



## Legislation Details (With Text)

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**Type:** Resolution **Status:** Passed

**File created:** 9/4/2002 **In control:** JUDICIARY & LEGISLATION COMMITTEE

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**Title:** Substitute resolution approving and authorizing stipulation with United Apostolic Church of God, Inc. ("United") concerning in personam liability for 1992-2000 taxes against 2516-2522 West Hopkins (10th Aldermanic District).

**Sponsors:** THE CHAIR

**Indexes:** LITIGATION, TAXATION

**Attachments:** 1. City Atty. Letter.pdf, 2. Cover Letter.pdf, 3. Fiscal Note.pdf, 4. Kohn Law Firm Letter.PDF, 5. Court Stipulation.PDF

Date	Ver.	Action By	Action	Result	Tally
9/4/2002	0	COMMON COUNCIL	ASSIGNED TO		
9/5/2002	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/6/2002	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/6/2002	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/6/2002	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/16/2002	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
9/16/2002	1	CITY CLERK	DRAFT SUBMITTED		
9/24/2002	1	COMMON COUNCIL	ADOPTED	Pass	16:0
10/3/2002	1	MAYOR	SIGNED		

### 020768 SUBSTITUTE 1 CHAIR

Substitute resolution approving and authorizing stipulation with United Apostolic Church of God, Inc. ("United") concerning in personam liability for 1992-2000 taxes against 2516-2522 West Hopkins (10<sup>th</sup> Aldermanic District).

Resolution approves and authorizes compromise of in personam judgment granted to City in the amount of \$43,945.79 for back taxes (1992-2000) against 2516-2522 West Hopkins Street in exchange for \$26,586.72, and further approves and authorizes a deduction netted out from that \$26,586.72 to pay Kohn Law Firm's fees incurred with respect to the collection.

Whereas, The property (tax key number 285-1239-100-3) is on the City's do-not-acquire list as it is suspected of being a brownfield and environmentally contaminated; and

Whereas, According to the City's outside collection attorney, the Kohn Law Firm ("Kohn"), (1) United was sued for the 1992-2000 back taxes and the Court agreed that judgment for the City could be entered via a July,

2002 "Stipulation and Order for Judgment" for \$43,945.79; and (2) if the City does not approve the compromise and accept the offered \$26,586.72 lump sum payment from United to settle the judgment, United's financial condition and circumstances raise concern and doubt about the City being able to collect against it; and

Whereas, If the City does approve the compromise, the City should be able to collect the \$26,586.72 payment offered (being principal only of the 1992-2000 delinquencies) less Kohn's fees; now, therefore, be it

Resolved, That the City hereby approves and authorizes: the compromise of the City's \$43,945.79 judgment for \$26,586.72; and, to pay Kohn, the netting out of Kohn's fees of \$3,165.69 against the \$26,586.72 Kohn will collect and remit to the City; and, be it

Further Resolved, That the City approves and authorizes: Kohn issuing a satisfaction of the judgment against United upon receipt of the \$26,586.72; and, be it

Further Resolved, That when Kohn transmits the \$23,421.03 to the City (\$26,586.72 payment less Kohn's fees of \$3,165.69), that \$23,421.03 be deposited into the delinquent tax fund per Milwaukee Code of Ordinances §304-30; and be it

Further Resolved, That the Comptroller and Treasurer are authorized to take such actions as are appropriate to eliminate the 1992-2000 property-tax-receivable balance from the Treasurer's records and the corresponding receivable balance for those delinquencies in the delinquent-tax fund (charging against that fund the shortfall associated with the compromise and with netting out Kohn's fees).

City Attorney  
City Attorney  
Gregg C. Hagopian  
9/11/2002/57565