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CITY OF MILWAUKEE

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LICENSES COMMITTEE HEARING

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In the Matter of:

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6160 South 6th Street

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Collegiate Mobile Home Park

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COMMITTEE MEMBERS

9

ALD. JAMES BOHL, JR. - Chairman

ALD. MILELE COGGS - Vice Chairman

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ALD. ASHANTI HAMILTON

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ALD. T. ANTHONY ZIELINSKI

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ALD. NIK KOVAC

12

POLICE DEPARTMENT by CAPTAIN EDUARDO NEGRON

CITY ATTORNEY'S OFFICE by BRUCE SCHRIMPF

13

ALD. TERRY WITKOWSKI - 13th District

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ATTORNEY TERRY TEPPER appeared on behalf of Zellmer Fromm

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Proceedings had and testimony given in the

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above-entitled matter before the LICENSES COMMITTEE OF

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THE CITY OF MILWAUKEE on May 28th, 2008, before Terese

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M. Schiebenes of Milwaukee Reporters Associated, Inc.

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PROCEEDINGS

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(All City Personnel were previously duly affirmed.)

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CHAIRMAN BOHL: Item No. 4 is File No. 080072, a resolution authorizing issuance of a Mobile Home Park Renewal License to Zellmer Fromm, Collegiate Mobile Home Park, for the premises at 6160 South 6th Street. Is Zellmer Fromm or his attorney present? Please join the committee if you could.

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MR. TEPPER: Yes, he is.
CHAIRMAN BOHL: Mr. Schrimpf, in terms of a process and procedure, do they receive a notice along the same lines? I know that they have received items in a DNS report and a police report. Do they receive the same cover sheet that they're acknowledged to receive notice of today's meeting with the possibility their application could be denied?

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MR. SCHRIMPF: They did not, Mr. Chairman. It's my understanding that there was a notice that was sent out from the Chairman.

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CHAIRMAN BOHL: Yes, that I'm aware of. I'm just wondering if they received any notice besides that.
MR. SCHRIMPF: No.
CHAIRMAN BOHL: Good morning, Mr. Fromm.

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1 And you are represented by Attorney Terry Tepper here?

2 MR. TEPPER: That's correct.

3 CHAIRMAN BOHL: We're going to begin here.

4 How long have you had the mobile home park at this
5 location?

6 MR. FROMM: 12 years, since 1995.

7 CHAIRMAN BOHL: Why don't we begin by just
8 having a police report.

9 SGT. ULICKEY: Good morning, Mr. Chair. We
10 have Captain Ed Negron from District 2 that did supply
11 a letter to the committee. I believe that is the
12 letter before you in your file, and I would ask that
13 Captain Negron speak on this matter.

14 CPT. NEGRON: Good morning. Eduardo Negron,
15 Captain of the 2nd District. Good morning.

16 MR. SCHRIMPF: Mr. Chair, I believe the
17 witness needs to be sworn.

18 CHAIRMAN BOHL: Yes.

19 (Whereupon, speakers were duly affirmed.)

20 CPT. NEGRON: Yes, sir. I did submit this
21 letter dated Monday, May 19th regarding 6160 South 6th
22 Street. If you have the copy, or if you don't, I can
23 paraphrase it.

24 Basically, this is the residential mobile
25 trailer parked owned by Collegiate Mobile Home under

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1 the authority of Zellmer Fromm. Several trailers,
2 large area, consumes a lot of police resources.
3 Having checked year-to-date calls for service, the CAD
4 system in the RMS, which is our report system, find
5 that just this year alone as of May 18th, we have 48
6 calls for service and four offense reports filed.
7 Having checked this past day, we were up to 59 calls
8 for service and six reports filed. In '07, we had 266
9 calls for service, 20 reports file, in 2006, 211 calls
10 for service and 29 reports filed, in 2005, 142 calls
11 for service and 10 reports filed. So the calls for
12 service keep increasing over the years.

13 I do ask that you take into consideration
14 that some of these calls were generated by officers
15 who conducted self-initiated investigations within
16 that park because of other complaints that have come
17 to our attention or observations that we've made.
18 Also, Cory Harris is what we call our community
19 prosecution officer. He handles all the nuisance
20 properties. He's presently involved in a homicide
21 trial, so he's not available to help testify here.

22 My concerns here, the plan of abatement that
23 was furnished to us in November, it has come to my
24 attention just recently that there has been probably
25 some circumventing, in which, although we never asked

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1 nor do we ever suggest that any tenants ever be
2 evicted, that has been Mr. Fromm's position; however,
3 we're hearing reports that some of the tenants are
4 deshelving, where they're evicted from one trailer but
5 then they're moving into another one within the same
6 property.

