



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

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Legislative Liaison, Jeffrey Osterman, 286-2262,

joster@milwaukee.gov

Monday, September 16, 2019

1:30 PM

Room 301-B, City Hall

Meeting convened at 1:31 PM

Present 5 - Borkowski, Johnson, Bauman, Zielinski, Dodd

1. [190698](#) Substitute resolution authorizing the return of real estate located at 4439 N. 27th Street, in the 1st Aldermanic District to its former owner Renold S Cousins and Camille N. Cousins.

Sponsors: THE CHAIR

Appearing:

Deborah McCollum-Gathing - DCD Real Estate

Norma Lewis - DNS

Jim Klajbor - Deputy Treasurer's Office

No one present when called.

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

Aye 4 - Borkowski, Johnson, Bauman and Zielinski

No 0

Excused 1 - Dodd

2. [190693](#) Substitute resolution authorizing the return of real estate located at 4843 N. Hopkins Street, in the 1st Aldermanic District to its former owner Roxie Thomas.

Sponsors: THE CHAIR

Appearing:

Deborah McCollum-Gathing - DCD Real Estate

Norma Lewis - DNS

Jim Klajbor - Deputy Treasurer's Office

Nicole Larsen - City Atty. Office

Ms. Thomas has a number of outstanding of traffic violations, disordering conduct and buidligh code violations due in the amount of \$2,009.38 that need to be paid by 9/23/19.

*Other properties owned by applicant
4547 N 37th Street
2017-2018 Outstanding \$2,890.94*

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

3. [190631](#) Substitute resolution authorizing the return of real estate located at 3624 N. 86th Street, in the 5th Aldermanic District to its former owner Robert Sain, Jr..

Sponsors: THE CHAIR

No one show when called.

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

4. [181322](#) Substitute resolution authorizing the return of real estate located at 3565 N. 14th Street, in the 6th Aldermanic District to its former owner Christina Pitts and Klacee SM Pitts.

Sponsors: THE CHAIR

No one show when called.

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 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

5. [181312](#) Substitute resolution authorizing the return of real estate located at 2714 W. Melvina Street, in the 7th Aldermanic District to its former owner Gregory Schroeder & Jennifer Bonfiglio.

Sponsors: THE CHAIR

Appearing:

Deborah McCollum-Gathing - DCD Real Estate

Norma Lewis - DNS

Jim Klajbor - Deputy Treasurer's Office

Nicole Larsen - City Atty. Office

Mr. Gregory Schroeder

Mr. Bonfiglio has outstanding building code violations for this property in the amount of \$2,696.35 and \$970.89

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 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

6. [190276](#) Substitute resolution authorizing the return of real estate located at 809 S. 28th Street, in the 8th Aldermanic District to its former owner Shenika M. Batchelor.

Sponsors: THE CHAIR

no one show when called.

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 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

7. [190271](#) Substitute resolution authorizing the return of real estate located at 3845 W. Forest Home Ave, in the 11th Aldermanic District to its former owner David R. Storey.

Sponsors: THE CHAIR

no one show when called.

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 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

8. [190632](#) Substitute resolution authorizing the return of real estate located at 2611 N. 33rd Street, in the 15th Aldermanic District to its former owner Tory Gardner c/o Karah Letherwood.

Sponsors: THE CHAIR

Appearing:

Deborah McCollum-Gathing - DCD Real Estate

Norma Lewis - DNS

Jim Klajbor - Deputy Treasurer's Office

Nicole Larsen - City Atty. Office

Mr. Tory Gardner

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

ADOPTION. This motion PREVAILED by the following vote:

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

9. [190142](#) Substitute resolution authorizing the return of real estate located at 3817 W Sarnow Street, in the 15th Aldermanic District to its former owner Annie C. Perteet.

Sponsors: THE CHAIR

Appearing:

Deborah McCollum-Gathing - DCD Real Estate

Norma Lewis - DNS

Jim Klajbor - Deputy Treasurer's Office

Nicole Larsen - City Atty. Office

Ms. Annie Perteet

Asked for postponement of this item until November 18, 2019 JL

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 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

10. [190515](#) Communication from the Comptroller's Office relating to the Annual Outstanding Receivables Report.

