



Milwaukee County

County Courthouse
901 N. 9th Street, Rm.
203R
Milwaukee, WI 53233

Meeting Minutes Judiciary, Safety and General Services Committee

Chairperson: Supervisor Anthony Staskunas
Vice Chairperson: Supervisor Sylvia Ortiz-Velez
Supervisor Deanna Alexander
Supervisor Patti Logsdon
Supervisor Steven Shea
Committee Coordinator: Allyson R. Smith, 414-278-4225
Research Analyst: Erica Hayden, 414-278-4362

Thursday, May 10, 2018

9:00 AM

Room 203-R

Call To Order

Roll Call at 9:03 a.m.

Present 4 - Staskunas, Alexander, Logsdon and Shea

Excused 1 - Ortiz Velez

Supervisor Ortiz-Velez was not present at the time the roll was called, but appeared shortly thereafter.

RESOLUTION - 1

- 1 [18-333](#) A resolution providing for an advisory referendum on the November 6, 2018, election ballot to measure public opinion on allowing adults 21 years of age and older to engage in the personal use of marijuana, while also regulating commercial marijuana-related activities, and imposing a tax on the sale of marijuana.

Sponsors: Weishan Jr.

Attachments: [18-333 RESOLUTION](#)
 [18-333 FISCAL NOTE](#)
 [18-333 JSGS AMENDMENT I \(Vote 1-4; FAILED\)](#)
 [18-333 COUNTY BOARD RESOLUTION](#)

APPEARANCES:

Supervisor John F. Weishan, Jr., District 16
Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel
Supervisor Supreme Moore Omokunde, District 10

The following people appeared and spoke in favor of this item:

Jim Naumann
Gretchen Schuldt, Wisconsin Justice Initiative Action
Mark Keldermaw
Robert P. Dalsbo
Eric Marsch
Rachael Steidl
Juliette Rogers
Rachel Cartwright
Marlon Hoard-Woods
Michael Mlynarski
Trevor Hein
Mr. Harris
Roxanne Broden
Kyle Puckhaber
Dominic Salvia
Daniel Trogdon
Robert Wagner

The following people appeared and spoke against this item:

Paul Mozina

The following people registered in favor of this item, but did not speak:

Gehr Thompson
Michelle Laudon
Mandy McCallister
Mike McCallister
Precious Bodran
Jasmine Morgan

Supervisor Alexander introduced Judiciary, Safety, and General Services (JSGS) Amendment I, which is attached to this file.

A motion was made by Supervisor Alexander that this Resolution be **AMENDED** with JSGS Amendment I. The motion **FAILED** by the following vote:

Aye: 1 - Alexander

No: 4 - Staskunas, Logsdon, Ortiz Velez and Shea

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

Aye: 5 - Staskunas, Alexander, Logsdon, Ortiz Velez and Shea

OFFICE OF PERFORMANCE, STRATEGY, AND BUDGET - 1

- 2 [18-320](#) From the Director, Office of Performance, Strategy, and Budget, Department of Administrative Services, providing an informational report regarding the 2018 daily maintenance and board rate for inmates confined in the Criminal Justice Facility and the House of Correction. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [18-320 REPORT](#)

APPEARANCE:

Joseph Lamers, Director, Office of Performance, Strategy, and Budget,
Department of Administrative Services

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

REQUESTS FROM THE MILWAUKEE COUNTY BOARD OF SUPERVISORS - 3

- 3 [18-233](#) From the Milwaukee County Board of Supervisors, requesting a written informational report from the Director, Milwaukee County Ethics Board, regarding the Department's 2017 Annual Report. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**
(3/08/18 Meeting: Laid over for one meeting cycle)

Attachments: [18-233 ANNUAL REPORT](#)

[18-233 SUPPLEMENTAL REPORT](#)

APPEARANCE:

Adam Gilmore, Interim Administrator, Milwaukee County Ethics Board

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

Items 4 and 5 were considered together.

- 4 [18-369](#) From the Milwaukee County Board of Supervisors, requesting a written informational report from the Director, Department of Administrative Services, regarding the Administration's efforts to recruit and hire for the position of Director of Risk Management. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [18-369 REPORT](#)

APPEARANCES:

Teig Whaley-Smith, Director, Department of Administrative Services
Genaro Baez, Director of Human Resources Operations and Talent Acquisition,
Department of Human Resources (DHR)

Items 4 and 5 were considered together.

This Informational Report was DISCUSSED WITH NO ACTION TAKEN.

- 5 [18-367](#) From the Milwaukee County Board of Supervisors, requesting a written informational report from the Chief Human Resources Officer, Department of Human Resources, regarding the Administration's efforts to recruit and hire for the position of Director, Retirement Plan Services. **(Considered by the Committees on Personnel, and Judiciary, Safety, and General Services) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [18-367 REPORT](#)

APPEARANCES:

Teig Whaley-Smith, Director, Department of Administrative Services
Genaro Baez, Director of Human Resources Operations and Talent Acquisition,
Department of Human Resources (DHR)

Items 4 and 5 were considered together.

