



# 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**  
**Fax: (414) 286-3456, E-mail: lelmer@milwaukee.gov**

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Monday, February 1, 2010

1:30 PM

Room 301-B, City Hall

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*Meeting convened: 1:36 P.M.*

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

1. [091228](#) Substitute resolution authorizing the return of real estate located at 8847D N. Swan Rd., in the 9th Aldermanic District to its former owner. (CitiFinancial, Inc.)

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

**No** 0

2. [091312](#) A substitute ordinance relating to revision of various provisions for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

**Sponsors:** THE CHAIR

*Proposed Substitute B accepted.*

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

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

**No** 0

- [091312](#) A substitute ordinance relating to revision of various provisions for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

**Sponsors:** THE CHAIR

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

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

**No** 0

3. [091091](#)

Substitute resolution appropriating funds from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining outside legal counsel in a matter pending before the Board of Zoning Appeals.

**Sponsors:** Ald. Bauman

*Individuals present:*

*Ald. Robert Bauman - sponsor*

*Vince Moschella - City Attorney*

*Proposed Substitute A accepted.*

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

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

**No** 0

[091091](#)

Substitute resolution appropriating funds from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining outside legal counsel in a matter pending before the Board of Zoning Appeals.

**Sponsors:** Ald. Bauman

*The contract will note that the legal fees will be set at \$110 per hour.*

**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, Davis and Donovan

**No** 0

**Excused** 1 - Bohl

4. [091224](#)

Resolution appropriating \$50,000 from the 2009 Common Council Contingent Fund account to the Assessor's Office to pay for legal consulting fees related to remissions cases.

**Sponsors:** THE CHAIR

*Individuals present:*

*Mark Nicolini - Budget Office*

*Mary Reavey - Assessor's Office*

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

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

**No** 0

5. [091270](#) Resolution authorizing payment of an Arbitration award in the cases of Metropolitan Associates v. City, Granville Holding v. City, Servite Village Apartments v. City, Rainbow Terrace Apartments v. City, Riverwood Apartments Assn. v. City and Northland Apartments v. City for the years 2006, 2007 and 2008 for the total amount of \$58,976.74 plus statutory interest.

**Sponsors:** THE CHAIR

*Individuals present:*

*Mary Reavey - Assessor's Office*

*Mark Nicolini - Budget Office*

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

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

**No** 0

6. [091223](#) Communication from the Comptroller's Office relating to the Audit of City Assessments for Commercial Property.

**Sponsors:** THE CHAIR

*Individuals present:*

*Craig Kammholtz, Jim Michalski and Linda Moore - Comptroller's Office*

*Greg Landetti - Consultant*

*Mary Reavey - Assessor's Office*

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

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

**No** 0

**2:00 P.M.**

7. [091285](#) Communication relating to the 2010 Census.

**Sponsors:** THE CHAIR

*Individuals present:*

*Sharon Robinson - Dept. of Administration*

*Ronald Leonhardt - City Clerk*

*Julie Ferris - City Clerk's Office*

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

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

**No** 0

**Items below will be heard no earlier than 2:30 P.M.:**

8. [091276](#) Substitute resolution to settle claims of Gimbel, Reilly Guerin & Brown 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** 5 - Hamilton, Witkowski, Bohl, Davis and Donovan

**No** 0

9. [091122](#) Resolution relating to the appeal of Joseph Hren for property damage.

**Sponsors:** THE CHAIR

**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

10. [091221](#) Resolution relating to an appeal from Albert and Diane Taylor for property damage. (1st Aldermanic District)

**Sponsors:** THE CHAIR

**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

11. [091222](#) Resolution relating to an appeal from Godfrey Wicks, Sr. for property damage. (7th Aldermanic District)

**Sponsors:** THE CHAIR

**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

12. [091267](#) Resolution relating to the claim of Atty. David Blau on behalf of Kewanee Allen for personal injuries. (7th 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
13. [091250](#) Resolution relating to the claim of Cassandra Page-Kemp for property damage. (7th Aldermanic District)
- Sponsors:** THE CHAIR
- Claimant not present.*
- A motion was made by ALD. DAVIS 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. [091226](#) Resolution relating to the claim of Kathryn Haller for personal injuries. (4th 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
15. [091225](#) Resolution relating to the appeal of Julie Silbaugh, Agent for State Auto Insurance Companies on behalf of Thomas Ballinger for property damage. (3rd 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

16. [090998](#)

Resolution relating to an appeal from Mary Kargol for property damage. (12th 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

17. [091227](#)

Resolution relating to the claim of Tielisha Hodges for property damage. (1st Aldermanic District)

**Sponsors:** THE CHAIR

**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

18. [091104](#)

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

**Sponsors:** THE CHAIR

*Individuals present:*

*Jeff Dybul*

*Nancy Wroblewski and Robert Brooks - Dept. of Public Work*

*Ald. Murphy*

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

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

**No** 1 - Hamilton

**Excused** 1 - Donovan

19. [091103](#) Resolution relating to the claim of John and Gayle Eckland for property damage.  
(10th Aldermanic District)

**Sponsors:** THE CHAIR

*Individuals present:*

*Gayle Eckland*

*Nancy Wroblewski and Robert Brooks - Dept. of Public Work*

*Ald. Murphy*

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

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

**No** 1 - Hamilton

**Excused** 1 - Donovan

**3:15 P.M.**

20. [091316](#) Substitute resolution relative to legislative bills.

**Sponsors:** THE CHAIR

*Individuals present:*

*Jennifer Gonda - Intergovernmental Relations*

*Brenda Wood - City Clerk's Office*

*Sharon Robinson - Dept. of Administration*

*Ald. Davis moved for support of Jobs for Main Street Act of 2010, with the caveat that there be as much local control as possible in appropriating the funds. Prevailed. 4-0*

*Ald. Robert Bauman*

*Ald. Davis moved for support of LRB-3451/9 (Regional Transit Authority). Prevailed. 3-1 (Ald. Bohl voting "no")*

*Kathy Block - City Attorney's Office*

*Ald. Bohl moved to watch and report on SB-458/AB-656 (the local regulation of ticket selling and providing a penalty). Prevailed. 4-0*

*Ald. Witkowski moved for support of AB-661. Prevailed. 4-0*

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

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

**No** 0

**Excused** 1 - Donovan

- [091316](#) Substitute resolution relative to legislative bills.

**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

21. [091296](#) Reappointment of Joanne Barndt to the Ethics Board by the Mayor. (3rd Aldermanic District)

**Sponsors:** THE CHAIR

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

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

**No** 0

**Excused** 1 - Donovan

22. [091192](#) Resolution appropriating funds of not more than \$10,000 from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining outside legal counsel in a case involving the Board of Zoning Appeals.

**Sponsors:** Ald. Bauman

**A motion was made by ALD. WITKOWSKI that this Resolution 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

23. [090478](#) Communication related to the 2009 activities of the Ethics Board.

**Sponsors:** THE CHAIR

**A motion was made by ALD. DAVIS 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: 5:35 P.M.  
Linda M. Elmer*



*Staff Assistant*