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, September 13, 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: Jennifer Rhodes and Paul Kuglitsch.

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

MOMENT OF SILENCE

A Moment of Silence was observed in honor of fallen Deputy Sheriff Sergio Aleman.

COUNTY EXECUTIVE - 1

1 12-711 From the County Executive, submitting an Informational Report on the Milwaukee County Human Rights Commission. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: REPORT
Audio JUD 09/13/12 (03:41)

APPEARANCES:
Thomas Harris, Director of Community Relations, County Executive's Office
Kimberly Walker, Corporation Counsel

The following person appeared and spoke regarding this item:
Attorney James H. Hall, Jr., Hall, Bruce & Olson S.C.

Supervisor Broderick requested a report on the Milwaukee County Human Rights Commission from the County Executive to be provided at the October cycle. The report should include objectives and the functioning of the newly reinstituted Commission.

This item was Informational Only and DISCUSSED WITH NO ACTION TAKEN

APPOINTMENTS - 5

2 12-602

From the County Executive, appointing Ms. Sheeba Gill to the Milwaukee County Human Rights Commission, for a term expiring August 1, 2014.

Attachments: REPORT
ATTACHMENT
Audio JUD 09/13/12 (22:52)

APPEARANCE:
Thomas Harris, Director of Community Relations, County Executive's Office

Martha Love, Jason Rae and Sheeba Gill were in attendance.

Items 2-6 were taken together.

A motion was made by Supervisor Broderick to RECOMMEND FOR CONFIRMATION this item. The motion PREVAILED by the following vote:

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

3 12-603

From the County Executive, appointing Mr. Jason Rae to the Milwaukee County Human Rights Commission, for a term expiring August 1, 2014.

Attachments: REPORT
ATTACHMENT
Audio JUD 09/13/12 (23:01)

A motion was made by Supervisor Broderick to RECOMMEND FOR CONFIRMATION this item. The motion PREVAILED by the following vote:

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

4 12-604

From the County Executive, appointing Ms. Kathleen M. Smith to the Milwaukee County Human Rights Commission, for a term expiring August 14, 2014.

Attachments: REPORT
ATTACHMENT
Audio JUD 09/13/12 (23:09)

A motion was made by Supervisor Broderick to RECOMMEND FOR CONFIRMATION this item. The motion PREVAILED by the following vote:

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

5 12-605

From the County Executive, appointing Ms. Martha Love to the Milwaukee County Human Rights Commission, for a term expiring August 14, 2014.

Attachments: REPORT
ATTACHMENT
Audio JUD 09/13/12 (23:20)

A motion was made by Supervisor Broderick to RECOMMEND FOR CONFIRMATION this item. The motion PREVAILED by the following vote:

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

6 12-682

From the County Executive, appointing Reverend Willie E. Brisco to the Milwaukee County Human Rights Commission, for a term expiring August 14, 2014.

Attachments: REPORT
ATTACHMENT
Audio JUD 09/13/12 (23:31)

A motion was made by Supervisor Broderick to RECOMMEND FOR CONFIRMATION this item. The motion PREVAILED by the following vote:

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

CHIEF JUDGE - 1

7 12-648

From the Chief Judge, requesting authorization to extend the grant period for the Bureau of Justice Assistance Adult Court Discretionary Grant award from the original grant period of September 1, 2009 - August 30, 2012 to September 1, 2009 - August 30, 2013 and to extend the 2012 Professional Services Contract with Justice 2000 through December 31, 2012. **(Referred to the Committees on Judiciary, Safety and General Services and Finance, Personnel and Audit)**

Attachments: REPORT
RESOLUTION
FISCAL NOTE
ATTACHMENT
Audio JUD 09/13/12 (25:37)

APPEARANCE:
Holly Szablewski, Judicial Review Coordinator, First Judicial District

A motion was made by Supervisor Johnson Jr. 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

OFFICE OF THE SHERIFF - 3

8 12-552

From the Office of the Sheriff, requesting authorization to execute a Professional Services Contract with Aramark Correctional Services, Inc. to provide property room services at the Milwaukee County Correctional Facilities.

Attachments: REPORT
RESOLUTION
FISCAL NOTE
Audio JUD 09/13/12 (27:42)

APPEARANCE:
Inspector Richard Schmidt, Office of the Sheriff

The following people appeared and spoke regarding this item:
Attorney Michael Whitcomb, Michael A. Whitcomb Law Offices
Penni Secore, AFSCME-District Council #48
Christopher Biedryzycki, AFSCME-Local #567
Stephan Mooney, AFSCME-Local #567

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

9 12-678

From the Office of the Sheriff, requesting authorization to enter into a contract with Armor Correctional Health Services, Inc. to provide inmate medical and mental health services at the Milwaukee County Correctional Facilities.