This Informational Report was DISCUSSED WITH NO ACTION TAKEN.

CLOSED SESSION: ITEM 6

The Committee may adjourn into closed session under the provisions of Section 19.85(1) (e), Wisconsin State Statutes (State Statutes), for the purpose of the Committee deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; and Section 19.85(1)(g), 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 action(s) it may deem necessary.

The Committee did not adjourn into closed session to discuss Item 6.

RESOLUTION/ORDINANCE - 1

6 [18-260](#)

A resolution/ordinance by the County Executive, requesting authorization to amend Section 201.24(4.5) of the Milwaukee County Code of General Ordinances (the Code) regarding deferred vested retirement; and creating Section 201.24(14.8) of the Code regarding forfeiture of benefits for felonious criminal conduct. **(Referred to the Committees on Judiciary, Safety, and General Services, Personnel, Pension Board, and Pension Study Commission)**

Attachments: [18-260 REPORT](#)
 [18-260 RESOLUTION/ORDINANCE](#)
 [18-260 FISCAL NOTE](#)
 [18-260 ACTUARIAL REVIEW](#)
 [18-260 PENSION BOARD REFERRAL LETTER \(03/28/18\)](#)
 [18-260 PENSION BOARD RESPONSE](#)

APPEARANCE:
Margaret C. Daun, Corporation Counsel, Office of Corporation Counsel

The Committee did not adjourn into closed session to discuss Item 6.

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

Aye: 5 - Staskunas, Alexander, Logsdon, Ortiz Velez and Shea

CLOSED SESSION: ITEMS 7 THROUGH 14

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.

The Committee did not adjourn into closed session to discuss Items 7 through 12.

Aye: 5 - Staskunas, Alexander, Logsdon, Ortiz Velez and Shea

CORPORATION COUNSEL - 8

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

Note: Section 59.52 of the Wisconsin State Statutes, and Section 1.11(c)(3)(2) of the Milwaukee County Code of General Ordinances authorize the Committee on Judiciary, Safety, and General Services 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.

Claim(s) amounting to less than \$10,000

7 [18-306](#)

From Deputy Corporation Counsel, Office of Corporation Counsel, recommending payment in an amount not-to-exceed \$4,000 by the Wisconsin County Mutual Insurance Corporation to settle the personal injury claim of Ms. Kimberly Kirkpatrick for injuries resulting from an October 17, 2017, incident.

Attachments: [18-306 REPORT](#)

APPEARANCE:

Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel

The Committee did not adjourn into closed session to discuss Item 7.

A motion was made by Supervisor Alexander that this Small Claim be **APPROVED BY THE JUDICIARY, SAFETY, AND GENERAL SERVICES COMMITTEE**. The motion **PREVAILED** by the following vote:

Aye: 5 - Staskunas, Alexander, Logsdon, Ortiz Velez and Shea

- 8 [18-307](#) From Deputy Corporation Counsel, Office of Corporation Counsel, recommending payment in an amount not-to-exceed \$1,714.75 by the Wisconsin County Mutual Insurance Corporation to settle the property damage claim of Mr. Darrell Stanton for damages resulting from a November 13, 2017, motor vehicle accident.

Attachments: [18-307 REPORT](#)

APPEARANCE:

Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel

The Committee did not adjourn into closed session to discuss Item 8.

A motion was made by Supervisor Ortiz-Velez that this Small Claim be APPROVED BY THE JUDICIARY, SAFETY, AND GENERAL SERVICES COMMITTEE. The motion PREVAILED by the following vote:

Aye: 5 - Staskunas, Alexander, Logsdon, Ortiz Velez and Shea

- 9 [18-308](#) From Deputy Corporation Counsel, Office of Corporation Counsel, recommending payment in an amount not-to-exceed \$2,967.36 by the Wisconsin County Mutual Insurance Corporation to settle the lost property claim of Mr. David Hall resulting from a February 14, 2018, incident.

Attachments: [18-308 REPORT](#)

APPEARANCE:

Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel

The Committee did not adjourn into closed session to discuss Item 9.

A motion was made by Supervisor Alexander that this Small Claim be APPROVED BY THE JUDICIARY, SAFETY, AND GENERAL SERVICES COMMITTEE. The motion PREVAILED by the following vote:

Aye: 5 - Staskunas, Alexander, Logsdon, Ortiz Velez and Shea

Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel (OCC), introduced Dale Nikolay, Assistant Corporation Counsel, OCC, to Committee members.

- 10 [18-323](#) From Assistant Corporation Counsel, Office of Corporation Counsel, recommending payment by the Wisconsin County Mutual Insurance Corporation in the amount of \$9,000 to settle the matter of *Lindsay Barwick, et al. v. Wisconsin County Mutual Insurance Corporation, et.al*, Case Number 2017CV006206.

