



# 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*

*Staff Assistant, Linda Elmer, (414) 286-2232*

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Monday, February 2, 2009

1:30 PM

Room 301-B, City Hall

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*Meeting convened: 1:30 P.M.*

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

**Excused** 1 - Davis

**The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, February 2, 2009 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 with respect to Item #1...Resolution authorizing settlement of the lawsuit entitled Lovell A. Harris v. City of Milwaukee, et al., for the total amount of \$150,000; Item # 2... Resolution to approve settlement agreement in the matter of John M. Kastner v. City of Milwaukee; Item #3...Resolution approving and authorizing the settlement of a judgment against KSB Construction & Development LLC for property located at 3345 N. 6th Street; and Item #4...Communication from various city departments relating to the recent court decision, Metropolitan Associates v. City of Milwaukee, concerning appeals of property assessments; and then will go into open session for the rest of the agenda.**

*Ald. Witkowski moved 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 with respect to Item #1...Resolution authorizing settlement of the lawsuit entitled Lovell A. Harris v. City of Milwaukee, et al., for the total amount of \$150,000; Item # 2... Resolution to approve settlement agreement in the matter of John M. Kastner v. City of Milwaukee; Item #3...Resolution approving and authorizing the settlement of a judgment against KSB Construction & Development LLC for property located at 3345 N. 6th Street; and Item #4...Communication from various city departments relating to the recent court decision, Metropolitan Associates v. City of Milwaukee, concerning appeals of property assessments; and then will go into open session for the rest of the agenda.*

*Roll call:*

*Ayes: Ald. Bohl, Ald. Donovan, Ald. Witkowski and Ald. Hamilton - 4*

*Individuals present:*

*Rudy Konrad, Sue Lappen, Miriam Hurwitz, Vince Moschella and Megan Crump - City Attorney's Office*

*Kim Montgomery - Mayor's Office*

*Richard Paur - for Item #2*

*Robert Potrzebowski - Kohn Law Firm - Item #3*

*Jennifer Gonda - Intergov. Relations - Item #4*

*Mary Reavey and Peter Weissenfluh - Item #4*

*Ald. Davis arrived during the closed session at 1:43 P.M.*

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

1. [081308](#) Resolution authorizing settlement of the lawsuit entitled Lovell A. Harris v. City of Milwaukee, et al., for the total amount of \$150,000.

**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 Davis

**No** 0

**Excused** 2 - Witkowski and Donovan

2. [081333](#) Substitute resolution to approve settlement agreement in the matter of John M. Kastner v. City of Milwaukee, Case No. CR200602633, Equal Rights Division, Department of Workforce Development for the State of Wisconsin.

**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** 0

**Excused** 2 - Witkowski and Donovan

3. [081324](#) Resolution approving and authorizing the settlement of a judgment against KSB Construction & Development LLC for property located at 3345 N. 6th Street.

**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 Davis

**No** 0

**Excused** 2 - Witkowski and Donovan

4. [081380](#) Communication from various city departments relating to the recent court decision, Metropolitan Associates v. City of Milwaukee, concerning appeals of property assessments.

**Sponsors:** THE CHAIR

**A motion was made by ALD. DAVIS that this Communication-Report be**

**RECOMMENDED FOR PLACING ON FILE. The motion PREVAILED by the following vote:**

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

**No** 0

**Excused** 2 - Witkowski and Donovan

**2:15 P.M.**

5. [081228](#) Appointment of Genyne Edwards to the Equal Rights Commission by the Mayor. (7th 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

6. [081359](#) Appointment of Renee Taylor to the Equal Rights Commission by the Mayor. (4th 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

7. [080255](#) Substitute resolution relative to various legislative bills.

**Sponsors:** THE CHAIR

*Individuals present:*

*Jennifer Gonda - Intergov. Relations Division*

*Brenda Wood - Common Council/City Clerk*

*Adam Stephens - City Attorney's Office*

*Karin Long - Dept. of Neighborhood Services Landlord Training Program*

*Ald. Davis moved for opposition. Prevailed. 5-0*

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

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

**No** 0

- [080255](#) Substitute resolution relative to various legislative bills.

