:

Mary Dziewiontkowski - Dept. of Public Works

Ald. Nik Kovac

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

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

No 0

2. [081231](#) Appointment of George Williams to the Equal Rights Commission by the Mayor. (9th Aldermanic District)

Sponsors: THE CHAIR

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

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

No 0

3. [081230](#) Appointment of Ray Vahey to the Equal Rights Commission by the Mayor. (4th Aldermanic District)

Sponsors: THE CHAIR

Also present:

Ald. Nik Kovac

Maria Monteagudo - Dept. of Employee Relations

Leslie Silletti - Mayor's Office

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

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

No 0

4. [081229](#) Appointment of Chris Her-Xiong to the Equal Rights Commission by the Mayor. (8th Aldermanic District)

Sponsors: THE CHAIR

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

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

No 0

5. [081227](#) Appointment of Michael Barndt to the Equal Rights Commission by the Mayor. (3rd Aldermanic District)

Sponsors: THE CHAIR

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

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

No 0

6. [081184](#) Substitute resolution providing granting of deferred payments of the special assessments for William Neal, Jr., 4437-4441 North 25th Street, in the 1st Aldermanic District, and appropriating funds for this purpose with the 2008 payment of \$587.47 with a six-year total of \$3,708.92; Rhonda Sprewer, 4780 North 42nd Street, in the 7th Aldermanic District, and appropriating funds for this purpose with the 2008 payment of \$368.22, with a six-year total of \$2,023.82; and Nicole Toombs, 3370 North 36th Street, in the 7th Aldermanic District, and appropriating funds for this purpose with the 2008 payment of \$351.04, with a six-year total of \$1,929.44.

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

7. [081183](#) Substitute 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 \$821.95 with a six-year total of the deferred properties being \$10,876.56.

Sponsors: THE CHAIR

The department will do a substitute that includes the addresses.

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

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

No 0

[081183](#)

Substitute 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 \$821.95 with a six-year total of the deferred properties being \$10,876.56.

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

8. [081140](#)

Resolution authorizing cancellation of the City of Milwaukee's subrogation claim against David Stephens for medical services under the Basic Health Plan.

Sponsors: THE CHAIR

*Ald. Witkowski moved to hold as the City Attorney's Office was not present.
This item was heard at 2:30 p.m. when the City Attorney's Office was present.*

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

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

No 0

9. [080681](#)

Substitute resolution to settle claims of Cermele & Associates for defense of various police officers.

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

10. [081161](#)

Resolution appropriating up to \$850,000 from the 2009 Common Council Contingent Fund to the Remission of Taxes Fund for settlement of a lawsuit by Walgreen Co. against the City of Milwaukee regarding 2006 and 2007 tax assessments.

Sponsors: THE CHAIR

*Individuals present:
Vince Moschella - City Attorney's Office
Mary Reavey - Assessor's Office*

Jennifer Gonda - Intergovernmental Relations

A motion was made by ALD. WITKOWSKI that this Resolution be RECOMMENDED FOR ADOPTION AND ASSIGNED TO the FINANCE & PERSONNEL COMMITTEE . The motion PREVAILED by the following vote:

Aye 4 - Hamilton, Witkowski, Bohl and Donovan

No 1 - Davis

1:45 P.M.

11. [080255](#) Resolution relative to various legislative bills.

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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

12. [081213](#) Substitute resolution directing the Intergovernmental Relations Division - Department of Administration to lobby the Board of Regents of the University of Wisconsin System to locate the University of Wisconsin-Milwaukee's College of Engineering and Applied Sciences, and future student residence halls, within downtown Milwaukee.

Sponsors: Ald. Bauman, Ald. Kovac and Ald. Bohl

Ald. Bohl added as a co-sponsor.

Proposed Substitute A accepted.

SUBSTITUTED

- [081213](#) Substitute resolution directing the Intergovernmental Relations Division - Department of Administration to lobby the Board of Regents of the University of Wisconsin System to locate the University of Wisconsin-Milwaukee's College of Engineering and Applied Sciences, and future student residence halls, within downtown Milwaukee.

