



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: Jessica Janz-McKnight, 278-4430*

Thursday, September 12, 2013

9:00 AM

Room 201B

Call To Order

Present 7 - Borkowski, Johnson Jr., Weishan, Broderick, Rainey, Staskunas and Lipscomb Sr.

OFFICE OF THE COMPTROLLER, AUDIT SERVICES, DEPARTMENT OF ADMINISTRATIVE SERVICES, RISK MANAGEMENT, FACILITIES MANAGEMENT - 1

- 1 [13-730](#) From the Office of the Comptroller, Audit Services, Department of Administrative Services, Risk Management, and Facilities Management, providing a post-incident informational update on the Courthouse fire. **(INFORMATIONAL ONLY UNLESS OTHERWISE REQUESTED BY THE COMMITTEE)**

Attachments: [MEMO](#)
[Audio JSGS 09/12/13](#)

APPEARANCES:

Jerry Heer, Director of Audits, Office of the Comptroller
Don Tyler, Director, Department of Administrative Services (DAS)
Dennis Dietscher, Milwaukee County Safety Coordinator, Risk Management, DAS
Gary Waszak, Interim Director, Facilities Management Division, DAS
Mark Grady, Acting Corporation Counsel

This item was DISCUSSED WITH NO ACTION TAKEN.

OFFICE OF THE SHERIFF - 1

- 2 [13-687](#) From the Office of the Sheriff, requesting adoption of the County Emergency Management Plan prepared by the Division of Emergency Management.

Attachments: [REPORT](#)
[RESOLUTION](#)
[FISCAL NOTE](#)
[AUTHORIZATION](#)
[OVERVIEW](#)
[Audio JSGS 09/12/13](#)

APPEARANCES:

Inspector Richard Schmidt, Office of the Sheriff
Carl Stenbol, Emergency Management Administrator
Jessica Janz-McKnight, Research Analyst, County Board

Deonna Johnson, Emergency Management Coordinator appeared but did not speak regarding this item.

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

Aye: 7 - Borkowski, Johnson Jr., Weishan, Broderick, Rainey, Staskunas and Lipscomb Sr.

HOUSE OF CORRECTION - 1

3 [13-690](#)

From the Superintendent, House of Correction, requesting authorization to grant an extension to an existing contract with Aramark Correctional Food Services for the provision of food service at the County Correctional Facilities for the period of January 1, 2014, to December 31, 2016, in the amount of \$9,912,516. **(Referred to the Committees on Judiciary, Safety and General Services and Finance, Personnel and Audit)**

Attachments: [REPORT](#)
[RESOLUTION](#)
[FISCAL NOTE](#)
[Audio JSGS 09/12/13](#)

APPEARANCES:

Mike Hafemann, Superintendent, House of Correction
June Jackson, Fiscal Operations Manager, House of Correction
Mark Grady, Acting Corporation Counsel
Raisa Koltun, Director of Legislative Affairs, Office of the County Executive

Jake Sweeney, Aramark Correctional Food Service, appeared but did not speak regarding this item.

A motion was made by Supervisor Borkowski to APPROVE & RECOMMEND this item FOR ADOPTION. A vote was not taken on this motion.

Committee members expressed concern about this three-year no-bid contract. House of Correction staff mentioned the possibility of a one-year alternative.

A motion was made by Supervisor Staskunas to LAY OVER this item. This motion PREVAILED by the following vote:

Aye: 7 - Borkowski, Johnson Jr., Weishan, Broderick, Rainey, Staskunas and Lipscomb Sr.

CORPORATION COUNSEL - 13

Item #s 4, 5, 6, 7, 8, and 9 were considered together.

- 4 [13-663](#) From Corporation Counsel, recommending payment in the amount of \$1,340.87 to DC Transportation, Inc., in settlement of its property damage claim against Milwaukee County.

Attachments: [REPORT](#)
[Audio JSGS 09/12/13](#)

APPEARANCE:
Mark Grady, Acting Corporation Counsel

Supervisor Weishan requested that Items #4, 5, 6, 7, 8, and 9 be taken together. There being no objections, it was so ordered.

A motion was made by Supervisor Weishan to APPROVE these items BY THE JUDICIARY COMMITTEE. The motion PREVAILED by the following vote:

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

Excused: 1 - Johnson Jr.

- 5 [13-665](#) From Corporation Counsel, recommending payment in the amount of \$1,709.59 to Jason Stark in settlement of his property damage claim against Milwaukee County.

Attachments: [REPORT](#)
[Audio JSGS 09/12/13](#)

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

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

Excused: 1 - Johnson Jr.

- 6 [13-660](#) From Corporation Counsel, recommending payment in the amount of \$1,861.33 to Travelers Claims Hartford Auto in settlement of its subrogated property damage claim against Milwaukee County.

Attachments: [REPORT](#)
[Audio JSGS 09/12/13](#)

A motion was made by Supervisor Weishan to APPROVE this item BY THE

JUDICIARY COMMITTEE. The motion PREVAILED by the following vote:

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

Excused: 1 - Johnson Jr.

- 7 [13-664](#) From Corporation Counsel, recommending payment in the amount of \$2,970 to the Wisconsin Department of Transportation in settlement of its property damage claim against Milwaukee County.

