



Milwaukee County

County Courthouse
901 N. 9th Street, Rm. 201
Milwaukee, WI 53233

Meeting Minutes Judiciary, Safety and General Services Committee

Chairperson: Supervisor Mark Borkowski

Clerk: Janelle Jensen, 278-4225

Research Analyst: Jennifer Collins, 278-5290

Thursday, July 12, 2012

9:00 AM

Room 201B

Call To Order

At the conclusion of Roll Call, Chairman Borkowski had Kimberly Walker, Corporation Counsel introduce the following staff members: Dewey Martin and James "Jim" Carroll.

Present 7 - Harris, Schmitt, Johnson Jr., Weishan, Broderick, Sanfelippo and Borkowski

RESOLUTION - 1

- 1 [12-544](#) A resolution providing for an advisory referendum on whether the U.S. Constitution should be amended to establish that only human beings, not corporations, are entitled to Constitutional rights, and money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech. **(To the Committees on Judiciary, Safety and General Services and Finance, Personnel & Audit)**

Sponsors: Weishan, Broderick, Harris and Johnson Jr.

Attachments: [RESOLUTION](#)
 [FISCAL NOTE](#)
 [SUBSTITUTE FISCAL NOTE](#)
 [Audio JUD 07/12/12](#)

APPEARANCE:
Jennifer Collins, Research Analyst, County Board

The following people appeared and spoke regarding this item:

Lawrence Hoffman
Dale Nook
Marsha Vila
Daniel Felkman
Peter Cefalu
Donna Metzger

Supervisors Broderick, Harris and Johnson requested to be added as cosponsors. There being no objections, it was so ordered.

A motion was made by Supervisor Weishan to APPROVE & RECOMMEND FOR ADOPTION this item. The motion PREVAILED by the following vote:

Aye: 4 - Harris, Johnson Jr., Weishan and Broderick

No: 3 - Schmitt, Sanfelippo and Borkowski

AUDIT SERVICES - 1

- 2 [12-550](#) From the Director of Audits, submitting an informational report entitled; "Review of June 13, 2012 Memo from the Office of the Sheriff" [File No. 12-359], discussing jail population and inmate movement concerns.
(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

Attachments: [REPORT](#)
 [Audio JUD 07/12/12](#)

APPEARANCES:

Jerry Heer, Director of Audit, Office of the Comptroller
Chief Judge Jeffrey Kremers, First Judicial District
Inspector Richard Schmidt, Office of the Sheriff

This item was DISCUSSED WITH NO ACTION TAKEN

CORPORATION COUNSEL - 5

(CLOSED SESSION):

Corporation Counsel Recommends Payment/Settlement of the Following Claims/Litigation

- 3 [12-538](#) From Corporation Counsel, recommending payment in the amount of \$3,893.70 to Alsco in full settlement of their claim against Milwaukee County.

Attachments: [REPORT](#)
 [Audio JUD 07/12/12](#)

APPEARANCE:

Mark Grady, Deputy Corporation Counsel

Items #3 & #4 were considered together.

A motion was made by Supervisor Weishan to APPROVE & RECOMMEND FOR ADOPTION this item. The motion PREVAILED by the following vote:

Aye: 7 - Harris, Schmitt, Johnson Jr., Weishan, Broderick, Sanfelippo and Borkowski

- 4 [12-539](#) From Corporation Counsel, recommending payment in the amount of \$3,000.35 to Acuity Insurance to settle in full their subrogation claim on behalf of Sharon Martin against Milwaukee County.

Attachments: [REPORT](#)
 [Audio JUD 07/12/12](#)

A motion was made by Supervisor Weishan to APPROVE & RECOMMEND FOR ADOPTION this item. The motion PREVAILED by the following vote:

Aye: 7 - Harris, Schmitt, Johnson Jr., Weishan, Broderick, Sanfelippo and Borkowski

Claims amounting to more than \$10,000

- 5 [12-546](#) From Corporation Counsel, recommending payment in the amount of \$20,000 to MacGillis and Wiemer, LLP in full settlement of Ostrowski, et al. v. Milwaukee County, et al., United States Eastern District Case No. 11-C-0311.

