



Milwaukee County

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

Meeting Minutes Judiciary, Safety and General Services Committee

Chairperson: Supervisor Theodore Lipscomb, Sr.

Clerk: Alexis Gassenhuber, 278-4225

Research Analyst: Stephen Cady, 278-4347

Thursday, July 11, 2013

9:00 AM

Milwaukee Area Technical College Board Room
Room M210, 700 W. State Street, Milwaukee, WI 53233

Call To Order

Present 6 - Borkowski, Weishan, Broderick, Rainey, Staskunas and Lipscomb Sr.

Excused 1 - Johnson Jr.

COMBINED COURT RELATED OPERATIONS - 2

1 [13-584](#)

From the Chief Judge, requesting authorization to accept Justice Reinvestment Initiative Phase II Implementation grant funding in the amount of \$300,000 from the Bureau of Justice Assistance in support of Milwaukee County's Early Interventions programs and to issue a competitive Request for Proposals (RFP) for services outlined in Milwaukee County's Phase II Justice Reinvestment Initiative funding application.

Attachments: [REPORT](#)
[RESOLUTION](#)
[FISCAL NOTE](#)
[BJA APPROVAL LETTER](#)
[CB Resolution](#)

APPEARANCES:

Holly Szablewski, Judicial Review Coordinator, Combined Court Related Operations

Dave Ehlinger, Fiscal Operations Administrator, Combined Court Related Operations

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

Aye: 6 - Borkowski, Weishan, Broderick, Rainey, Staskunas and Lipscomb Sr.

Excused: 1 - Johnson Jr.

- 2 [13-564](#) From the Fiscal Operations Administrator, Combined Court Related Operations, submitting an informational report detailing a total projected surplus in the Department of Pre-Trial Services for Professional Services (Account 6148) and Purchase of Services (Account 8123) in the amount of \$687,953 for calendar year 2013. **(Referred to the Committees on Judiciary, Safety and General Services and Finance, Personnel and Audit) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [REPORT](#)
 [SOURCES OF VENDOR SURPLUS](#)
 [2014 REQUESTED BUDGET](#)
 [IMSD PROJECT SUMMARY & COST ESTIMATE](#)
 [2013 BUDGET DETAIL](#)
 [Audio FPA 07/18/13](#)

APPEARANCES:

Holly Szablewski, Judicial Review Coordinator, Combined Court Related Operations
Dave Ehlinger, Fiscal Operations Administrator, Combined Court Related Operations

This item was DISCUSSED WITH NO ACTION TAKEN.

OFFICE OF THE SHERIFF - 3

- 3 [13-588](#) From the Office of the Sheriff, providing a midyear report detailing Park Patrol/Targeted Enforcement Unit activities, including adherence to the 2013 Park Plan. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [REPORT](#)
 [CRIME INCIDENT MAPS BY SUPERVISORY DISTRICT](#)

APPEARANCES:

Inspector Edward Bailey, Office of the Sheriff
Captain Brian Barkow, Commander, Law Enforcement Analytics Division, Office of the Sheriff

Inspector Bailey submitted supervisory district maps of crime incidents. The maps are attached to this file.

This item was DISCUSSED WITH NO ACTION TAKEN.

- 4 [13-589](#) From the Office of the Sheriff, providing an update on Airport Patrol. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [REPORT](#)

APPEARANCES:

Inspector Edward Bailey, Office of the Sheriff
Captain Brian Barkow, Commander, Law Enforcement Analytics Division,
Office of the Sheriff

This item was DISCUSSED WITH NO ACTION TAKEN.

5 [13-603](#)

From the Office of the Sheriff, requesting authorization to grant a leave of absence for Captain Debra Burmeister from the Classified to the Unclassified Service, in accordance with County Ordinances and Wisconsin State Statutes, Section 59.26(1).