Attachments: [18-323 REPORT](#)

APPEARANCES:

Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel (OCC)

Dale Nikolay, Assistant Corporation Counsel, OCC

The Committee did not adjourn into closed session to discuss Item 10.

A motion was made by Supervisor Alexander that this Small Claim be APPROVED BY THE JUDICIARY, SAFETY, AND GENERAL SERVICES COMMITTEE. The motion PREVAILED by the following vote:

Aye: 5 - Staskunas, Alexander, Logsdon, Ortiz Velez and Shea

Claim(s) amounting to more than \$10,000

- 11 [18-305](#) From Deputy Corporation Counsel, Office of Corporation Counsel, requesting payment in an amount not-to-exceed \$10,288.97 by the Wisconsin County Mutual Insurance Corporation to settle the property damage claim of Mr. Harold Simelton for damages resulting from a December 7, 2017, motor vehicle accident.

Attachments: [18-305 REPORT](#)

[18-305 RESOLUTION](#)

[18-305 FISCAL NOTE](#)

[18-305 COUNTY BOARD RESOLUTION](#)

APPEARANCE:

Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel

The Committee did not adjourn into closed session to discuss Item 11.

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

Aye: 5 - Staskunas, Alexander, Logsdon, Ortiz Velez and Shea

- 12 [18-309](#) From Deputy Corporation Counsel, Office of Corporation Counsel, recommending payment in an amount not-to-exceed \$15,000 to be paid by the Wisconsin County Mutual Insurance Corporation to settle the lost property claim of Ms. Christina Nowak resulting from a June 12, 2017, incident.

Attachments: [18-309 REPORT](#)
 [18-309 REPORT \(corrected date of loss\)](#)
 [18-309 RESOLUTION](#)
 [18-309 FISCAL NOTE](#)
 [18-309 COUNTY BOARD RESOLUTION](#)

APPEARANCE:

Colleen Foley, Deputy Corporation Counsel, Office of Corporation Counsel

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

Aye: 5 - Staskunas, Alexander, Logsdon, Ortiz Velez and Shea

The Committee was in closed session from 11:41 a.m. to 12:54 p.m. Upon reconvening at 12:54 p.m. , a roll call was taken and 4 Committee members were present. Supervisor Alexander was excused from the remainder of today's meeting.

Roll Call at 12:54 p.m.

Present 4 - Staskunas, Logsdon, Ortiz Velez and Shea

Excused 1 - Alexander

CLOSED SESSION (ITEMS 13 AND 14)

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.

Margaret C. Daun, Corporation Counsel, Office of Corporation Counsel, opined that it was appropriate to discuss Items 13 and 14 in closed session.

A motion was made by Supervisor Ortiz-Velez to 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 Items 13 and 14. The motion PREVAILED by the following vote:

Aye: 5 - Staskunas, Alexander, Logsdon, Ortiz Velez and Shea

13 [18-383](#)

From Corporation Counsel, Office of Corporation Counsel, providing an informational report regarding the current status of *Susan L. Baldwin & Leverett F. Baldwin v. Milwaukee County & Employees' Retirement System of the County of Milwaukee*, Circuit Court Case No. 2015CV009354; Court of Appeals Case No. 2016AP2380.
(INFORMATONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

Attachments: [18-383 REPORT](#)

APPEARANCE:

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

This item was discussed in both open and closed session.

The Committee unanimously gave consent to Margaret C. Daun, Corporation Counsel, Office of Corporation Counsel, to proceed with an appeal in the case of *Susan L. Baldwin & Leverett F. Baldwin v. Milwaukee County & Employees' Retirement System of the County of Milwaukee*.

This Informational Report was DISCUSSED WITH NO ACTION TAKEN.

- 14 [18-9](#) From Corporation Counsel, Office of Corporation Counsel, providing an informational report regarding 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: [18-9 MAY REPORT](#)
 [18-9 REVISED MAY REPORT \(05/03/18\)](#)
 [18-9 COUNTY BOARD RESOLUTION \(F&A\)](#)

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

This item was discussed in both open and closed session.

This Reference File was DISCUSSED WITH NO ACTION TAKEN.

- 15 **Discussion to establish the permanent schedule/calendar for the Committee on Judiciary, Safety, and General Services for the 2018 to 2020 term, in accordance with Section 1.13(a)(1) of the Milwaukee County Code of General Ordinances.**

The Committee unanimously consent to convene meetings on a Thursday each month at 2:00 p.m.

The foregoing items were not considered in agenda order.

Length of Meeting: 9:03 a.m. to 1:03 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, June 7, 2018. All original documents and agenda setting copies MUST be in the Committee Coordinator's possession on or before Friday, May 18, 2018, at 4:00 p.m. for the June meeting cycle.