



# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin  
53202

## Meeting Minutes

### ADMINISTRATIVE REVIEW APPEALS BOARD

**JENNIFER HAVAS, CHAIR**

**Donald Fraker, Vice-Chair, Fredrick Gordon, Daniel Lee, and Ald. Terry Witkowski**  
**Christopher Strohbehn -- Alternate**

**Staff Assistant, Linda Elmer, (414)-286-2232**  
**Fax: 286-3456, E-mail: [lelmer@milwaukee.gov](mailto:lelmer@milwaukee.gov)**

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Friday, February 27, 2009

9:00 AM

Room 301-B, City Hall

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Meeting convened: 9:08 A.M.

**Present:** 3 - Gordon, Fraker, Lee

**Excused:** 3 - Witkowski, Havas, Strohbehn

1. **08162** Appeal of Atty. Steven McGaver on behalf of Hussein Govani, Agent for Club International for police service fees. (721 S. Cesar E. Chavez Dr.) (12th Aldermanic District)

**Sponsors:** THE CHAIR

*Individuals present:*

*Attorney Steven C. McGaver, on behalf of Hussein Govani  
Hussein Govani, Agent for Club International*

*Assist. City Attorney Jarely Ruiz  
Officer Mark Krowski, Jr.  
Officer Carlos Felix*

*Mr. Gordon moved to make all documents submitted by Atty. McGaver and the City Attorney's office a part of the file. There were no objections.*

*Grant appeal for special charges for police services in the amount of \$43.06.*

**A motion was made by Fredrick Gordon, seconded by Daniel Lee, that this APPEAL be GRANTED. The motion PREVAILED by the following vote:**

**Aye:** 3 - Gordon, Fraker, and Lee

**No:** 0

**Excused:** 3 - Witkowski, Havas, and Strohbehn

2. **08163** Appeal of Atty. Steven McGaver on behalf of Hussein Govani, Agent for Club International for police service fees. (721 S. Cesar E. Chavez Dr.) (12th Aldermanic District)

**Sponsors:** THE CHAIR

*Individuals present:*

*Attorney Steven C. McGaver, on behalf of Hussein Govani  
Hussein Govani, Agent for Club International*

*City Attorney Jarely Ruiz  
Officer Mark Krowski, Jr.  
Officer Carlos Felix*

*Mr. Gordon moved to make all documents submitted by Atty. McGaver and the City Attorney's office a part of the file. There were no objections.*

*Grant appeal for special charges for police services in the amount of \$78.58.*

**A motion was made by Fredrick Gordon, seconded by Daniel Lee, that this APPEAL be GRANTED. The motion PREVAILED by the following vote:**

**Aye:** 3 - Gordon, Fraker, and Lee

**No:** 0

**Excused:** 3 - Witkowski, Havas, and Strohbehn

3. **08177** Appeal of Atty. Steven McGaver on behalf of Hussein Govani, Agent for Club International for police service fees. (721 S. Cesar E. Chavez Dr.) (12th Aldermanic District)

**Sponsors:** THE CHAIR

*Individuals present:*

*Attorney Steven C. McGaver, on behalf of Hussein Govani  
Hussein Govani, Agent for Club International  
City Attorney Jarely Ruiz  
Officer Mark Krowski, Jr.  
Officer Carlos Felix*

*Mr. Gordon moved to make all documents submitted by Atty. McGaver and the City Attorney's office a part of the file. There were no objections.*

*Grant appeal for special charges for police services in the amount of \$117.04.*

**A motion was made by Fredrick Gordon, seconded by Daniel Lee, that this APPEAL be GRANTED. The motion PREVAILED by the following vote:**

**Aye:** 3 - Gordon, Fraker, and Lee

**No:** 0

**Excused:** 3 - Witkowski, Havas, and Strohbehn

4. **09015** Appeal of Atty. Jonathan Ingrisano on behalf of the Family Dollar Store for nuisance determination by the police department. (7924 W. Burleigh St.) (5th Aldermanic District)