Attachments: REPORT
RESOLUTION
FISCAL NOTE
Audio JUD 09/13/12 (35:37)

APPEARANCES:
Inspector Richard Schmidt, Office of the Sheriff
Mark Grady, Deputy Corporation Counsel
Deputy Inspector Debra Burmeister, Office of the Sheriff

The following people appeared and spoke regarding this item:
Attorney Michael Whitcomb, Michael A. Whitcomb Law Offices
Candice Owley, Wisconsin Federation of Nurses & Health Professionals
Penni Secore, AFSCME-District Council #48
Patricia Rogers, AFSCME-Distrcit Council #48, Local 645
Peter Koneazny, Legal Aid Society

Supervisor Weishan requested that Supervisors and staff be given time to review the contract.

A motion was made by Supervisor Weishan to LAY OVER FOR ONE MEETING this item. The motion PREVAILED by the following vote:

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

No: 1 - Sanfelippo

10 12-750 From the Office of the Sheriff, submitting an Informational Report on Dignitary Patrol. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: REPORT

Audio JUD 09/13/12 (01:36:53)

APPEARANCE:
Inspector Richard Schmidt, Office of the Sheriff

A motion was made by Supervisor Johnson Jr. to RECEIVE AND PLACE ON FILE this item. The motion PREVAILED by the following vote:

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

CORPORATION COUNSEL - 14

(CLOSED SESSION):

A motion was made by Supervisor Harris to ENTER INTO CLOSED SESSION to discuss items #22, #23 and #24. The motion PREVAILED by the following vote:

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

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

11 12-661 From Corporation Counsel, recommending payment in the amount of $9,409.40 to the law firm of Nelson, Irvings & Waeffler S.C. in settlement of Milwaukee County Department of Family Care v. Wisconsin Department of Health Services, Case No. 10-CV-12667.

Attachments: REPORT

ATTACHMENT

Audio JUD 09/13/12 (01:48:02)

Items 11-20 were taken together.

A motion was made by Supervisor Harris to APPROVE BY THE JUDICIARY

COMMITTEE this item. The motion PREVAILED by the following vote:

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

12 12-662

From Corporation Counsel, recommending payment in the amount of $2,240 to Sao Yang in settlement of his claim for damages to his vehicle.

Attachments: REPORT

Audio JUD 09/13/12 (01:48:24)

A motion was made by Supervisor Harris to APPROVE BY THE JUDICIARY COMMITTEE this item. The motion PREVAILED by the following vote:

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

13 12-663

From Corporation Counsel, recommending payment in the amount of $729.87 to Milwaukee County Transit in settlement of their claim for damages to their vehicle.

Attachments: REPORT

Audio JUD 09/13/12 (01:48:35)

A motion was made by Supervisor Harris to APPROVE BY THE JUDICIARY COMMITTEE this item. The motion PREVAILED by the following vote:

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

14 12-664

From Corporation Counsel, recommending payment in the amount of $735.40 to Salvatore Strehlow in settlement of his claim for damages to his vehicle.

Attachments: REPORT

Audio JUD 09/13/12 (01:48:48)

A motion was made by Supervisor Harris to APPROVE BY THE JUDICIARY COMMITTEE this item. The motion PREVAILED by the following vote:

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

15 12-665

From Corporation Counsel, recommending payment in the amount of $2,624.98 to Christopher Mans in settlement of his claim for damages to his vehicle.

Attachments: REPORT

Audio JUD 09/13/12 (01:49:02)

A motion was made by Supervisor Harris to APPROVE BY THE JUDICIARY COMMITTEE this item. The motion PREVAILED by the following vote:

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

16 12-666

From Corporation Counsel, recommending payment in the amount of $1,273.16 to Daniel Roddy in settlement of his claim for damages to his vehicle.

Attachments: REPORT

Audio JUD 09/13/12 (01:49:15)

A motion was made by Supervisor Harris to APPROVE BY THE JUDICIARY COMMITTEE this item. The motion PREVAILED by the following vote:

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

17 12-667

From Corporation Counsel, recommending payment in the amount of $1,189.78 to Wisconsin Department of Transportation in settlement of their property damage claim.

Attachments: REPORT

Audio JUD 09/13/12 (01:49:26)

A motion was made by Supervisor Harris to APPROVE BY THE JUDICIARY COMMITTEE this item. The motion PREVAILED by the following vote:

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

18 12-668

From Corporation Counsel, recommending payment in the amount of $4,662.72 to Bret Myers in settlement of his claim for damages to his vehicle.

