



Milwaukee County

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

Meeting Minutes Judiciary, Safety and General Services Committee

Chairperson: Supervisor Willie Johnson, Jr.
Vice Chairperson: Supervisor Anthony Staskunas
Supervisor Peggy A. West
Supervisor Deanna Alexander
Supervisor Eddie Cullen
Committee Coordinator: Allyson R. Smith, 414-278-4225
Research Analyst: Erica Hayden, 414-278-4362

Thursday, March 9, 2017

9:00 AM

Room 201B

Call To Order

Present 5 - Staskunas, West, Alexander, Cullen and Johnson Jr.

Supervisor West Was not present at the time roll was called, but appeared shortly thereafter.

APPOINTMENTS - 2

- 1 [17-168](#) From the County Executive, appointing Ms. Cynthia R. Ickowicz-Herber to the Milwaukee County Ethics Board for a term expiring April 1, 2023.

Attachments: [17-168 APPOINTMENT LETTER](#)
[17-168 SUPPLEMENTAL MEMO](#)
[17-168 BIOGRAPHY/RESUME](#)

APPEARANCE:

Jon Janowski, Director of Legislative Affairs, Office of the County Executive

Ms. Cynthia R. Ickowicz-Herber, Appointee, appeared but did not speak regarding this item.

Melinda Swartz, appeared and spoke in favor of this item.

A motion was made by Supervisor Alexander that this Appointment be RECOMMENDED FOR CONFIRMATION. The motion PREVAILED by the following vote:

Aye: 4 - Staskunas, Alexander, Cullen and Johnson Jr.

Excused: 1 - West

- 2 [17-194](#) From the County Executive, appointing Ms. Margaret C. Daun as Corporation Counsel for Milwaukee County.

Attachments: [17-194 APPONTMENT LETTER](#)
 [17-194 BIOGRAPHY/RESUME](#)
 [17-194 LETTER OF SUPPORT-Alderman Borkowski](#)
 [17-194 LETTER OF SUPPORT-Alderman Rainey](#)
 [17-194 LETTER OF SUPPORT-Mr. Allen](#)
 [17-194 LETTER OF SUPPORT-Mr. Cole](#)

APPEARANCES:

Chris Abele, Milwaukee County Executive
Margaret C. Daun, Acting Corporation Counsel, Office of Corporation Counsel

A motion was made by Supervisor Alexander that this Appointment be **RECOMMENDED FOR CONFIRMATION**. The motion **PREVAILED** by the following vote:

Aye: 5 - Staskunas, West, Alexander, Cullen and Johnson Jr.

COMBINED COURT RELATED OPERATIONS - 1

- 3 [17-238](#) From the Chief Judge, First Judicial District, Combined Court Related Operations, requesting authorization to accept a 2017 Treatment Alternatives and Diversion grant in the amount of \$380,981 from the State of Wisconsin Department of Justice. **(Referred to the Committee on Judiciary, Safety, and General Services for INFORMATIONAL PURPOSES ONLY per Section 59.52(31)(d), Wisconsin State Statutes; Referred to the Committee on Finance and Audit)**

Attachments: [17-238 REPORT](#)
 [17-238 RESOLUTION](#)
 [17-238 FISCAL NOTE](#)
 [17-238 TAD AWARD LETTER](#)

APPEARANCE:

John Barrett, Clerk of Circuit Court, Combined Court Related Operations

A motion was made by Supervisor West that this Action Report be **RECOMMENDED FOR ADOPTION**. She later withdrew that motion.

This Action Report was **DISCUSSED WITH NO ACTION TAKEN**.

REQUESTS BY THE MILWAUKEE COUNTY BOARD OF SUPERVISORS - 3

- 4 [17-252](#) From the Milwaukee County Board of Supervisors, requesting a written informational report from the Office of the County Executive regarding the Milwaukee County Ethics Board, including an update on current staffing and conformance with Section 9.07 of the Milwaukee County Code of General Ordinances on the solicitation and nomination procedures for appointments. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [17-252 SECTION 9.07 MILW. COUNTY CODE OF GENERAL ORDINANCES](#)
[17-252 REPORT ON APPOINTMENT PROCESS](#)

APPEARANCES:

Jon Janowski, Director of Legislative Affairs, Office of the County Executive
Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel

This Informational Report was DISCUSSED WITH NO ACTION TAKEN.