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)
 [Audio JUD 07/12/12](#)

APPEARANCES:
Molly Zillig, Principal Assistant Corporation Counsel
Mark Grady, Deputy Corporation Counsel

A revised report was provided to Committee members by Molly Zillig. The revision pertains to the heading FACTS ALLEGED IN THE COMPLAINT. The following sentence was added to the end of paragraph two "Former Lieutenant John Nelson denies all allegations."

A motion was made by Supervisor Johnson Jr. to APPROVE & RECOMMEND FOR ADOPTION this item. The motion PREVAILED by the following vote:

Aye: 6 - Harris, Schmitt, Johnson Jr., Weishan, Broderick and Borkowski

No: 1 - Sanfelippo

- 6 [12-533](#) From Corporation Counsel, recommending payment in the amount of \$50,000 plus reinstatement and pension service credit in settlement of Mary Castro v. Milwaukee County, ERD Case No. CR2008-00720, U.S. District Court Case No. 10-C-0444.

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)
 [Audio JUD 07/12/12](#)

APPEARANCE:
Mark Grady, Deputy Corporation Counsel

A motion was made by Supervisor Johnson Jr. to APPROVE & RECOMMEND FOR ADOPTION this item. The motion PREVAILED by the following vote:

Aye: 6 - Harris, Schmitt, Johnson Jr., Weishan, Broderick and Borkowski
No: 1 - Sanfelippo

(CLOSED SESSION):

A motion was made by Supervisor Harris to ENTER INTO CLOSED SESSION to discuss items #7 and #8. The motion PREVAILED by the following vote:

Aye: 7 - Harris, Schmitt, Johnson Jr., Weishan, Broderick, Sanfelippo and Borkowski

- 7 [12-39](#) From Corporation Counsel, providing a status update on pending litigation. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [MARCH UPDATE \(JS&GS\)](#)
 [MARCH UPDATE \(PER\)](#)
 [Audio JUD 03/01/12](#)
 [Audio PER 03/09/12](#)
 [MAY UPDATE \(JS&GS & PER\)](#)
 [Audio PER 05/18/12](#)
 [JUNE UPDATE \(JS&GS\)](#)
 [Audio JUD 06/14/12](#)
 [Audio FPA 06/21/12](#)
 [JULY UPDATE \(JS&GS\)](#)

This item was discussed in CLOSED SESSION with no action taken.

RESOLUTION - 1

- 8 [12-545](#) A resolution requesting the Milwaukee County Sheriff to contact the National Commission on Correctional Health Care to conduct a review of the health care services provided in the Milwaukee County Correctional Facilities. **(To the Committees on Judiciary, Safety and General Services and Finance, Personnel & Audit)**

Sponsors: Harris

Attachments: [RESOLUTION](#)

[FISCAL NOTE](#)

[Audio JUD 07/12/12](#)

APPEARANCES:

Jennifer Collins, Research Analyst, County Board
Kimberly Walker, Corporation Counsel

A motion was made by Supervisor Johnson Jr. to LAYOVER TO THE CALL OF THE CHAIR this item. The motion PREVAILED by the following vote:

Aye: 5 - Schmitt, Johnson Jr., Broderick, Sanfelippo and Borkowski

No: 2 - Harris and Weishan

Adjournment

Length of meeting 9:03 a.m to 11:20 a.m.

The committee was in Closed Session from 10:05 a.m. to 11:14 a.m. The Committee reconvened into Open Session at 11:17 a.m., a roll call was taken and all Committee members were present.

Adjourned,

Janelle M. Jensen
Committee Clerk
Committee on Judiciary, Safety and General Services

Deadline for the next meeting: The next regular meeting for the Committee on Judiciary, Safety and General Services is Thursday, September 13, 2012. All items must be in the Committee Clerk's possession by the end of the business day on Thursday, August 30, 2012.

ADA Requests: ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.