7 The property itself, 6160, although it
8 houses several trailers, is still considered one
9 address, so therefore, any calls for service coming
10 into that address constitutes a call for her service,
11 which can be tacked onto the nuisance status. That's
12 pretty much what I have in the letter. If you need me
13 to elaborate more on the concerns, I can, or
14 otherwise, I can wait.

15 CHAIRMAN BOHL: Are there questions by
16 committee at this time of Captain Negron?

17 ALDERMAN KOVAC: You say under the nuisance
18 statutes. Have there been fines levied based on that?

19 CPT. NEGRON: There had been, and we're
20 starting to review that one more time, again, because
21 in November Mr. Fromm did meet with Officer Harris,
22 and it was our understanding that it was at that time
23 we believed that the abatement plan was being looked
24 into and we were getting reports of eviction notices.
25 However, just recently I'm finding out that people who

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1 were evicted are still living within the compound only
2 in different trailers, which would technically violate
3 his plan of abatement for that address.

4 ALDERMAN KOVAC: So as of yet, you haven't
5 fined him under the statute?

6 CPT. NEGRON: We have before November, and
7 right now I have about three more bills sitting on my
8 desk for this property.

9 ALDERMAN KOVAC: What was the total amount
10 for one of them, do you know?

11 CPT. NEGRON: They range anywhere from \$200
12 and 50, depending on the nature of the call. Loud
13 music, we get there, we advise it or we end up making
14 an arrest or constitutes a lot more investigation. I
15 have one here for May 1st of '08, although it has not
16 been sent out, for \$281, April 27th for \$81, April
17 17th for \$63. That's what I have for this year so
18 far.

19 MR. SCHRIMPF: Mr. Chairman.

20 CHAIRMAN BOHL: One second, Mr. Schrimpf.
21 Other questions by committee? Mr. Schrimpf.

22 MR. SCHRIMPF: Thank you. First of all,
23 Captain, the document that you read and which I
24 believe is in the committee's file, is that correct,
25 Mr. Chairman?

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CHAIRMAN BOHL: Correct.

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MR. SCHRIMPF: That information was taken from records and files kept in the ordinary conduct of business of the Milwaukee Police Department?

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CPT. NEGRON: That's correct.

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MR. SCHRIMPF: And those figures represent a summation of that information?

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CPT. NEGRON: That is correct.

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MR. SCHRIMPF: Do you have a copy of whatever abatement plan was created back in November?

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CPT. NEGRON: Yes, sir.

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MR. SCHRIMPF: Mr. Chairman, I think it might be helpful to the committee to have that.

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CHAIRMAN BOHL: Thank you, Mr. Schrimpf.

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And let the record reflect that Alderwoman Coggs has joined the committee. She will move to make a letter dated May 19th, 2008 from Captain Eduardo Negron part of our official record in this proceeding, and hearing no objections to that, so ordered. Are there other questions by committee at this time? Mr. Tepper, was there anything that you wanted to say to respond to the Captain's comments here to the committee?

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MR. TEPPER: Yes, I would. Pursuant to that letter of May 19, 2008, we have listed 48 calls for service and four reports filed. If we compare that to

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1 the previous year, that's a substantial improvement,
2 and I mean a substantial improvement. The previous
3 year for the whole year, they had 266 calls. If we
4 take the 48 calls up to this time, we'd wind up, I
5 believe, about 120 calls, so we've cut the problem in
6 half there.

7 As far as the reports filed, through May 19,
8 there were four reports filed, last year there were 20
9 reports filed, so you're reducing the reports filed
10 even from 20, and if we put it out for the whole year,
11 it would be down to 12, approximately. So there has
12 been improvement. I don't want this committee to
13 think that we're not trying to correct any problems
14 that are there. There are other things that I can
15 respond to, but I don't know if you want me to wait.

16 CHAIRMAN BOHL: Yeah. We'll hear from the
17 Department of Neighborhood Services.

18 MR. TEPPER: Also, I believe that the
19 committee, you should take notice of the fact that Mr.
20 Fromm on his own has contacted Officer Cory Harris on
21 numerous occasions to keep him well informed of what
22 is going on in the community, being a mobile home
23 park. In fact, to try to correct some of this
24 problem, he has a security guard who is here today to
25 testify. In fact, one of the complaints that was

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1 listed in the letter that went out to Mr. Fromm, the
2 violation of law was reported by the security guard.
3 I mean, we are attempting to do this.

4 This is 130 units within the confines of
5 this mobile home park. It is a marked improvement
6 from where it was down the road, but I'll go into that
7 later.