**Sponsors:** THE CHAIR

*Per letter received from Capt. Patrick Mitchell, Milwaukee Police Dept. dated 2/19/09, he is rescinding the chronic nuisance designation to the Family Dollar located at 7924 W. Burleigh St.*

*Per letter received from Atty. Nelson W. Phillips III with Godfrey & Kahn S.C. Attorneys at Law, on behalf of Family Dollar dated 2/24/09, he is withdrawing this appeal due to the rescinding of the chronic nuisance designation by the Milwaukee Police Dept.*

**WITHDRAWN**

5. 09008      Appeal of Valerie Swenson for nuisance determination by the Police Department. (9325 W. Allyn St., Apt. G.) (9th Aldermanic District)

**Sponsors:**      THE CHAIR

*Individuals present:*

*Ms. Valerie Swenson*

*Atty. William J. Pulkinen for Ms. Swenson*

*Officer Julie Strache, Milwaukee Police Dept.*

*Lt. Charles Berard, Milwaukee Police Dept., 4th Dist.*

*The Board concluded that the property at 9325 W. Allyn St., Apt. G should not be considered a nuisance property, because the police service calls being appealed do not fall under Section 80.10 of the Milwaukee Code of Ordinances.*

**A motion was made by Fredrick Gordon, seconded by Daniel Lee, that this APPEAL be GRANTED. The motion PREVAILED by the following vote:**

**Aye:** 3 - Gordon, Fraker, and Lee

**No:** 0

**Excused:** 3 - Witkowski, Havas, and Strohbehn

6. 09018      Appeal of Mitchell Spector, Agent for S-G Northport Apts., LLC for nuisance determination by the Police Department. (2801 W. Custer Ave.) (1st Aldermanic District)

**Sponsors:**      THE CHAIR

*This matter was adjourned to the next meeting of the Administrative Review Appeals Board at the request of the appellant.*

*No other action was taken relative to this matter.*

**HELD IN COMMITTEE**

7. 09026      Appeal of Mitchell Spector, Agent for Lloyd Apts., LLC for nuisance determination by the Police Department. (2830 W. Bobolink Ave.) (1st Aldermanic District)

**Sponsors:**      THE CHAIR

*This matter was adjourned to the next meeting of the Administrative Review Appeals Board at the request of the appellant.*

*No other action was taken relative to this matter.*

**HELD IN COMMITTEE**

8. 09022      Appeal of Balyir Singh, Agent for M&R Petroleum, Inc. for special charges for police services. (6410 W. Silver Spring Dr.) (2nd Aldermanic District)

**Sponsors:**      THE CHAIR

*Deny appeal for special charges for police services in the amount of \$30.15, due to non-appearance despite being provided timely notice of the hearing.*

*This appeal was heard by the City of Milwaukee's Administrative Review and Appeals*

Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.

**A motion was made by Fredrick Gordon, seconded by Daniel Lee, that this APPEAL be DENIED. The motion PREVAILED by the following vote:**

**Aye:** 4 - Gordon, Witkowski, Fraker, and Lee

**No:** 0

**Excused:** 2 - Havas, and Strohbehn

**9. 09023** Appeal of Balyir Singh, Agent for M&R Petroleum, Inc. for special charges for police services. (6410 W. Silver Spring Dr.) (2nd Aldermanic District)

**Sponsors:** THE CHAIR

*Deny special charges for police services in the amount of \$43.62, due to non-appearance despite being provided timely notice of the hearing.*

*This appeal was heard by the City of Milwaukee's Administrative Review and Appeals Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.*

**A motion was made by Fredrick Gordon, seconded by Daniel Lee, that this APPEAL be DENIED. The motion PREVAILED by the following vote:**

**Aye:** 4 - Gordon, Witkowski, Fraker, and Lee

**No:** 0

**Excused:** 2 - Havas, and Strohbehn

**10. 09024** Appeal of Balyir Singh, Agent for M&R Petroleum, Inc. for special charges for police services. (6410 W. Silver Spring Dr.) (2nd Aldermanic District)

**Sponsors:** THE CHAIR

*Deny appeal for special charges for police services in the amount of \$14.95, due to non-appearance despite being provided timely notice of the hearing.*

*This appeal was heard by the City of Milwaukee's Administrative Review and Appeals Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.*

**A motion was made by Fredrick Gordon, seconded by Daniel Lee, that this APPEAL be DENIED. The motion PREVAILED by the following vote:**

**Aye:** 3 - Gordon, Fraker, and Lee

**No:** 0

**Excused:** 3 - Witkowski, Havas, and Strohbehn

10:15 A.M.

