



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Minutes

JUDICIARY & LEGISLATION COMMITTEE

ALD. MARK A. BORKOWSKI, CHAIR

Ald. Cavalier Johnson, Vice-Chair

Ald. Robert Bauman, Ald. T. Anthony Zielinski, and Ald. Nikiya Dodd

Staff Assistant, Joanna Polanco, 286-2366

Fax: 286-3456, jpolan@milwaukee.gov

**Legislative Liaison, Jeffrey Osterman, 286-2262,
joster@milwaukee.gov**

Monday, April 29, 2019

1:30 PM

Room 301-B, City Hall

4/25/19 AMENDED

LRB-1976 & AB-132 were added to File Number 181894

Meeting convened at 1:32 PM

Present 4 - Borkowski, Johnson, Bauman, Dodd

Excused 1 - Zielinski

1. [190007](#) Resolution relating to the appeal of Mary McKay for property damage. (11th Aldermanic District.)

Sponsors: THE CHAIR

Appearing:

Katryna Rhodes - ACA

Sgt. Christopher Marshall - MPD

Ms. Mary McKay - appellant

Ald. Borkowski moved to pay appeal in the amount of Ms. McKay deductible, \$1000.00

Based on Milwaukee Police Department's testimony and City Attorney's recommendation, Ald. Johnson moved denial of this appeal.

A motion was made by ALD. BORKOWSKI that this Resolution be AMENDED.

This motion FAILED by the following vote:

Aye 1 - Borkowski

No 3 - Johnson, Bauman and Dodd

Excused 1 - Zielinski

This Resolution was RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT

Aye 3 - Johnson, Bauman and Dodd

No 1 - Borkowski

Excused 1 - Zielinski

2. [190008](#) Resolution relating to the appeal of Steven Turner for property damage. (11th Aldermanic District.)

Sponsors: THE CHAIR

Appearing:

Katryna Rhodes - ACA

No one Show when called

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

Aye 3 - Johnson, Bauman and Dodd

No 1 - Borkowski

Excused 1 - Zielinski

3. [190006](#) Resolution relating to the claim of Hupy & Abraham, S.C. on behalf of DuWayne D. Criter

Sponsors: THE CHAIR

Appearing:

Katryna Rhodes - ACA

Hupy & Abraham, S.C. on behalf of DuWayne D Criter - Atty. David Landgraf

This Resolution was RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT

4. [181680](#) Resolution relating to the appeal of Andrew Nichols and Dinna Kleeman for property damage.

Sponsors: COMMON COUNCIL

Appearing:

Katryna Rhodes - ACA

Andrew Nichols & Dinna Kleeman were not present when called (second time item is scheduled).

Ald. Borkowski moved to paid this appeal in the amount of 770 dollars, offered amount by the City Attorney's Office to seatled this appeal. There were no objections.

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

Aye 4 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

[181680](#)

Sponsors: COMMON COUNCIL

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

Aye 4 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

5. [181549](#) Resolution relating to the claim of American Family Insurance by its representative Sarah A. Crose on behalf of Bartlett Oakland, LLC.

Sponsors: THE CHAIR

Appearing:
Patricia Fricker - ACA

This resolution is to be paid in the amount of \$27,170.18.

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

Aye 4 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

[181549](#)

Sponsors: THE CHAIR

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

Aye 4 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

6. [181932](#) Resolution authorizing the return of real estate located at 4947 N. 20TH Street, in the 1st Aldermanic District, to former owner Shondell Zanders.

Sponsors: THE CHAIR

Appearing:
Deborah McCollum-Gathing - DNS
Emily McKeown - DCD
Erika Martinez - Treasurer Office
Mr. Shondell Zanders

A motion was made by ALD. DODD that this Resolution be RECOMMENDED FOR

ADOPTION. This motion PREVAILED by the following vote:

Aye 4 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

7. [190076](#) Resolution authorizing the return of real estate located at 5649 N. 34th Street, in the 1st Aldermanic District, to former owner Before and After Rehab, LLC. (Application made by Before and After Rehab, LLC c/o Atty. Joseph Sherwenka).

Sponsors: THE CHAIR

Appearing:

Deborah McCollum-Gathing - DNS

Emily McKeown - DCD

Erika Martinez - Treasurer Office

Atty. Joseph Sherwenka

DNS \$203.20 by 5/6/19

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

Aye 4 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

8. [190013](#) Resolution authorizing the return of real estate located at 5101 N. 66th Street, in the 2nd Aldermanic District, to former owner Ernest V. Williams & Joan HW.

Sponsors: THE CHAIR

Appearing:

Deborah McCollum-Gathing - DNS

Emily McKeown - DCD

Erika Martinez - Treasurer Office

Mr. Ernest V. Williams

Atty. Andrew Arena

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

Aye 4 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

9. [190077](#) Resolution authorizing the return of real estate located at 2925 N 11th Street, in the 6th Aldermanic District, to former owner Eddie Williams.

