

From: "Eugene Pogorzelski" <eugenep@execpc.com>
To: <mmurph@milwaukee.gov>
Date: Thu, Dec 16, 2004 3:54 PM
Subject: Fw: Milwaukee City Council file 040668

Please include this in the file 040668.

Thank You
Eugene Pogorzelski

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----- Original Message -----

From: Eugene Pogorzelski
To: mmurph@milwaukee.gov
Sent: Monday, December 13, 2004 9:29 PM
Subject: Re: Milwaukee City Council file 040668

Re: Milwaukee City Council file 040668 - proposed substitute ordinance creating the East Village Neighborhood Conservation Overlay Zone and approving the neighborhood conservation plan for this area, Zoning, Neighborhoods and Development Committee hearing 12/14/04

History of the East Village Conservation Overlay District Ordinance

EVA President Lisa Christopherson and EVA Treasurer Shirley Ferguson, who publicly claim to represent the neighborhood, and their personal friends who have important, public trust-type city jobs Alderman Mike D'amato, and Planning Commissioner Julilly Kohler(if currently retired from that position, she held it at relevant parts of this history) have orchestrated this process whereby they've taken legislative authority away from the elected, and publicly accountable members of the common council, and delegated it to this unaccountable private group (Lisa Christopherson and Shirley Ferguson doing business as the Board of the East Village Association Inc.)

Shirley and Lisa then conduct the public business of writing a city ordinance at their personal whim, in private, in their own houses. In writing this public law for all their 250 neighbors, they have been grossly undemocratic and shamelessly cynical and self-interested in a way a legitimate, accountable public body would not be.

Their law goes way beyond prohibiting tall condo buildings, they want to regulate personally, on a case by case basis what individual homeowners can do with their front porches, and they are simultaneously endorsing exceptions to the rules for their friends when they see fit, like Julilly Kohler's nine unit development involving destroying historical buildings and EVA Boardmember Ginger Duvien's historically inappropriate "fish porch".

TIMELINE OF EAST VILLAGE CONSERVATION OVERLAY DISTRICT ORDINANCE

August/September 2001 Alderman D'Amato mails survey - Survey did not

mention conservation overlay district ordinance. Only 41 were returned and the majority of them said they didn't want any additional regulation for historical preservation purposes.

1/17/02 e-mail. Alderman D'Amato to Peter Park, DCD "I met recently with [Shirley Ferguson, she] seemed to be satisfied with the legislation...may I suggest we assemble a team John Hyslop, LRB, me, Shirley Ferguson

7/24/02 e-mail. Alderman D'Amato to John Hyslop and Brian Pionke "Do you know the answers to these questions from Shirley?"

Shirley in forwarded email asks if they can change the details of the ordinance a little bit, says they're about done with it, invites Alderman D'Amato to come over to her house to finalize it.

"We've been meeting weekly to hammer out guidelines " Shirley

5/6/3 e-mail. Shirley to Alderman D'Amato "change the conservation overlay district map to include both sides of humboldt and both sides of warren."

June 20, 2003 Shirley to John Hyslop at DCD, and EVA board members "We had a meeting with a neighborhood developer [Plan Commissioner Kohler] and an architect last night to get input on the conservation district guidelines and a few questions came up... most important one was having a "Conservation District Advisory Council" - to help the person understand the rules..."I also think the EVA would like to reserve the right to address unique/whimsical projects that may not follow the letter of the law, but would be what the neighborhood is all about. Maybe we want our cake and eat it too but I think we need to discuss this point with you."

9/04/03 Shirley writes Alderman d'Amato, 9/5 Alderman d'Amato writes Peter Park, Michael Dawson, Crystal Graf, Jennifer Meyer "we started this process...just over 3 YEARS AGO!... the amount of time this is taking is beginning to give us all a black eye...we must put this thing to bed by November, no excuses, no questions asked."

9/16/03 Peter Park to D'Amato we're doing what we can, I'm meeting with Hyslop this week to review, and we'll get back to you with an update.

6/7/04 Dozens of homeowners meeting at Circa tell Alderman d'Amato in person that we don't want this law, and ask him "now that you know that, how are you going to decide whether to introduce it?", He responded that he was going to introduce it because the East Village Association wanted it, and advised us to go to the EVA with our concerns.