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [REVISED RESOLUTION](#)
 [FISCAL NOTE](#)
 [BIOGRAPHY](#)
 [CB Resolution](#)

APPEARANCES:

Inspector Richard Schmidt, Office of the Sheriff
Captain Debra Burmeister, Office of the Sheriff

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

Aye: 6 - Borkowski, Weishan, Broderick, Rainey, Staskunas and Lipscomb Sr.

Excused: 1 - Johnson Jr.

DEPARTMENT OF ADMINISTRATIVE SERVICES - 1

6 [13-632](#)

From the Interim Fiscal and Budget Administrator, Fiscal Affairs Division, Department of Administrative Services, requesting retroactive authorization to apply for and accept Edward Byrne Memorial Justice Assistance Grant (JAG) funds for the Federal Fiscal Year 2013 and to establish a separate trust fund to deposit the monies. **(Referred to the Committees on Judiciary, Safety and General Services and Finance, Personnel and Audit)**

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)
 [BUDGET & BUDGET NARRATIVE](#)
 [Audio FPA 07/18/13](#)
 [CB Resolution](#)

APPEARANCE:

Josh Fudge, Interim Fiscal and Budget Administrator, Department of
Administrative Services

Mr. Fudge distributed a document titled Budget & Budget Narrative which is
attached to this file.

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

Aye: 6 - Borkowski, Weishan, Broderick, Rainey, Staskunas and Lipscomb Sr.

Excused: 1 - Johnson Jr.

CORPORATION COUNSEL - 5

Item #s 7 and 8 were considered together.

- 7 [13-586](#) From Corporation Counsel, requesting authorization to file a petition
for review in the Wisconsin Supreme Court if the Court of Appeals
rules adversely to Milwaukee County regarding Medicare Part B
premium reimbursement in Wisconsin Federation of Nurses and
Health Professionals and Association of Milwaukee County Attorneys
et al. v. Milwaukee County et al., Case No. 12-CV-1528.

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)

APPEARANCES:

Mark Grady, Acting Corporation Counsel
Steve Cady, Fiscal and Budget Analyst, County Board

Attorney Alan M. Levy, Lindner & Marsack, S.C., appeared and spoke regarding
this item.

A motion was made by Supervisor Weishan to DENY and RECOMMEND this
item FOR REJECTION. The motion was later withdrawn.

A motion was made by Supervisor Weishan to LAY OVER this item TO THE
CALL OF THE CHAIR. The motion PREVAILED by the following vote:

Aye: 6 - Borkowski, Weishan, Broderick, Rainey, Staskunas and Lipscomb Sr.

Excused: 1 - Johnson Jr.

- 8 [13-587](#) From Corporation Counsel, requesting authorization to file a petition for review in the Wisconsin Supreme Court if the Court of Appeals rules adversely to Milwaukee County's adopted policy and ordinances regarding the pension multiplier in Stoker et al. v. Milwaukee County et al., Case No. 11-CV-18550.

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)

APPEARANCES:

Mark Grady, Acting Corporation Counsel
Steve Cady, Fiscal and Budget Analyst, County Board

Attorney Alan M. Levy, Lindner & Marsack, S.C., appeared and spoke regarding this item.

A motion was made by Supervisor Weishan to DENY and RECOMMEND this item FOR REJECTION. The motion was later withdrawn.

A motion was made by Supervisor Weishan to LAY OVER this item TO THE CALL OF THE CHAIR. The motion PREVAILED by the following vote:

Aye: 6 - Borkowski, Weishan, Broderick, Rainey, Staskunas and Lipscomb Sr.

Excused: 1 - Johnson Jr.

Claims amounting to more than \$10,000

- 9 [13-585](#) From Corporation Counsel, recommending payment in the amount of \$15,000 to the State of Wisconsin Department of Justice in settlement of claims against Milwaukee County in State v. One 1993 Toyota Land Cruiser et al., Case No. 08-CV-6701.

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)
 [CB Resolution](#)

APPEARANCE:

Mark Grady, Acting Corporation Counsel

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

Aye: 6 - Borkowski, Weishan, Broderick, Rainey, Staskunas and Lipscomb Sr.

Excused: 1 - Johnson Jr.

