

IMPORTANT NOTICE: IF THE CHARGES ARE ALREADY APPLIED TO YOUR TAX BILL, THIS APPEAL CANNOT BE FILED

TO: Administrative Review Appeals Board
City Hall, Rm. 205
200 E. Wells St.
Milwaukee, WI 53202
414-286-2232

04-20

CITY OF MILWAUKEE
2004 JAN 20 PM 2:32
RONALD G. RIORDAN
CITY CLERK

DATE: January 19 2004

RE: 2875/2877 N. Murray
(Address of property in question)

TAX KEY NUMBER

\$396 per DNS

Pursuant to Chapter 68 of the Wisconsin Statutes and Section 320-11 of the Milwaukee Code of Ordinances, this is a written petition for appeal and hearing.

I am appealing the charges or decision issued by the Dept of Neighborhood Services
(Name of the department)

Amount of the charges \$ \$396.00

Charges/Decisions relative to garbage + litter nuisance

I feel the City's action was improper due to the following reasons and I have attached any supporting evidence, including city employee's names/dates which I spoke to regarding this issue and copies of any city orders received :

see typescript

Eve M Grubisic G.G. Riordan
(Your signature)

EVE M GRUBISIC G.G. Riordan
(Your name - please print)

2827 N Murray 2875 N. Murray 964 7937
4-7343
(Your mailing address AND DAYTIME PHONE NUMBER)

OK

CITY OF MILWAUKEE
DEPARTMENT OF NEIGHBORHOOD SERVICES
Nuisance Section
4001 S. 6th St.
Milwaukee, WI 53221
December 19 , 2003

EVE M GRUBISIC
2827 N MURRAY
MILWAUKEE, WI 53211-0000

Premise Address: **2825-2827 N MURRAY AV**
Taxkey #: 316-0061-000

Order #: 4303001

You were notified by the Department of Neighborhood Services to correct a **garbage and litter nuisance** code violation at 2825-2827 N MURRAY AV. You failed to do so within the time prescribed in the order so the City corrected the violation.

The cost to correct the nuisance was \$396.00. As indicated in the original order, this charge if unpaid will be placed on the property tax bill. If you wish to pay this amount rather than to have it appear on your tax bill, you may do so before September 15, 2004 at this address:

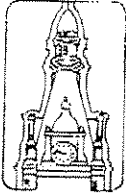
Department of Neighborhood Services
Attn: Cashier
841 N. Broadway, Room 105
Milwaukee, WI 53202

Checks should be made payable to the **City of Milwaukee** for the amount listed above. Please enclose a copy of this notice with your payment.

If you wish to formally appeal this charge you must file that appeal within 30 days of the date of this letter. It must be filed with the: Administrative Review and Appeals Board, Office of the City Clerk, Room 205 City Hall, 200 E Wells Street, Milwaukee Wisconsin 53202, 414-286-2221.

If you disagree with the amount of the charge, and would like to discuss it or obtain a no cost review by a supervisor, please call 414-286-5771.

Recipients:
EVE M GRUBISIC, 2827 N MURRAY, MILWAUKEE, WI 53211-0000



CITY OF MILWAUKEE
DEPARTMENT OF NEIGHBORHOOD SERVICES
4001 S 6TH ST
MILWAUKEE WI 53221

RE: 2825-27 N Murray St DATE: 11-7-03 TKN# 316-0061

TO: Eve M Grubisic
2827 N Murray
Milwaukee, WI 53211

IMPORTANT NOTICE - READ CAREFULLY

A recent inspection at the above address disclosed a nuisance which, if not corrected within the time specified, may be corrected by the City and the cost thereof along with the City of Milwaukee costs will be charged as a tax lien against the property. In addition, in accordance with Section 79-12 of the Milwaukee Code of Ordinances, failure on your part to eliminate this nuisance may also cause the issuance of a citation which may result in a forfeiture ranging from \$50 to \$500 for each day of violation.

If you wish to Appeal the cost assessed against your property pursuant to City Charter 17-12 for the correction of the violations, a written request for a hearing stating the grounds for the appeal must be sent to the Administrative Review Appeals Board, Room 205, 200 East Wells Street, Milwaukee, WI. 53202 within 30 days of notice of said assessment.