Sponsors: THE CHAIR

Appearing:

Melissa Fulgensi - Comptroller

Gloria Lucas - Comptroller

Jlm Klajbor - Treasurer's Office

Tom Woznick - DPW Parking Operations

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

11. [190543](#) Resolution relating to the appeal of Arthur Marasco for property damage.

Sponsors: THE CHAIR

Appearing:

Mr. Arthur Marasco

Asst CA Katryna Rhodes

MPD Sgt. Thomas Hines

Based on City Attorney's recommendation and Milwaukee Police Department, Ald.

Johnson moved denial of this appeal.

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

12. [190481](#) Resolution relating to the appeal of Billy Jones for property damage. (7th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Katryna Rhodes - Asst. CA

MPD Sgt. Thomas Hines

Mr. Arthur Marasco

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

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

13. [190540](#) Resolution relating to the appeal of Maria Arias for property damage. (8th Aldermanic District)

Sponsors: THE CHAIR

Ald. Johnson moved to placed this item on file as the City Attorney has settled this appeal.

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

14. [190542](#) Resolution relating to the appeal of Cassandra Alvarez for property damage. (12th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Cassandra Alvarez - appellant

Brian Fields - Fleet Division

Katryna Rhodes - ACA

Based on City Attorney's recommendation and Fleet Division testimony, Ald. Dodd

moved denial of this appeal.

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

15. [190104](#) Resolution relating to the appeal of Rafael Torres for property damage. (12th Aldermanic District)

Sponsors: THE CHAIR

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 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

16. [190335](#) Resolution relating to the appeal of Jeffrey Sell for property damage.

Sponsors: THE CHAIR

Based on non-appearance, Ald. Zielinski moved denial of this appeal.

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

17. [190541](#) Resolution relating to the appeal of Alvin Johnson for property damage. (8th Aldermanic District)

Sponsors: THE CHAIR

Appearing:

Alvin Johnson - appellant

Erin Stoekl - Forestry

Based on City Attorney's recommendation and Forestry Department's testimony, Ald. Zielinski moved denial of this appeal.

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

18. [190248](#) Resolution relating to the claim of Lorenzo King.

Sponsors: THE CHAIR

Appearing:
Lorenzo King - Claimant
Carol Rindt - Sewer
Katryna Rhodes - ACA

Based on City Attorney's recommendation and Sewer Department's testimony, Ald. Zielinski moved denial of this claim.

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

19. [190474](#) Resolution relating to the claim of Hupy & Abraham, S.C. on behalf of John Rivera.

Sponsors: THE CHAIR

Based on non-appearance, Ald. Bauman moved denial of this claim.

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

20. [190475](#) Resolution relating to the claim of Hupy & Abraham, S.C., on behalf of Taylor Rivera.

Sponsors: THE CHAIR

Based on non-appearance, Ald. Bauman moved denial of this claim.

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

21. [190482](#) Resolution relating to the appeal of Jennifer Williams for property damage.

Sponsors: THE CHAIR

Appearing:
Jennifer Williams
James Washington - DPW

Patricia Fricker - ACA

Based on City Attorney's recommendation and Department of Public Works testimony, Ald. Bauman moved denial of this appeal.

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

22. [190478](#) Resolution relating to the appeal of Adrienne Moncree for property damage. (1st Aldermanic District)

Sponsors: THE CHAIR

Basd on non-appearance, Ald. Bauman moved denial of this appeal.

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

23. [190477](#) Resolution relating to the appeal of Ryan White for property damage.

Sponsors: THE CHAIR

*Appearing:
Ryan White - appellant
James Washington - DPW
Katryna Rhodes - ACA*

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

This Resolution was RECOMMENDED FOR DISALLOWANCE & INDEF. POSTPONEMENT

24. [190653](#) Resolution relating to the appeal of Edward Anhalt for property damage.

Sponsors: THE CHAIR

*Appearing:
Mr. Edward Anhalt
Katryna Rhodes - ACA*

Based on City Attorney's recommendation, Ald. moved denial of this appeal.