- 5 [17-253](#) From the Milwaukee County Board of Supervisors, requesting a written informational report from the Director, Milwaukee County Ethics Board, regarding the Department's 2016 Annual Report. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [17-253 REPORT](#)
[17-253 SUPPLEMENTAL REPORT \(03/02/17\)](#)

APPEARANCE:

Stephanie Hunnicutt, Executive Director, Milwaukee County Ethics Board

This Informational Report was DISCUSSED WITH NO ACTION TAKEN.

- 6 [17-254](#) From the Milwaukee County Board of Supervisors, requesting a written informational report from the Director, Department of Administrative Services, regarding the Administrative Manual of Operating Procedures process and methods. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [17-254 REPORT](#)
 [17-254 2015 MOTION 999](#)

APPEARANCES:

Teig Whaley-Smith, Director, Department of Administrative Services
Margaret C. Daun, Acting Corporation Counsel, Office of Corporation Counsel
Jerry Heer, Director of Audits, Audit Services Division, Office of the
Comptroller

A document titled "2015 Motion 999," was distributed to Committee members, and is attached to this file.

A motion was made by Supervisor West that this Informational Report be REFERRED TO CORPORATION COUNSEL FOR LEGAL OPINION. The motion PREVAILED by the following vote:

Aye: 4 - Staskunas, West, Alexander and Johnson Jr.

Excused: 1 - Cullen

CORPORATION COUNSEL - 1

CLOSED SESSION: ITEM 7

The Committee may adjourn into closed session under the provisions of Section 19.85(1)(g), Wisconsin State Statutes, for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary.

- 7 [17-242](#) **2017 Adopted Budget Amendment 1A047:** From Deputy Corporation Counsel, Office of Corporation Counsel, providing an informational report regarding the municipal commitment of prisoners at the Milwaukee County Jail and House of Correction. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [17-242 REPORT](#)

APPEARANCE:

Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel

The Committee did not adjourn into closed session.

A motion was made by Supervisor Cullen that this Informational Report be **RECOMMENDED TO BE RECEIVED AND PLACED ON FILE**. The motion **PREVAILED** by the following vote:

Aye: 3 - Staskunas, Cullen and Johnson Jr.

No: 2 - West and Alexander

RESOLUTION - 1

- 8 [17-268](#) A resolution requesting reimbursement from municipalities for the per day costs for municipal commitment of prisoners at the Milwaukee County Jail and House of Correction.

Sponsors: Wasserman, Lipscomb Sr. and Alexander

Attachments: [17-268 RESOLUTION](#)

[17-268 FISCAL NOTE](#)

[17-268 - SECTION 20.01 MILW. COUNTY CODE OF GENERAL ORDINANCES](#)

APPEARANCES:

Supervisor Sheldon A. Wasserman, District 3

Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel

Gretchen Schuldt, Executive Director, Wisconsin Justice Initiative, appeared and spoke for information only, regarding this item.

Ms. Schuldt distributed a document to Committee members, which is on file with the Committee Coordinator.

Supervisor Alexander requested to be added as a cosponsor of this Resolution. There being no objections by Committee members, it was so ordered by the Chairman.

A motion was made by Supervisor Cullen that this Resolution be **RECOMMENDED FOR ADOPTION**. The motion **PREVAILED** by the following vote:

Aye: 5 - Staskunas, West, Alexander, Cullen and Johnson Jr.

CORPORATION COUNSEL - 6

CLOSED SESSION: ITEMS 9 THROUGH 14

Margaret C. Daun, Acting Corporation Counsel, Office of Corporation Counsel, opined that it was appropriate to adjourn into closed session to discuss item 12.

A motion was made by Supervisor Alexander to ADJOURN INTO CLOSED SESSION. The motion PREVAILED by the following vote:

Aye: 4 - Staskunas, West, Alexander and Johnson Jr.

Excused: 1 - Cullen

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

Claims amounting to less than \$10,000

Note: Section 59.52 of the Wisconsin Statutes and Section 1.11(c)(3)(2) of the Milwaukee County General Ordinances authorize the Judiciary Committee to settle all claims when the amount does not exceed \$10,000. The action of the Committee is final and no further County Board action is required.

- 9 [17-213](#) From Corporation Counsel, recommending payment in the amount of \$4,500 by the Milwaukee County Sheriff's Office and the Wisconsin Mutual Insurance Corporation to settle the matter of *Kyle Dulan v. Milwaukee County*; ERD Nos. CR201104393 and CR201202993; EEOC Nos. 846-2011-91459C and 443-2012-01387.