VIOLATION/CITY CHARTER

An inspection revealed conditions which require immediate action to protect the public health and safety. You are hereby directed to correct the violations indicated below within the time set forth from date of service.

17-10 Premises not maintained in a clean and sanitary manner. Remove the following items within 24 hours.

entire dirt (Pavement) layer, etc.

...

...

2825 N. Murray
Milwaukee, WI 53211
January 19, 2004

Repeatedly in the late summer and fall of 2003, representatives from the Department of Public Works and the Department of Neighborhood Services came to the property at 2825 / 2827 N. Murray and spoke with my mother or me about my sculpture, *Flat Headed Snake*, and about the prairie planting I am putting on top of it. On November the 7th, I was in and out of the house by the front steps, gardening, going to lunch with a friend, and other tasks. No one from either department spoke with me or my mother that day nor left a message for us.

On November 8, Saturday, in the afternoon, well after we had collected the daily newspaper and the mail, a friend stopped by and pointed out a pink postcard thumbtacked to the front porch railing.

Pinning a postcard to our porch railing on a Saturday is not proper legal notice.

The DNS claimed our yard was in violation of the city charter and that piles of dirt and debris in our yard had to be removed or the city would remove them. Mom, who is 88 and has congestive heart failure, collapsed. She was not well enough to dress again until the 10th. As it was a work day, I that day attempted to reach D. Carter at the hours he had written on the postcard. He was not in. He did not return my phone call until the 11th, at a time when I was out. When I finally reached this man, never in at the hours he claimed, he refused to answer any questions about what the problem was. He did say both sculptures, the *Snake* and also the *Large Cat* had to be removed, but not the native plantings or the raspberry bed but refused to discuss how or the vegetable bed. I asked for his supervisor, who also refused to give me any specific information about what was legal or illegal about our yard. I particularly asked if there was any appeal from what I still see as arbitrary and capricious claims and was told there was none, that our only response would be to comply with their orders, which they refused to justify or explain

In frustration, I talked with a neighbor later in the day, who suggested calling Marty Collins, whom the neighbor said would be able to help as Collins worked for the city. I reached Mr. Collins at home on the evening of the 12th and talked with him, asking for advice as a neighbor also living on Murray St. I explained the sculpture project and also discussed with him the complaint from DNS about the yard. After about 15 minutes, he identified himself as also being commissioner of DNS, which I had not known. We talked further. He said he would look into my problem, which he had not heard of, and would get back to me.

At approximately noon on November 14, Marty Collins called me at home to say that he had looked at the paperwork on file, that he was rescinding all orders against the property at 2825 / 2827 N. Murray and that he was deferring to the DPW in the matter of the sculpture. Later that afternoon, DPW hand delivered by Cecilia Gilbert a letter saying that Mom and I had until December 1 to remove the sculpture or file a petition for special privilege. This letter said that if we filed

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the petition on or before December 1 the sculpture would not be touched until we had an opportunity for a hearing. i filed the petition on November 26.

On December 3 Mom and I woke up to find barricades around the *Snake*. It took all day to get the orders to bulldoze the *Snake* rescinded and the barricades removed.

One week later, on December 10, Mom and I awoke to find 5 strangers in the locked and fenced back yard. This intrusion caused mental and physical anguish to both my mother and myself. Mom in November was still able to walk well and could go grocery shopping a few blocks away as well as walk to church services a mile away. Since the intrusion, Mom no longer walks, she shuffles. She is incapable of walking to do her shopping and is unable to attend church services. The shock of this attack by the city has devastated her faith in American government and due process. On December 29 her health had deteriorated so much that she had to be hospitalized. She was not released until January 2.

I also could not believe the city had any right to break into our yard and remove what clearly were landscaping supplies and ordinary gardening supplies. I felt betrayed as well, by government agents who repeatedly lied. D. Carter was among those in the yard that day and was completely unresponsive, claiming not even to know the office number of his department. I was attempting to reach Marty Collins and was told he was not in. The assistant commissioner claimed to have no knowledge of the promise he'd made to rescind the order against our property and said no paperwork existed in the file. She refused to withdraw the city workers without such paperwork.