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd
No 0

Recess taken at 3:09 PM

Meeting resumed at 3:15 PM

25. [190674](#) Resolution authorizing payment of the claim of Monique Foster, in the amount of \$25,000.
- Sponsors:** THE CHAIR
- Appearing:*
Deputy City Atty. Jan Smokowicz
- A motion was made by ALD. ZIELINSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**
- Aye** 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd
No 0
26. [190675](#) Resolution authorizing payment of the claim of Paul Marchese, in the amount of \$25,000.
- Sponsors:** THE CHAIR
- Appearing:*
Deputy City Atty. Jan Smokowicz
- A motion was made by ALD. ZIELINSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**
- Aye** 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd
No 0
27. [190676](#) Resolution authorizing payment of the claim of Joseph Zawikowski, in the amount of \$25,000.
- Sponsors:** THE CHAIR
- Appearing:*
Deputy City Atty. Jan Smokowicz
- A motion was made by ALD. ZIELINSKI that this Resolution be RECOMMENDED FOR ADOPTION. This motion PREVAILED by the following vote:**
- Aye** 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd
No 0
28. [190800](#) Resolution authorizing payment of the settlement of claims raised by Rafael Rosales.
- 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 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

29. [190818](#)

Resolution authorizing a settlement in the case entitled Deron Love v. Rodolfo Gomez, Jr., Milwaukee County Case No. 14-CV-008608

Sponsors: THE CHAIR

Appearing:

Jan Smokowicz - Deputy City Atty

A motion was made by ALD. BAUMAN 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

30. [190826](#)

Resolution directing the Executive Director of the Election Commission to place on the April 7, 2020, ballot a non-binding referendum relating to the establishment of a non-partisan redistricting process for the State of Wisconsin.

Sponsors: Ald. Johnson

Appearing:

Ald. Johnson - Sponsor

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

31. [190793](#)

Resolution authorizing the City Attorney to litigate to oppose the request of Thermo Fischer Scientific Milwaukee LLC to have the assessments of its manufacturing property located in the City of Milwaukee reduced.

Sponsors: THE CHAIR

Appearing:

Hannah Jahn - ACA

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

Aye 5 - Borkowski, Johnson, Bauman, Zielinski and Dodd

No 0

32. [190817](#) Resolution approving the selection of outside counsel in regard to potential opioid litigation pursuant to Common Council File No. 190458.

Sponsors: THE CHAIR

Appearing:
Ald. Michael Murphy
Deputy City Atty. Miriam Horwitz

Ald. Murphy asked to be sponsors of this resolution. There were no objections.

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

Aye 2 - Bauman and Dodd

No 1 - Borkowski

Excused 2 - Johnson and Zielinski

33. [171672](#) Resolution relative to legislative bills.

Sponsors: THE CHAIR

Appearing:
Brenda Wood - IRD
Jim Bohl - IRD

SB-365
Relating to: generally prohibiting local units of government from excluding from consideration certain piping materials.
Bauman moved Opposed 4-0 (Zielinski excused)

LRB-3152/1
Relating to: impersonating a public officer, public employee, or employee of a utility, and providing a criminal penalty.
Bauman moved Support 4-0 (Zielinski excused)

AB-89/SB-108
Relating to: vacancies in elective offices in cities and villages.
Johnson moved Support 4-0 (Zielinski excused)

LRB-3620/1
Relating to: municipal raze orders for certain buildings damaged by sudden occurrences.
Bauman moved Opposed 3-0 (Zielinski and Johnson excused)

AB-363
Relating to: alcohol beverages delivery and the face-to-face requirement for retail sales of alcohol beverages.
Bauman moved Support 2-1 (Zielinski, Johnson excused and Borkowski no)

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

Aye 3 - Borkowski, Bauman and Dodd

No 0

Excused 2 - Johnson and Zielinski

[171672](#)

Substitute resolution relative to legislative bills.

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 3 - Borkowski, Bauman and Dodd

No 0

Excused 2 - Johnson and Zielinski

The Judiciary and Legislation Committee may convene into closed session on Monday, September 16th, 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.

This meeting will be webcast live at www.milwaukee.gov/channel25.

Meeting adjourned at 4:25 PM

Joanna Polanco

Staff Assistant

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.

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