Attachments: [17-213 REPORT](#)

APPEARANCE:

Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel

A motion was made by Supervisor Staskunas that this Small Claim be APPROVED BY STANDING COMMITTEE. The motion PREVAILED by the following vote:

Aye: 4 - Staskunas, West, Alexander and Johnson Jr.

Excused: 1 - Cullen

Claims amounting to more than \$10,000

- 10 [17-212](#) From Corporation Counsel, recommending payment in the amount of \$20,000 by the Wisconsin Mutual Insurance Corporation on behalf of Milwaukee County to settle the claim of Francisco Cerros.

Attachments: [17-212 REPORT](#)
 [17-212 RESOLUTION](#)
 [17-212 FISCAL NOTE](#)

APPEARANCE:
Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel

A motion was made by Supervisor Staskunas that this Claim or Litigation be RECOMMENDED FOR ADOPTION. The motion PREVAILED by the following vote:

Aye: 4 - Staskunas, West, Alexander and Johnson Jr.

Excused: 1 - Cullen

- 11 [17-211](#) From Corporation Counsel, recommending payment in the amount of \$11,000 by the Wisconsin Mutual Insurance Corporation on behalf of Milwaukee County to settle the claim of Alfonzo Fields.

Attachments: [17-211 REPORT](#)
 [17-211 RESOLUTION](#)
 [17-211 FISCAL NOTE](#)

APPEARANCE:
Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel

A motion was made by Supervisor Staskunas that this Claim or Litigation be RECOMMENDED FOR ADOPTION. The motion PREVAILED by the following vote:

Aye: 4 - Staskunas, West, Alexander and Johnson Jr.

Excused: 1 - Cullen

- 12 [17-235](#) From Acting Corporation Counsel, Office of Corporation Counsel, providing an informational report regarding current and recently concluded pension-related litigation. **(Considered by the Committees on Judiciary, Safety, and General Services, and Personnel) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [17-235 REPORT](#)

APPEARANCES:

Jim Carroll, Assistant Principal Corporation Counsel, Office of Corporation Counsel

Margaret C. Daun, Acting Corporation Counsel, Office of Corporation Counsel

Item 12 was discussed in both open and closed session.

This Informational Item was DISCUSSED WITH NO ACTION TAKEN.

The Committee was in closed session from 11:22 a.m. to 11:47 a.m. Upon reconvening at 11:47 a.m., all Committee members were present, with the exception of Supervisor Cullen who was excused for the remainder of today's meeting.

- 13 [17-274](#) From Acting Corporation Counsel, Office of Corporation Counsel, providing an informational report regarding the conflicts created by Act 55 related to the scope of Milwaukee County Board of Supervisors and County Executive authority. **(Considered by the Committees on Transportation, Public Works, and Transit, Judiciary, Safety, and General Services, and Intergovernmental Relations) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [17-274 REPORT](#)

[17-274 EXHIBITS \(61 pages\)](#)

APPEARANCES:

Margaret C. Daun, Acting Corporation Counsel, Office of Corporation Counsel
Supervisor John F. Weishan, Jr., District 16

A motion was made by Supervisor Alexander that this Informational Report be RECOMMENDED TO BE RECEIVED AND PLACE ON FILE. She later withdrew the motion.

A motion was made by Supervisor Alexander that this Informational Report be LAID OVER FOR ONE MEETING. The motion PREVAILED by the following vote:

Aye: 4 - Staskunas, West, Alexander and Johnson Jr.

Excused: 1 - Cullen

- 14 [17-9](#) From Corporation Counsel, Office of Corporation Counsel, providing an informational monthly report regarding the status of pending litigation. **(Considered by the Committees on Judiciary, Safety, and General Services, and Finance and Audit) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [17-9 REVISED MARCH REPORT \(02/28/17\)](#)

APPEARANCE:

Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel

This REFERENCE FILE was DISCUSSED WITH NO ACTION TAKEN.

The foregoing items were not necessarily considered in agenda order.

Length of Meeting: 9:05 a.m., to 12:03 p.m.

Adjourned,

**Allyson R. Smith
Committee Coordinator
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, April 6, 2017. All original documents and agenda setting copies MUST be in the Committee Coordinator's possession on or before Monday, March 20, 2017, at 4:00 p.m.