8 CHAIRMAN BOHL: Thank you. Questions by
9 committee? We can hear from the Department of
10 Neighborhood Services.

11 MR. SCHRIMPF: Mr. Chairman, I believe the
12 Captain has the abatement plan.

13 CHAIRMAN BOHL: That is the abatement plan
14 that was provided to you by the applicant here,
15 Captain?

16 CPT. NEGRON: Yes. It's signed by Zellmer
17 Fromm, and they're all from '06.

18 CHAIRMAN BOHL: Alderman Hamilton will move
19 to make the three-page abatement plan document from
20 September 14 of 2006 part of our official record in
21 this proceeding, and hearing no objections to that, so
22 ordered. I'd like to hear from the Department of
23 Neighborhood Services. Identify yourself for the
24 record, please.

25 MR. WESSEL: I'm Tom Wessel. I'm a

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1 supervisor with the Department of Neighborhood
2 Services. Our objection stems from violations that
3 were identified during the license inspection that was
4 conducted on May 7th and 8th of 2008. I do have a
5 copy of the inspection report, if I could pass that
6 around.

7 CHAIRMAN BOHL: Please. Do you have a copy?

8 MR. TEPPER: Yes.

9 MR. WESSEL: I also have some pictures in
10 there.

11 CHAIRMAN BOHL: And Alderman Kovac will move
12 to make this inspection report from the Department of
13 Neighborhood Services part of our official record in
14 this proceeding, and hearing no objections to that, so
15 ordered. Please, proceed.

16 MR. WESSEL: The inspection report
17 identifies basically 29 code violations with 138 items
18 that needed to be corrected at the site. Those
19 violations include unsanitary conditions, defective
20 sewer connections, improper grading that's causing the
21 northeast section of the park to flood and other
22 maintenance items including defective windows, trim,
23 siding, porch repairs that need to be done, electrical
24 fixtures, and accumulated garbage and debris on the
25 property.

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1 Originally our inspector had gone on out
2 7th, and then he had some of the management staff,
3 including Mr. Roberts and myself, go out with him on
4 the 8th. At that time he was showing us some of his
5 concerns, and we identified another trailer. There
6 had been one trailer where the sanitary sewer was not
7 connected, so the waste from that trailer was dumping
8 on the ground. At the time of our subsequent
9 inspection on the 8th, we found a second trailer where
10 that was also the case. That was trailer No. 47
11 that's identified in the report.

12 We knocked on the door and talked to the
13 actual owner of that trailer who said that she had
14 owned that trailer for three years and that that sewer
15 connection had been in that same condition since she
16 had bought the trailer, whether or not that is the
17 case or not. The photos that are with that order, you
18 can see the condition underneath that trailer. There
19 was sewage that was dumping directly onto the under-
20 carriage of that trailer. So those are the main
21 concerns that we have had were some open sewer
22 connections and then the flooding of that north area.
23 It affects, approximately, sites where 10 trailers are
24 located in the park.

25 CHAIRMAN BOHL: Mr. Wessel, how many orders

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1 are outstanding at this location, approximately?

2 MR. WESSEL: At this time, just those 29
3 violations that are in the report. As far as the
4 history of compliance with the park, Mr. Fromm has
5 complied in the past when there are written orders on
6 the property, and there is some improvement over the
7 last few years. I've got a few statistics here.
8 Regarding complaints to the department, for this
9 license year, which is July 1st through June 30th, we
10 have had 19 complaints to date. The prior year during
11 the same license year, we received 34 complaints. As
12 far as orders issued, this year there were 18
13 violations, whereas last year for that whole license
14 year it was 44. Again, all of those have been
15 corrected.

16 As far as number of violations, for this
17 license year it was 134, the prior year there was 302.
18 Although, like I said, he is showing some improvement
19 and he has been complying with those orders, it does
20 demand a lot of the department's resources. Over this
21 last license period, we have already had just doing
22 inspections over 35 manpower hours that we had to
23 devote to the trailer park. The prior year we were at
24 52. And that does not include office time, travel
25 time, et cetera. That's basically time at the site.

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1 CHAIRMAN BOHL: Thank you. Are there
2 questions by committee? Mr. Roberts, was there
3 anything else you were going to add from the
4 department's perspective here?

5 MR. ROBERTS: No. Our information -- and
6 Tom has provided most of the department's concern --
7 our information is that this is the responsibility of
8 this operator. One of the things is that the
9 statistics that show complaints may not do justice to
10 some of our concerns. Case in point is the plumbing
11 situation. We had not received a complaint about
12 that. It was our self-initiated inspection that
13 uncovered some of these concerns. We have additional
14 concerns. We will be going back out and doing at
15 least more thorough inspections of areas where we
16 would ask the owner to comply with various
17 responsibilities that are listed in the code.