Three fellows from a trucking company, a police officer, and Carter from DNS were in the yard from approximately 9 am to 10 am. The trucking company guys removed every light weight portable thing from the back yard. The neatly stacked landscaping timbers, intended for a small patio Mom wants, were taken. As they were tucked behind the garbage carts, they were only visible to someone standing on the alley steps. The PVC pipes for the arbor were taken and these were invisible to anyone outside the yard, as they were behind the low fence of the vegetable bed and covered by hollyhock leaves. The blue enamel railing, hidden behind the garage corner and only visible from the neighbors' yard if you stood in their flower bed, was taken. The large flower pots, stacked neatly next to the garage, the milk crates holding pine branches Mom had slowly trimmed over the summer to use as mulch, the rocks she'd put in crates after collecting them for many years, all neatly stacked on the garage door sidewalk, all were taken. On the patio, the logs for extra seating and an apple log I was carving were taken. The milk crate holding the plant sprayer, the large sturdy plastic lawn sprinkler, and 3 or 4 spray hose attachments, and other gardening supplies was taken. The milk crate holding the charcoal for the grill was taken. The barbecue grill itself though wasn't removed. Other things, including a flower basket holding Spanish moss, all portable and also all easily of use and value, were taken.

This theft disturbs me still. I began to have asthma episodes, of increasing

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severity until the asthma problem became a desperate daily effort to breathe. Ultimately I was hospitalized, taken by ambulance to Columbia, so that my breathing could be stabilized. I came home on Christmas Eve but unfortunately neither my mother nor I had a Christmas in 2003. We were too ill, physically and mentally, with these repeated attacks by the city.

My mother and I believe the DNS illegally and unwarrantedly invaded our property on December 10 and we think this improper action demands compensation. We would like our property returned to us or a suitable amount of money given to replace the items taken. We would also like to be reimbursed for 5 nights of hospitalization. We would also appreciate it if the city of Milwaukee would supply the missing holiday, arbitrarily ripped from us.

Eve M. Grubisic**Gayle Riordan**

CITY OF MILWAUKEE

04 APR -8 PM 4:09

RONALD D. LEONHARDT
CITY CLERK

2875 N. Murray
Milw 53211
April 7, 2004

City Clerk
City Hall 300 E Wells
Milw 53202

To Whom it may concern:

On December 10, 2003, employees + agents of the city of Milwaukee broke into the locked yard at 2875-2877 N. Murray Ave. and willfully removed valuable and useful items neatly stored in that yard. This wanton act irreparably damaged the health of the property owner Eve M. Grabrice, and damaged the health of her daughter, Gayle Riordan.

As Eve M. Grabrice is currently hospitalized, I, Gayle Riordan, am filing this claim against the City of Milwaukee. We require compensation:

8 hospitalizations EMG	\$24,000
2 hospitalizations + surgery	\$7,000
damage to fence + installation of new fence, gate, + lock	2,000
items stolen	1,200
assessment against property	400
pain + suffering	24,000

Sincerely
Gayle Riordan

CITY OF MILWAUKEE

2875 N. Murray Ave
Milwaukee 53211

04 APR -8 PM 4: 22

April 7, 2004

RONALD D. LEONHARDT
CITY CLERK

Administrative Review Board
City of Milwaukee 200 E Wells
Milwaukee 53202

To Whom it may concern:

On Dec. 10, 2003, employees and agents of the city of Milwaukee broke into the locked yard at 2875 - 2877 N. Murray Ave. & wilfully removed valuable & useful items neatly stored in that yard. This wanton act irreparably damaged the health of the property owner, Eve M. Grubnic, and damaged the health of her daughter, Gayle Reordan.

As Eve M. Grubnic is currently hospitalized & Gayle Reordan, am filing this claim against the City of Milwaukee. We require compensation:

8 hospitalizations	EMG	\$ 24,000
2 hospitalizations + surgery	ggt	7,000
damage to fence + installation of new fence, gate, + lock		2,000
items stolen		1,200
assessment against property		400
pain and suffering		24,000

Sincerely
GJ Reordan