11. 09002      Appeal of Andre Chapman for garbage and litter nuisance fee. (3923-3925 W. Vliet St.) (15th Aldermanic District)

Sponsors:      THE CHAIR

*Deny appeal for garbage and litter nuisance fee in the amount of \$214.03, due to non-appearance despite being provided timely notice of the hearing.*

*This appeal was heard by the City of Milwaukee's Administrative Review and Appeals Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.*

**A motion was made by Fredrick Gordon, seconded by Daniel Lee, that this APPEAL be DENIED. The motion PREVAILED by the following vote:**

**Aye:** 3 - Gordon, Fraker, and Lee

**No:** 0

**Excused:** 3 - Witkowski, Havas, and Strohbehn

12. 09003      Appeal of Mary Dalton for garbage and litter nuisance fee. (5519 N. 42nd St.) (9th Aldermanic District)

Sponsors:      THE CHAIR

*Per e-mail dated 2/20/09 from Don Schaewe, Department of Neighborhood Services, he has reviewed the appeal of Mary Dalton for the property of 5519 N. 42nd St. in the amount of \$295.66 and decided to settle by reducing the fee charged by \$201.83, leaving a balance due in the amount of \$93.83.*

*Mr. Schaewe spoke with Ms. Dalton and she understands that she will receive a new letter outlining this decision and that she will not have to appear at the Admin. Review Appeals Board hearing on Friday, February 27, 2009. Also by accepting this settlement she waives her right to appeal the new amount.*

**SETTLED**

13. 09007      Appeal of Curtis Bradley for garbage and litter nuisance fee. (3751 N. 22nd St.) (6th Aldermanic District)

Sponsors:      THE CHAIR

*Deny appeal for garbage and litter nuisance fee in the amount of \$350.08, due to non-appearance despite being provided timely notice of the hearing.*

*This appeal was heard by the City of Milwaukee's Administrative Review and Appeals Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.*

**A motion was made by Fredrick Gordon, seconded by Daniel Lee, that this**

**APPEAL be DENIED. The motion PREVAILED by the following vote:**

**Aye:** 3 - Gordon, Fraker, and Lee

**No:** 0

**Excused:** 3 - Witkowski, Havas, and Strohbehn

14. **09012** Appeal of Christine Jenk for garbage and litter nuisance fee. (2322 W. Van Beck Ave.) (13th Aldermanic District)

**Sponsors:** THE CHAIR

*Per e-mail dated 2/20/09 from Don Schaewe, Department of Neighborhood Services, he has reviewed the appeal of Christine Jenk for the property of 2322 W. Van Beck Ave. in the amount of \$161.73 and decided to settle by reducing the fee charged by \$108.00, leaving a balance due in the amount of \$53.73.*

*Mr. Schaewe spoke with Ms. Jenk and she understands that she will receive a new letter outlining this decision and that she will not have to appear at the Admin. Review Appeals Board hearing on Friday, February 27, 2009. Also by accepting this settlement she waives her right to appeal the new amount.*

**SETTLED**

15. **08050** Appeal of Lillian Curtice for reinspection fees. (2655 S. 13th St.) (12th Aldermanic District)

**Sponsors:** THE CHAIR

*Individuals present:  
Dave Krey, Dept. of Neighborhood Services  
Lillian Curtice, property owner*

*Appealable amount is \$1,500.00.*

*Mr. Gordon moved to hold this matter one cycle to give the appellant a chance to work with the Department of Neighborhood Services. There were no objections.*

**A motion was made by Fredrick Gordon, seconded by Daniel Lee, that this APPEAL be HELD IN COMMITTEE. The motion PREVAILED by the following vote:**

