



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, January 11, 2010

1:30 PM

Room 301-B, City Hall

Meeting convened: 1:38 P.M.

Present 4 - Hamilton, Witkowski, Bohl, Davis

Excused 1 - Donovan

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, January 11, 2010 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 concerning strategy to be adopted by the City with respect to Item #1...Resolution to approve the settlement agreement in the matter of Terra Engineering & Construction Corp. v. City of Milwaukee, et al.; and Item #2...Communication relating to authorizing payment of a judgment for costs in City of Milwaukee v. NL Industries, et al.; and then will go into open session for the regular 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 concerning strategy to be adopted by the City with respect to Item #1...Resolution to approve the settlement agreement in the matter of Terra Engineering & Construction Corp. v. City of Milwaukee, et al.; and Item #2...Communication relating to authorizing payment of a judgment for costs in City of Milwaukee v. NL Industries, et al.; and then will go into open session for the regular agenda.

Roll call:

Ayes -- Ald. Davis, Ald. Bohl, Ald. Witkowski and Ald. Hamilton - 4

Excused: Ald. Donovan - 1

Individuals present for item #1:

Miriam Hurwitz and Rudy Konrad - City Attorney's Office

Tim Thur - Dept. of Public Works

Individuals present for item #2:

Rudy Konrad - City Attorney's Office

Richard Withers - Legislative Reference Bureau

Kim Montgomery - Mayor's Office

1. [091182](#) Substitute resolution to approve the settlement agreement in the matter of Terra Engineering & Construction Corp. v. City of Milwaukee.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

2. [091021](#) Communication relating to authorizing payment of a judgment for costs in City of Milwaukee v. NL Industries, et al.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

2:00 P.M.

3. [091163](#) Resolution to cancel real estate taxes levied against a certain parcel identified by Tax Key No. 245-0217-100-X, 4055 N. Teutonia Avenue, on the 2008 tax roll, plus interest applicable to date of repayment, if appropriate.

Sponsors: THE CHAIR

Technical correction made to the tax key in the title during the committee meeting.

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

Aye 3 - Hamilton, Witkowski and Bohl

No 0

Excused 2 - Davis and Donovan

4. [091148](#) Resolution authorizing payment of the claim of Jeffrey Buckson, in the amount of \$2,500.

Sponsors: THE CHAIR

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

vote:

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

5. [091149](#) Resolution authorizing payment of the claim of Jeffrey Buckson, in the amount of \$12,500.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

6. [091134](#) 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 \$2,188.00 with a six-year total of the deferred properties being \$11,349.37.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

7. [091133](#) Substitute resolution deferring payments of the special assessments and appropriating funds for this purpose.

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 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

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

8. [091208](#) Substitute resolution to settle claims for defense of various police officers.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

9. [091102](#)

Resolution relating to the claim of Jon Baker, Agent for Latitute Subrogation Services,
LLC on behalf of Rocky McNollins for personal injuries.

Sponsors: THE CHAIR

Claimant not present.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

10. [091122](#)

Resolution relating to the appeal of Joseph Hren for property damage.

Sponsors: THE CHAIR

Claimant not present.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

11. [091178](#)

Resolution relating to the claims of K.B. Co. Investments, Inc. and Lawrence Kofler
relating to the property located at 1744 South 17th Street. (12th Aldermanic District)

Sponsors: THE CHAIR

Claimant not present.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

12. [090928](#)

Resolution relating to the claim of Jeanette Apollo for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

Claimant not present.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

13. [090940](#)

Resolution relating to the claim of Linda Bergman for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

Claimant not present.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

14. [090930](#)

Resolution relating to the claim of Edith Rowe for property damage. (10th Aldermanic District)

Sponsors: THE CHAIR

Claimant not present.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

15. [091103](#)

Resolution relating to the claim of John and Gayle Eckland for property damage. (10th Aldermanic District)

Sponsors: THE CHAIR

Ald. Murphy at the table.

Nancy Wroblewski - Dept. of Public Works

Held at the request of the claimant, via the alderman's office.

Held so the City Attorney's Office, the claimant and the Dept. of Public Works can meet and discuss this case.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

16. [091177](#)

Resolution relating to the claim of Brett Mazzone, Agent for LMR Milwaukee, LLC for property damage. (11th Aldermanic District)

Sponsors: THE CHAIR

Claimant not present.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

17. [091104](#)

Resolution relating to the claim of Jeff Dybul for property damage. (10th Aldermanic District)

Sponsors: THE CHAIR

Ald. Murphy at the table.

Nancy Wroblewski - Dept. of Public Works

Held so the City Attorney's Office, the claimant and the Dept. of Public Works can meet and discuss this case.

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

3:00 P.M.

18. [091072](#)

Substitute resolution relative to legislative bills.

Sponsors: THE CHAIR

*Individuals present for discussion of SB-440/AB-643 :
Jennifer Gonda - Intergov. Relations*

Jim Scherer - Dept. of City Development

*Ald. Davis moved to seek an amendment for a waiver to SB-440/AB-643. Prevailed.
4-0*

*Individuals present for discussion of AB-606:
Jennifer Gonda - Intergov. Relations
Ronald Leonhardt - City Clerk
Ald. Bohl moved for support of AB-606. Prevailed. 4-0*

*Individuals present for discussion of the Countywide Assessor System
(LRB3618/P3):
Jennifer Gonda - Intergov. Relations
Mary Reavey - Assessor's Office
Ald. Bohl moved to watch and report. Prevailed. 4-0*

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

091072

Substitute resolution relative to legislative bills.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

19. 090477

Communication related to the 2009 activities of the Administrative Review Appeals Board.

Sponsors: THE CHAIR

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

Aye 4 - Hamilton, Witkowski, Bohl and Davis

No 0

Excused 1 - Donovan

*Meeting adjourned: 3:49 P.M.
Linda M. Elmer
Staff Assistant*

This meeting can be viewed in its entirety through the City's Legislative Research Center at <http://milwaukee.legistar.com/calendar>.