18 CHAIRMAN BOHL: And Ron, could you just for
19 the record list your full name and title here.

20 MR. ROBERTS: Ron Roberts. I'm the manager
21 of our Commercial Code Enforcement Division.

22 CHAIRMAN BOHL: Thank you. Questions by
23 committee? Mr. Tepper, any response to the Department
24 of Neighborhood Services report?

25 MR. TEPPER: Yes, Mr. Chairman. In regards

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1 to this, 95 percent of the latest order has been
2 complied with, even though some of that order is
3 90-day order, if I'm not mistaken, and some of it is
4 only 30-day order. Mr. Fromm in the past has always
5 complied with any orders that they find. You have 130
6 homes here. Not all of these homes are owned by Mr.
7 Fromm. The responsibility for some of this repair
8 work should really be with the owners of the property.
9 However, it falls upon the shoulders, and we're not
10 denying the responsibility that Mr. Fromm has to do
11 it.

12 Also, if we really would take a look at the
13 order that is existing today, if you take a look at
14 what the problems are, most of it is not of a serious
15 nature; skirting, things like that. Now, these things
16 occur every single year as a result of the conditions
17 of the weather. They're corrected as soon as -- Mr.
18 Wessel's people came out -- I think it's Mr.
19 Parazynski and Mr. Fromm meet, he tells them what has
20 to be corrected, and in the past, as stated by Mr.
21 Wessel, they have been corrected. We're not trying to
22 avoid any responsibility.

23 There is one, as far as the water in the 10
24 units. I even have a proposal that I was going to
25 give to Mr. Wessel from Gene Radner plumbing to

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1 correct this problem. Mr. Fromm is going to spend
2 approximately \$40,000. Part of the problem has been
3 created; one, by the bad last winter we had, a little
4 over 100 inches of snow, and also because the property
5 directly to the east, some of that water comes over to
6 the property where Mr. Fromm is. But we have a
7 proposal to correct that problem.

8 In the past Mr. Fromm has spent in upgrading
9 this place in excess of \$150,000 for electrical and
10 for plumbing work. When he is advised of any problem,
11 it is corrected, and it is corrected in a timely
12 manner. Mr. Fromm has been cooperative. He speaks
13 with Mr. Parazynski, they walk through the park. If
14 there's something that's sitting there, Mr. Fromm has
15 different people working at the park all the time
16 trying to correct these problems. Sometimes the
17 problem is dealing with the person who lives in the
18 premises that Mr. Fromm has to get permission to
19 correct it. You can't just walk into someone else's
20 house, as we all know.

21 And if the committee wishes to look at the
22 particular order, some of this stuff is what I would
23 call a minor nature, it needs to be corrected but of
24 a minor nature.

25 CHAIRMAN BOHL: Thank you. Of the 130 or so

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1 units in the mobile court park, how many of these
2 units, approximately, does Mr. Fromm own?

3 MR. TEPPER: 33, approximately 33. They
4 change, because slowly but surely Mr. Fromm has been
5 giving the units to the tenants if they have been
6 tenants for a period of time and been good tenants.

7 CHAIRMAN BOHL: And the record will reflect
8 that Alderman Zielinski joins the committee.
9 Questions by committee at this time? Alderman Kovac.

10 ALDERMAN KOVAC: In the case of the sanitary
11 sewer hook-ups or lack of hook-ups, whose
12 responsibility is it if the trailer is owned by
13 somebody else but they're in the park, given that the
14 Captain has already said that this is all one address?

15 MR. TEPPER: It falls upon eventually the
16 owner of the property. Many of the violations that
17 can be really, if it was just a single-family home or
18 the renter or someone or an apartment might be
19 responsible or something, but because of the nature of
20 a mobile home park, there's different rules that
21 apply. For instance, the steps. Even though I
22 remember he had to replace steps at thousands of
23 dollars cost to the unit that he didn't even own, but
24 he becomes responsible for it, and he did it. He has
25 constantly upgraded even things that don't belong to

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1 him to be in compliance with the city ordinances.

2 And I think that if you take a look at his
3 previous record, you will see that he has complied
4 with everything. And in this case, if that's
5 necessary, it's going to be complied with.

6 ALDERMAN KOVAC: I just wanted to ask the
7 same question of DNS.

8 INSPECTOR ROBERTS: I just want to describe
9 for the committee what's really going on here because
10 we're talking about a trailer park, and there are not
11 many trailer parks in the City of Milwaukee. Some of
12 the people who are living in these trailer parks own
13 trailers and are trapped in that situation. We were
14 meeting with Captain Negrón and the alderman last
15 week, and we heard the story about one of the
16 occupants who said she abandoned one of her trailers
17 after a fire. After that fire, Mr. Fromm took title
18 to that trailer and then either rents it or sells it
19 to another occupant.