10 [13-622](#)

From Corporation Counsel, recommending payment in the amount of \$95,000 to the Law Offices of Michael A.I. Whitcomb in settlement of all claims for attorneys' fees incurred by the Sheriff and for the dismissal of appeals in Clarke v. Milwaukee County, Case No. 12-CV-13388, and Clarke v. Civil Service Commission, Case No. 12-CV-3366, for the withdrawal of the Law Offices of Michael A.I. Whitcomb from representation of the Sheriff in further proceedings in Christensen v. Sullivan, Case No. 96-CV-1835, and for the Sheriff's agreement that requests for legal representation must first be directed to the Office of Corporation Counsel.

Attachments: [REPORT](#)
[RESOLUTION](#)
[FISCAL NOTE](#)
[CB Resolution](#)

APPEARANCES:

Mark Grady, Acting Corporation Counsel
Inspector Richard Schmidt, Office of the Sheriff
Raisa Koltun, Director of Legislative Affairs, Office of the County Executive

A motion was made by Supervisor Broderick to LAY OVER this item and REFER to Corporation Counsel for additional information. The motion was later withdrawn.

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

Aye: 5 - Borkowski, Broderick, Rainey, Staskunas and Lipscomb Sr.

No: 1 - Weishan

Excused: 1 - Johnson Jr.

(CLOSED SESSION)

A motion was made by Supervisor Borkowski to ENTER INTO CLOSED SESSION to discuss this item. The motion PREVAILED by the following vote:

Aye: 6 - Borkowski, Weishan, Broderick, Rainey, Staskunas and Lipscomb Sr.

Excused: 1 - Johnson Jr.

11 [13-6](#)

From Corporation Counsel, submitting an informational monthly report providing an update on the Status of Pending Litigation. **(Considered by the Committees on Judiciary, Safety and General Services and Finance, Personnel and Audit) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

Attachments: [JANUARY REPORT](#)
[Audio FPA 01/31/13](#)
[MARCH REPORT](#)
[APRIL REPORT](#)
[Audio JSGS 04/11/13](#)
[Audio FPA 04/18/13](#)
[MAY REPORT](#)
[Audio JSGS 05/09/13](#)
[Audio FPA 05/16/13](#)
[JUNE REPORT](#)
[Audio JSGS 06/06/13](#)
[Audio FPA 06/13/13](#)
[JULY REPORT](#)
[Audio FPA 07/18/13](#)

APPEARANCE:

Mark Grady, Acting Corporation Counsel

Attorney Grady reported that one day prior to the meeting, the United States District Court delivered a decision adverse to Milwaukee in Case No. 12-C-732, Milwaukee County v. Federal National Mortgage Association, et al., regarding real estate transfer fees, the case which appears as #11 in the attached report dated July 1, 2013.

A motion was made by Supervisor Staskunas to prepare a RESOLUTION BY THE COMMITTEE authorizing Corporation Counsel to file an appeal in the U.S. Court of Appeals of Case No. 12-C-732, Milwaukee County v. Federal National Mortgage Association, et al. The resulting resolution is available in Legistar as File No. 13-645. The motion PREVAILED by the following vote:

Aye: 6 - Borkowski, Weishan, Broderick, Rainey, Staskunas and Lipscomb Sr.

Excused: 1 - Johnson Jr.

Length of Meeting: 9:10 a.m. to 1:12 p.m.

The Committee took a break from 11:10 a.m. to 11:23 a.m. to address technology concerns prior to entering Closed Session. The Committee was in Closed Session from 11:23 a.m. to 1:11 p.m. Upon reconvening at 1:11 p.m., a roll call was taken and six members were present. The meeting adjourned at 1:12 p.m.

**Adjourned,
Alexis Gassenhuber
Committee Clerk
Committee on Judiciary, Safety and General Services**

Deadline for the next meeting: The next regular meeting for this Committee is Thursday, September 12, 2013. All items must be in the Committee Clerk's possession by the end of the business day on Thursday, August 29, 2013.