Attachments: REPORT

Audio JUD 09/13/13 (01:49:39)

A motion was made by Supervisor Harris to APPROVE BY THE JUDICIARY COMMITTEE this item. The motion PREVAILED by the following vote:

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

19 12-669

From Corporation Counsel, recommending payment in the amount of $1,127.07 to Harry Kurtz and Badger Mutual Insurance Company in settlement of Mr. Kurtz's claim for damages to his vehicle.

Attachments: REPORT

Audio JUD 09/13/12 (01:49:52)

A motion was made by Supervisor Harris to APPROVE BY THE JUDICIARY COMMITTEE this item. The motion PREVAILED by the following vote:

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

20 12-670

From Corporation Counsel, recommending payment in the amount of $4,500 to Darryl Hill in settlement of his personal injury claim.

Attachments: REPORT

Audio JUD 09/13/12 (01:50:06)

A motion was made by Supervisor Harris to APPROVE BY THE JUDICIARY COMMITTEE this item. The motion PREVAILED by the following vote:

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

21 12-651

From Corporation Counsel, recommending payment in the amount of $85,621.18 to Michael, Best & Friedrich LLP for attorney's fees in Milwaukee County v. Clarke, Case No. 12CV350. **(Referred to the Committees on Judiciary, Safety and General Services and Finance, Personnel & Audit)**

Attachments: REPORT

RESOLUTION

FISCAL NOTE

ATTACHMENT I

ATTACHMENT II

Audio JUD 09/13/12 (01:51:32)

APPEARANCE:
Mark Grady, Deputy Corporation Counsel

A motion was made by Supervisor Broderick 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

22 12-645

From Corporation Counsel, requesting authorization to file appeals in the cases of Judith Pasko v. Milwaukee County, Case No. 10-CV-2657, Robert Porth v. Milwaukee County, Case No. 11-CV-908 and Bruce Koehn v. Milwaukee County, Case No. 12-CV-1402 related to payment of sick allowance at retirement for employees who change from union to non-union positions.

Attachments: REPORT

RESOLUTION

FISCAL NOTE

AMENDMENT

Audio JUD 09/13/12 (00:19)

APPEARANCES:
Mark Grady, Deputy Corporation Counsel

Tia Torhorst, Director of Legislative Affairs, County Executive's Office

Supervisor Weishan requested that Human Resouces provide a verbal report in the October cycle addressing the possible ramifications if the current ruling is upheld in the Court of Appeals.

Mrs. Torhorst relayed that additional time will be need to produce cohesive reports. Therefore, the report may not be available until the December cycle.

A motion was made by Supervisor Broderick to AMEND this item by deleting the following in the BE IT RESOLVED clause: "and approves the filing of a petition for review in the Wisconsin Supreme Court in any of these matters if appeals in the Court of Appeals are not successful in reversing the Circuit Court decision". The motion PREVAILED by the following vote:

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

A motion was made by Supervisor Weishan to LAY OVER FOR ONE MEETING this item. The motion FAILED by the following vote:

Aye: 2 - Johnson Jr. and Weishan

No: 5 - Harris, Schmitt, Broderick, Sanfelippo and Borkowski

A motion was made by Supervisor Sanfelippo to APPROVE AS AMENDED & RECOMMENDED FOR ADOPTION this item. The motion PREVAILED by the following vote:

Aye: 4 - Schmitt, Broderick, Sanfelippo and Borkowski

No: 3 - Harris, Johnson Jr. and Weishan

23 12-646 From Corporation Counsel, requesting authorization to file an appeal in the case of Stoker et al v. Milwaukee County et al., Case No. 11-CV-16550 relating to the change in the pension multiplier from 2.0% to 1.6% per year of service.

Attachments: REPORT
RESOLUTION
FISCAL NOTE
AMENDMENT
Audio JUD 09/13/12 (11:40)

A motion was made by Supervisor Broderick to AMEND this item by deleting the following from the BE IT RESOLVED clause: "and, if that appeal is not successful, approves the filing of a petition for review in the Wisconsin Supreme Court". The motion PREVAILED by the following vote:

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

A motion was made by Supervisor Broderick to APPROVE AS AMENDED & RECOMMENDED FOR ADOPTION this item. The motion PREVAILED by the following vote:

Aye: 4 - Schmitt, Broderick, Sanfelippo and Borkowski

No: 3 - Harris, Johnson Jr. and Weishan

24 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)
SEPTEMBER UPDATE (JS&GS)
Audio JUD 09/13/12 (14:09)

This item was Informational Only and DISCUSSED WITH NO ACTION TAKEN

Adjournment

Length of Meeting 9:05 a.m. to 12:27 p.m.

The Committee was in Closed Session from 11:04 a.m. - 12:13 p.m. The Committee reconvened in Open Session at 12:14 p.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, October 18, 2012. All items must be in the Committee Clerk's possession by the end of the business day on Thursday, October 4, 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 reciept of this notice.