6/8/04 In newspaper article EVA then-President Shirley Ferguson endorses Commissioner Kohler's proposed development project that includes demolishing houses, joining together four adjacent lots into one big lot, building a new private subdivision, and building a new road for it.

"We supported her plans," said EVA president Shirley Ferguson. "She would actually be living there, not just trying to develop the property to make money off it. She would have a stake in the neighborhood." [Surely she wouldn't be living in all nine units, she doesn't live there now in any of the three houses she already owns.]

6/8/04 EVA general membership meeting. Lots of concerned citizens show up to express their opposition to the Overlay District ordinance. The EVA Board, running the meeting, tells them its too late, the process has been in the works for a long time, and it was time to vote right now, it couldn't be delayed, and they, all the concerned citizens were not allowed to vote, because they hadn't been in the club long enough.

6/22/04 Lisa Christopherson to Alderman D'Amato "Based on EVA membership vote 12-2 [at the 6/8/04 meeting], I ask you to proceed with the COD plan for the East Village"

6/22/04 opposition representatives went to the EVA Board meeting to try to explain how we felt that we had been unreasonably been shut out of the process on an important matter, and EVA President Christopherson, told us, of herself and fellow board members "We're not here for the neighborhood, we're here for ourselves, if you don't like what we're doing then stay out of our business, and if you want to fight about it, bring it on!" Also when challenged on one of the details of the ordinance, Shirley Ferguson responded that she was quite confident of what the ordinance said because "I wrote it".

mid june/04 Later when confirmed opposition numbered over one hundred people, representing roughly half the tax base of the East Village Neighborhood, we went back to our alderman with a stack of signed petitions, and he again told us that there was going to be an overlay district, and that we should talk to Shirley Ferguson if we wanted to discuss the details of it.

8/10/ 04 Then we started putting up signs in the neighborhood that said "No Overlay District Alderman D'Amato", - pure political speech,

9/7?/04 the alderman reacts by making his assistant covertly take down the sign in front of our spokesperson Jill Bondar's house, and later

9/10?/04 Alderman d"Amato leaves our spokesperson Jill Bondar, who is a city employee, a phone message that says:

"Oh. How are you? umm I got a call this morning from somebody who indicated that you could help us, ah, find out who illegally posted the "no overlay district" signs on trees in the public way and um, on uh, public street grass between the sidewalk and the city (sic). um we found some of the signs that were stapled to public city trees which of course I know you, you know is against the ordinance and so we have some complaints from a number of neighbors so we've had to go out to remove those, I went out myself and saw one stapled to a tree that I had to remove and ah the department of public works and the police were wondering if you had any information on who put those there so they could write the citation. If you have any information call us back 286-3447, and we'll put you in touch with the proper authorities thank you bye."

Our spokesperson Jill was understandably scared by that kind of personal attention from a powerful alderman, especially as a city employee.

September 4th EVA MEETING Overlay district ordinance no longer up for discussion per EVA Board.

October 12th EVA MEETING Overlay district ordinance no longer up for discussion per EVA Board.

November EVA Board of Directors Election Meeting - the election which Treasurer Shirley Fergusson and President Lisa Christopherson and the rest of the incumbent EVA Board conspired to steal and did steal by springing an unheard-of and easily manipulable voting procedure called the Single Transferable Vote process on the membership at the time of the election without advance notice so that only they, the incumbent board would know the right way to coordinate their votes with their partisans to manipulate the election to their advantage. The challenging slate of directors was denied the opportunity to discover the weaknesses of this unfamiliar style of voting and coordinate among themselves to capitalize on them - as the incumbent board of course had done. Less subtly they had some ballots in the ballot box before the election started, before they had even explained the it.

This crooked election was held under the personal supervision of professional politician Alderman D'Amato and lawyer, Julilly Kohler. We asked EVA President Lisa Cristopherson at the time where she had come up with this obscure concept of a Single Transferable Vote election, and she said it was from some neat tv show she saw recently, but clearly she didn't understand herself how it was supposed to work.

During the counting of the ballots, when it became apparent that the ballots in favor of the incumbent board had been coordinated, President Christopherson denied coordinating them and attributed it to coincidence. The coincidence is virtually impossible statistically, one against one times twenty to the twenty-fourth power or something like that.

Conservation District Opposition Group
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