



## Legislation Details (With Text)

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

**File created:** 10/12/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:** **Final action:** 11/3/2010

**Effective date:**

**Title:** Resolution authorizing settlement of the claim for damages, attorney's fees and costs in Ruth and Ronald Stanis v. City of Milwaukee.

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS PAYMENT, LITIGATION, SUITS PAYMENT

**Attachments:** 1. Cover Letter, 2. Fiscal Impact Statement.pdf, 3. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/12/2010	0	COMMON COUNCIL	ASSIGNED TO		
10/15/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/15/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/25/2010	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
11/3/2010	0	COMMON COUNCIL	ADOPTED	Pass	14:0
11/5/2010	0	MAYOR	SIGNED		

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ORIGINAL

### THE CHAIR

Resolution authorizing settlement of the claim for damages, attorney's fees and costs in *Ruth and Ronald Stanis v. City of Milwaukee*.

This resolution authorizes payment of the claim for damages, attorney's fees and costs in *Ruth and Ronald Stanis v. City of Milwaukee*, Case No. 10C0372, in the amount of \$12,759.25.

Whereas, This case arose out of the placement of a religious sign on residential property by the residents and whereafter the owner, Ruth Stanis, was cited in violation of Milwaukee Code of Ordinances § 295-505-5-b. This ordinance prohibits all signage on single-family, 2-family, and 3-family dwellings "except permitted temporary signs"; and

Whereas, Plaintiffs, Ruth and Ronald Stanis, filed a civil rights lawsuit in federal court against the City of Milwaukee alleging that Milwaukee Code of Ordinances § 295-505-5-b is unconstitutional because it violates the First Amendment. Plaintiffs seek injunctive and declaratory relief as well as damages, attorney's fees and costs; and

Whereas, The City Attorney has concluded that further litigation of this matter is not in the best interests of the City; and

Whereas, Plaintiffs and Plaintiffs' counsel have agreed to settle their claims for damages, fees and costs in the amount of \$12,759.25; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to settle this claim; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and hereby are authorized and directed to issue a check in the amount of \$12,500.00 payable to Liberty Counsel and another check in the amount of \$259.25 payable to Ruth and Ronald Stanis in full and final settlement of said claims, said checks to be delivered to the City Attorney upon his request, said amounts to be charged to the Damages and Claims Fund, Account No. 636506, Fund No. 0001, Organization No. 1490, Program No. 2632, Sub Class No. S118; and, be it

Further Resolved, That the City Attorney shall, upon payment to plaintiffs and plaintiffs' counsel, obtain releases of claims for damages and attorney's fees and costs as well as a Stipulation and Order for Dismissal of this lawsuit.

City Attorney  
MH:pas  
10/11/2010  
1081-2010-1285:162181