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

**No** 0

8. [081261](#) Resolution canceling a City invoice against Gerald Dietsche 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** 4 - Hamilton, Witkowski, Bohl and Donovan

**No** 0

**Excused** 1 - Davis

9. [081060](#) 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. WITKOWSKI that this Communication be HELD TO CALL OF THE CHAIR. The motion PREVAILED by the following vote:

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

**No** 0

**Excused** 1 - Davis

10. [081289](#) Resolution appropriating up to \$174,647.95 from the 2009 Common Council Contingent Fund to the Remission of Taxes Fund for settlement of three lawsuits against the City of Milwaukee regarding 2006, 2007 and 2008 tax assessments.

**Sponsors:** THE CHAIR

*Individuals present:*

*Vince Moschella - City Attorney's Office*

*Mary Reavey - Assessor's Office*

*Ald. Davis moved to hold. Withdrawn.*

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

11. [081281](#) 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

12. [081377](#) A substitute ordinance amending the authority of the administrative review appeals board with respect to jurisdiction.

**Sponsors:** Ald. Bauman

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

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

**No** 1 - Davis

13. [060638](#) Communications from various departments relative to recommendations of the Outstanding Debt Task Force.

**Sponsors:** THE CHAIR

*Individuals present:*  
*Kristine Hinrichs - Municipal Court*  
*Linda Burke - City Attorney's Office*  
*Cindy Angelos - Dept. of Public Works*  
*Jennifer Gonda - Intergov. Relations*  
*Mike Daun - Comptroller*  
*Jim Klajbor - Treasurer*

*Send a notice to MPD to appear at the next meeting.*

**A motion was made by ALD. WITKOWSKI that this Communication-Report 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 3:00 P.M.:**

14. [081257](#) Resolution relating to an appeal from Felecia McIntosh for property damage. (1st Aldermanic District)

**Sponsors:** THE CHAIR

*Denied based on non-appearance.*

**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

15. [081238](#)

Resolution relating to the claim of Deslie Lawrence for property damage. (2nd Aldermanic District)

**Sponsors:** THE CHAIR

*Individuals present:*

*Nancy Worbleski - Dept. of Public Works, Sewer Maintenance*

*Att. Rudy Puss*

*Deslie Lawrence, claimant*

**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

16. [081240](#)

Resolution relating to the claim of Judy Byrnes for personal injuries. (4th 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

17. [081254](#)

Resolution relating to an appeal from Atty. Jacques Mann on behalf of Frankie Barnes for personal injuries and damages. (1st Aldermanic District)

**Sponsors:** THE CHAIR

*Individual present: Att. Jacques Mann*

**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

18. [081258](#)

Resolution relating to an appeal from Robert Skalla for property damage and lost wages.

**Sponsors:** THE CHAIR

*Held at the request of the claimant.*

**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

19. [081259](#)

Resolution relating to an appeal from Patty Eggers for property damage. (14th Aldermanic District)

**Sponsors:** THE CHAIR

*Held at the request of the claimant.*

**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

20. [081178](#)

Resolution relating to an appeal from Eddie Hawkins for property damage. (5th Aldermanic District)

**Sponsors:** THE CHAIR

*Ald. Bohl moves to grant in the amount of \$670.80. Withdrawn.*

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

**Aye** 3 - Witkowski, Davis and Donovan

**No** 2 - Hamilton and Bohl

21. [081176](#)

Resolution relating to an appeal from Christine Nemeth for property damage. (5th Aldermanic District)

**Sponsors:** THE CHAIR

*Denied based on non-appearance.*

**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

22. [081260](#)

Resolution relating to an appeal from Isaiah Bowie, Jr. for property damage. (1st Aldermanic District)

**Sponsors:** THE CHAIR

*Held at the request of the claimant.*

**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

23. [081255](#) Resolution relating to an appeal from Mamie Ward-Wilson for property damage. (9th Aldermanic District)

**Sponsors:** THE CHAIR

*Denied based on non-appearance.*

**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

24. [081256](#) Resolution relating to an appeal from William and Margaret Martin for property damage. (1st 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

25. [081277](#) Resolution relating to the claim of Tom Cravillion for property damage.

**Sponsors:** THE CHAIR

**A motion was made by ALD. DAVIS 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

26. [081011](#) Resolution relating to an appeal from Stephanie Jacocks for property damage.

**Sponsors:** THE CHAIR

**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

*Meeting adjourned: 5:21 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).*