**Aye:** 3 - Gordon, Fraker, and Lee

**No:** 0

**Excused:** 3 - Witkowski, Havas, and Strohbehn

**Roll call taken at 10:55 A.M.**

**Present:** 4 - Gordon, Witkowski, Fraker, Lee

**Excused:** 2 - Havas, Strohbehn

17. **09005** Appeal of Phonesavanh Soulivong for reinspection fees. (2459 W. Highland Ave.) (4th Aldermanic District)

Sponsors: THE CHAIR

*Individuals present:*

Donald Schaewe, Dept. of Neighborhood Services  
Mr. Phonesavanh Soulivong

*Deny appeal for reinspection fees in the amount of \$125.00, as the city acted appropriately in this matter.*

*This appeal was heard by the City of Milwaukee's Administrative Review and Appeals Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.*

**A motion was made by ALD. WITKOWSKI, seconded by Daniel Lee, that this APPEAL be DENIED. The motion PREVAILED by the following vote:**

**Aye:** 3 - Witkowski, Fraker, and Lee

**No:** 0

**Excused:** 3 - Gordon, Havas, and Strohbehn

16. 09004      Appeal of Richard Nastal for reinspection fees. (2136-2138 S. 7th St.) (12th Aldermanic District)

Sponsors: THE CHAIR

*This matter was adjourned to the next meeting of the Administrative Review Appeals Board at the request of the appellant.*

*No other action was taken relative to this matter.*

**HELD IN COMMITTEE**

18. 09006      Appeal of Crescenzi Zavala for reinspection fees. (4667 N. 39th St.) (7th Aldermanic District)

Sponsors: THE CHAIR

*Deny appeal for reinspection fees in the amount of \$350.00, due to non-appearance despite being provided timely notice of the hearing.*

*This appeal was heard by the City of Milwaukee's Administrative Review and Appeals Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.*

**A motion was made by ALD. WITKOWSKI, seconded by Daniel Lee, that this APPEAL be DENIED. The motion PREVAILED by the following vote:**

**Aye:** 4 - Gordon, Witkowski, Fraker, and Lee

**No:** 0

**Excused:** 2 - Havas, and Strohbehn

19. 09013 Appeal of Mr. and Mrs. Pugh for reinspection fees. (4676 N. 42nd St.) (7th Aldermanic District)

Sponsors: THE CHAIR

*Individuals present:*

*Dave Krey, Dept. of Neighborhood Services  
Mr. and Mrs. Pugh, property owners*

*Deny appeal for reinspection fees in the amount of \$1000.00, as the city acted appropriately in this matter.*

*This appeal was heard by the City of Milwaukee's Administrative Review and Appeals Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.*

**A motion was made by ALD. WITKOWSKI, seconded by Fredrick Gordon, that this APPEAL be DENIED. The motion PREVAILED by the following vote:**

**Aye:** 4 - Gordon, Witkowski, Fraker, and Lee

**No:** 0

**Excused:** 2 - Havas, and Strohbehn

20. 09016 Appeal of Ronald Turner for reinspection fees. (3630-3632 W. Galena St.) (15th Aldermanic District)

Sponsors: THE CHAIR

*Individuals present:*

*Dave Krey, Dept. of Neighborhood Services  
Ronald Turner, property owner*

*Deny appeal for reinspection fees in the amount of \$700.00, as the city acted appropriately in this matter.*

*This appeal was heard by the City of Milwaukee's Administrative Review and Appeals Board at the date and place listed above. The Board's decision in this matter is recorded below. The Board's decision may be appealed by petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.*

**A motion was made by ALD. WITKOWSKI, seconded by Daniel Lee, that this APPEAL be DENIED. The motion PREVAILED by the following vote:**

**Aye:** 4 - Gordon, Witkowski, Fraker, and Lee

**No:** 0

**Excused:** 2 - Havas, and Strohbehn

**Meeting adjourned: 12:18 P.M.**

**Terry J. MacDonald**  
**Staff Assistant**