Sponsors: THE CHAIR

Appearing:
Deborah McCollum-Gathing - DNS
Emily McKeown - DCD
Erika Martinez - Treasurer Office
Mr. Eddie Williams

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 4 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

10. [190078](#)

Resolution authorizing the return of real estate located at 1328 S 8th Street, in the 12th Aldermanic District, to former owner JMR Rental Properties, LLC c/o Jaime Rosado.

Sponsors: THE CHAIR

Appearing:
Deborah McCollum-Gathing - DNS
Emily McKeown - DCD
Erika Martinez - Treasurer Office
Nicole Larsen - ACA
Atty. from Gimble Law Office

DNS due 5/6/19 and correct code violations in a timely manner.

Municipal court outstanding amount \$1,347.69

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 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

11. [181710](#)

Substitute resolution authorizing the return of real estate located at 1311 N. 40th Street, in the 15th Aldermanic District to its former owner Baltic2Boardwalk LLC (Application made by Raymond Cowan, manager).

Sponsors: THE CHAIR

Appearing:
Deborah McCollum-Gathing - DNS
Emily McKeown - DCD
Erika Martinez - Treasurer Office
Mr. Raymond Cowan - Manager

*DNS due on other property
4357 N 14 \$729.07 due by 5/6/19*

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

Aye 4 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

12. [190075](#)

Resolution authorizing the return of real estate located at 2854 N. 28TH Street, in the 15th Aldermanic District, to former owner Ingersol Financial, LLC c/o BCHH Inc.

Sponsors: THE CHAIR

Appearing:

Deborah McCollum-Gathing - DNS

Emily McKeown - DCD

Erika Martinez - Treasurer Office

Nicole Larsen - ACA

no one show when called

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 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

13. [170937](#)

Communication from the Fire and Police Commission relating to updates and current activities.

Sponsors: THE CHAIR

Appearing:

Lakeisha Butler - Director F&PC

Mr. Paul Mozina - City Resident

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

Aye 4 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

14. [190043](#)

Resolution cancelling real estate taxes levied against certain parcels bearing tax key numbers on the 2018 tax roll, plus interest applicable to date of repayment, if appropriate.

Sponsors: THE CHAIR

Appearing:
Peter Bronex - Deputy Assessor

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

Aye 3 - Borkowski, Bauman and Dodd

No 0

Excused 2 - Johnson and Zielinski

15. [181894](#) Resolution relative to legislative bills.

Sponsors: THE CHAIR

Appearing:
Brenda Wood - IRD CC
Danielle Decker - IRD
Mike Amsden -

SB-170
Relating to: allowing minors to operate temporary stands without a permit or license.
Ald. Dood moved SUPPORT
3-0

LRB-1976
Relating to: displaying gas taxes on gas pumps.
Ald. Johnson moved SUPPORT
3-0

Ms. Wood asked committee to hold this item until more research is done. There were no objections.
LRB-2612
Relating to: regulating hemp, providing an exemption from emergency rule procedures, granting rule making authority, and making an appropriation.

AB-168
Relating to: the requirement for stating name and address prior to voting.
Ald. Johnson moved SUPPORT
4-0

AB-132
Relating to: electric bicycles and providing a penalty.
Ald. Dodd moved SUPPORT
3-0

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

Aye 4 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

[181894](#)

Substitute resolution relative to legislative bills.

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 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

16. [181900](#)

Communication from the Department of Administration relating to the 2020 Census.

Sponsors: THE CHAIR

Appearing:

Sharon Robinson - DOA Director

Patricia Ruiz - Canty - DOA

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

Aye 3 - Borkowski, Johnson and Dodd

No 0

Excused 2 - Bauman and Zielinski

17. [190065](#)

Resolution directing the Department of Administration - Intergovernmental Relations Division to seek introduction and passage of State legislation to remove the State statute which prohibits municipalities from enacting or enforcing ordinances regulating the use, disposition, or sale of auxiliary containers.

Sponsors: Ald. Rainey

Appearing:

Brenda Wood - CC CC

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 3 - Borkowski, Johnson and Dodd

No 0

Excused 2 - Bauman and Zielinski

18. [190112](#)

Resolution authorizing up to \$2,300,000 million dollars of 2019 contingent

borrowing for damages and claims.

Sponsors: THE CHAIR

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

Aye 4 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

19. [190079](#) Resolution authorizing payment of the settlement of claims raised by the Estate of James Franklin Perry by Representatives Nathaniel Cade and Anglia Garner.

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 - Borkowski, Johnson, Bauman and Dodd

No 0

Excused 1 - Zielinski

The Judiciary and Legislation Committee may convene into closed session on Monday, April 29, 2019 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.

Meeting adjourned at 3:53 PM Joanna Polanco Staff Assistant

This meeting will be webcast live at 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 and Health, 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.

Times for specific agenda items are estimations. If items cannot be heard at their specified times, they will be heard as soon as practicable thereafter.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For assistance contact the Legislative Services ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Parking for persons attending City Hall meetings is available at reduced rates (5 hour limit) at the Milwaukee Center (southwest corner of E. Kilbourn Ave. and N. Water St.) Parking tickets must be validated in the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code are required to register with the City Clerk's License Division. Lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at <http://city.milwaukee.gov/Lobbying>.