Attachments: [REPORT](#)
 [Audio JSGS 09/12/13](#)

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

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

Excused: 1 - Johnson Jr.

- 8 [13-666](#) From Corporation Counsel, recommending payment in the amount of \$3,462.28 to Acuity in settlement of its subrogated property damage claim against Milwaukee County.

Attachments: [REPORT](#)
 [Audio JSGS 09/12/13](#)

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

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

Excused: 1 - Johnson Jr.

- 9 [13-662](#) From Corporation Counsel, recommending payment in the amount of \$7,932.48 to Progressive Insurance in settlement of its subrogated property damage claim against Milwaukee County.

Attachments: [REPORT](#)
 [Audio JSGS 09/12/13](#)

A motion was made by Supervisor Weishan to APPROVE this item BY THE JUDICIARY COMMITTEE. 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

- 10 [13-653](#) From Corporation Counsel, recommending payment in the amount of \$14,000 to Gregory Rouse in settlement of Rouse v. Milwaukee County et al., Milwaukee County Case No. 12-CV-11466.

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)
 [Audio JSGS 09/12/13](#)

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.

(CLOSED SESSION)

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), 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.

Acting Corporation Counsel Mark Grady indicated that it was appropriate to discuss Item #s 11, 12, 13, 14, 15, and 16 in closed session.

A motion was made by Supervisor Staskunas to **ENTER INTO CLOSED SESSION** under the provisions of Wisconsin Statutes, Section 19.85(1)(g) for the purpose of discussing Item #s 11, 12, 13, 14, 15, and 16. The motion **PREVAILED** by the following vote:

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

Excused: 1 - Johnson Jr.

The Committee was in Closed Session from 11:02 a.m. to 12:29 p.m. Upon reconvening at 12:29 p.m., a roll call was taken and six members were present.

- 11 [13-659](#) From Corporation Counsel, recommending payment in the amount of \$17,729.30 to Irby Alexander's attorneys and reinstatement of Irby Alexander as a correctional officer at the House of Correction in settlement of Irby Alexander v. Milwaukee County, et al., Eastern District Case No. 12-CV-0329.

Attachments: [REPORT](#)
[RESOLUTION](#)
[FISCAL NOTE](#)
[Audio JSGS 09/12/13 Part I](#)
[Audio JSGS 09/12/13 Part II](#)

A motion was made by Supervisor Broderick 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.

12 [13-658](#)

From Corporation Counsel, recommending payment in the amount of \$21,000 to Milwaukee District Council 48's attorneys and other terms in settlement of a discrimination lawsuit against Milwaukee County in District Council 48, AFSCME, AFL-CIO, et al. v. Milwaukee County, Eastern District Case No. 12-CV-0543.

Attachments: [REPORT](#)
[RESOLUTION](#)
[FISCAL NOTE](#)
[Audio JSGS 09/12/13 Part I](#)
[Audio JSGS 09/12/13 Part II](#)

A motion was made by Supervisor Broderick 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.

13 [13-667](#)

From Corporation Counsel, recommending a fund transfer from the Appropriation for Contingencies to the Election Commission and recommending payment in the amount of \$38,000 to Burton & Mayer, Inc., in settlement of a disputed invoice. **(Referred to the Committees on Judiciary, Safety and General Services and Finance, Personnel and Audit)**

Attachments: [REPORT](#)
[RESOLUTION](#)
[FISCAL NOTE](#)
[Audio JSGS 09/12/13 Part I](#)
[Audio JSGS 09/12/13 Part II](#)
[Audio JSGS 09/12/13 Part III](#)

The Committee inquired about the County Executive's position on this item. Chairman Lipscomb Sr. stated that he would request this information.

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.

- 14 [13-656](#) From Corporation Counsel, recommending payment in the amount of \$40,000 to Percy Morgan and his attorneys in settlement of his personal injury claim in Milwaukee County Case No. 12-CV-5229.

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)
 [Audio JSGS 09/12/13 Part I](#)
 [Audio JSGS 09/12/13 Part II](#)

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.

- 15 [13-655](#) From Corporation Counsel, recommending payment in the amount of \$110,000 to Ray Calderon and/or his attorneys, Samster, Konkel & Safran, S.C., in settlement of Calderon v. Milwaukee County, Eastern District Case No. 12-CV-1043.

Attachments: [REPORT](#)
 [RESOLUTION](#)
 [FISCAL NOTE](#)
 [Audio JSGS 09/12/13 Part I](#)
 [Audio JSGS 09/12/13 Part II](#)

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.

- 16 [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](#)
[SEPTEMBER REPORT](#)
[REVISED SEPTEMBER REPORT](#)
[Audio JSGS 09/12/13](#)

This item was **INFORMATIONAL ONLY** and discussed in **CLOSED SESSION**.

Length of Meeting: 9:04 a.m. to 12:37 p.m.

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

Deadline for the next meeting: The next regular meeting of the Committee on Judiciary, Safety and General Services is Thursday, October 24, 2013. All items must be in the Committee Clerk's possession by the end of the business day on Thursday, October 10, 2013.