Sponsors: Ald. Bauman, Ald. Kovac and Ald. Bohl

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 1 - Donovan

13. [081216](#) Resolution relating to introduction of state legislation to permit use of Tax Incremental District funds to finance infrastructure improvements citywide.

Sponsors: Ald. Bohl

Held as a title-only file

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

14. [081217](#)

Resolution urging the State of Wisconsin to allocate a portion of the state gasoline tax on gasoline sold in the City of Milwaukee to fund infrastructure improvements citywide.

Sponsors: Ald. Bohl

Held as a title-only file

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

15. [081211](#)

Resolution urging the Wisconsin State Legislature to prohibit expenditure of revenue from the State Recycling Fund for other than recycling-related purposes.

Sponsors: Ald. Dudzik

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

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

No 0

16. [081249](#)

Communication from David Riemer of Community Advocates Public Policy Institute relating to the Institute's report, "On Ending Poverty in Wisconsin."

Sponsors: THE CHAIR

A motion was made by ALD. BOHL 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

Items below will be heard no earlier than 2:15 P.M.:

17. [081138](#)

Resolution relating to the claim of Debra Cerniglia for property damage. (11th 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 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

No 0

18. [081208](#) Resolution relating to an appeal from A. C. Anderson for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

Also present: Beverly Anderson, wife of the claimant

A motion was made by ALD. WITKOWSKI 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

19. [080896](#) Resolution relating to the claim of CJD Moving Systems, Inc. for property damage.

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

20. [081178](#) Resolution relating to an appeal from Eddie Hawkins for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

Held until the claimant provides a receipt for the damages.

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

21. [081177](#) Resolution relating to an appeal from Ella Grant 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

Roll call taken at 4:37 P.M.

Present 4 - Hamilton, Witkowski, Bohl, Davis

Excused 1 - Donovan

22. [081176](#) Resolution relating to an appeal from Christine Nemeth for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

Held as additional information provided by the brother of the claimant.

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

The following files may be placed on file as no longer needed:

23. [031394](#) Resolution directing the Budget and Policy Division - Department of Administration to seek introduction and passage of state legislation permitting the appointment by the Mayor of city department and division heads to serve 4-year terms coterminous with the Mayor's term of office.

Sponsors: Ald. Witkowski

A motion was made by ALD. BOHL 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

24. [061450](#) Substitute resolution directing the Intergovernmental Relations Division-Department of Administration to seek a change in state legislation governing the Southeastern Wisconsin Regional Transit Authority.

Sponsors: Ald. Bauman

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

25. [070427](#) Resolution relating to state enabling legislation to allow local governments to create and finance regional transit authorities.

Sponsors: Ald. Bauman

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

26. [070456](#) Resolution supporting, with certain conditions, 2007 Wisconsin Senate Bill 150, relating to prohibition against smoking.

Sponsors: Ald. Bauman

A motion was made by ALD. BOHL 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

27. [070562](#) Resolution supporting introduction and passage of state legislation authorizing the Wisconsin Housing and Economic Development Authority (WHEDA) to issue bonds and to establish a fund and program for refinancing of residential property loans at risk of foreclosure.

Sponsors: Ald. Bauman

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

28. [070748](#) Resolution reserving and appropriating up to \$10,000 from the Special Purpose Account - Outside Counsel/Expert Witness Fund for the purpose of retaining the law firm of Attorney David R. Halbrooks in nuisance property proceedings relating to parcels at 822, 832, and 845 N. 25th St. and 2408 W. Kilbourn Ave.

Sponsors: Ald. Bauman

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

29. [071509](#) Resolution authorizing in-rem foreclosure of properties at 2835 W. Kilbourn Avenue, 2841 W. Highland Boulevard and 2809 W. Highland Boulevard.

Sponsors: Ald. Bauman

A motion was made by ALD. BOHL 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

30. [080339](#)

Resolution relating to the proposed relocation of the U.S. Postal Service mail processing facility from Downtown Milwaukee to Oak Creek.

Sponsors: Ald. Coggs

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

Meeting adjourned: 4:48 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.