20 We've heard other stories of where Mr. Fromm
21 uses those trailers, for example, there may be a
22 trailer that is in poor condition that's abandoned, he
23 will take and either renovate the trailer or repair it
24 or give it to one of the other occupants as a gift so
25 that now he doesn't have the responsibility to

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1 maintain that trailer, the responsibility of
2 maintaining that trailer is the occupant's. But
3 ultimately the responsibility for the trailer park,
4 the condition of the trailer park, and the condition
5 of the trailers rests where Mr. Fromm, and it's his
6 responsibility to make sure that everything is up to
7 code in that trailer park.

8 ALDERMAN KOVAC: So you use the word give,
9 and Mr. Roberts just used the word gift. Is that how
10 transactions normally take place, someone lives there
11 long enough and you just say it's yours now, or is
12 there usually a contract or mortgage?

13 MR. TEPPER: There's no contract or anything
14 like that. It's purely a decision on the part of Mr.
15 Fromm and sometimes the tenant when it is -- call it
16 gift or give, whatever word you might want to use.
17 Mr. Fromm has slowly but surely tried to rid himself
18 of ownership and to turn it more into where he is
19 renting the space to anybody that wants to come into
20 it, but that's a slow process.

21 ALDERMAN KOVAC: So even the people that own
22 the trailers are still paying him rent?

23 MR. TEPPER: Yes. That's a normal thing.
24 In every trailer park you pay for the slab that you're
25 on. You're renting that space, and you're provided

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1 with various services. In fact, he collects money for
2 the City of Milwaukee as a result of that.

3 ALDERMAN KOVAC: What's the advantage to
4 accepting this gift other than not taking on the
5 responsibilities of these violations?

6 MR. TEPPER: I'm sorry?

7 ALDERMAN KOVAC: What's the advantage of
8 someone who would accept this gift other than the
9 disadvantage of having now taking responsibility for
10 various violations?

11 MR. TEPPER: The advantage is it's theirs,
12 they have this place, they're not going to be thrown
13 out, they don't have any -- They own something,
14 they're given something, it has some value.

15 ALDERMAN KOVAC: What is the value? If they
16 tried to sell it, what could they get for it?

17 MR. TEPPER: Depending on where they're
18 going to try to move it to, if they're going to move
19 it away, or just sell it to someone else that might
20 come into the park, it could range from a few thousand
21 dollars, it all depends. There's no set formula. And
22 if you have to move these to a different park then,
23 and that creates a problem, of course, because there's
24 only a limited amount of parks. Within the confines
25 of the City of Milwaukee for instance, I think you had

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1 three other parks today up for renewal. The parks in
2 Milwaukee are fairly old, also.

3 MR. SCHRIMPF: Mr. Chairman.

4 CHAIRMAN BOHL: Mr. Schrimpf, I don't want
5 to get too far afoot on this. Go ahead.

6 MR. SCHRIMPF: First of all, when a trailer
7 is gifted, aren't there some papers that have to be
8 filed with with the Department of Commerce regarding
9 that transaction?

10 MR. TEPPER: You file just like a car title.

11 MR. SCHRIMPF: That's what I would think.

12 MR. TEPPER: Right, you do.

13 MR. SCHRIMPF: So there would be evidence of
14 -- You said there was no contract or anything, but
15 there would at least be such a title transfer?

16 MR. TEPPER: Maybe my lawyering came out
17 when you said contract. There's no contract, but
18 there is a document. I don't want to mislead the
19 committee.

20 MR. SCHRIMPF: And if, for example, a
21 trailer is gifted, is there then a differential in the
22 rent that is collected as opposed to if Mr. Fromm owns
23 the trailer?

24 MR. TEPPER: According to Mr. Fromm, they
25 pay less if they own it.

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1 MR. SCHRIMPF: Then do you have a copy, are
2 there copies of the leases, just a lease form that you
3 have?

4 MR. FROMM: Yes.

5 MR. TEPPER: We can check the records, but
6 there would be.

7 MR. SCHRIMPF: That's all I have, Mr.
8 Chairman.

9 ALDERMAN ZIELINSKI: Just a dovetail on that
10 last question. It kind of surprised me when you said
11 that the individual pays less rent when they own the
12 mobile home as opposed to when they don't own the
13 mobile home, so what I'd like to do is get a little
14 bit more specifics on that answer. How much is the
15 rent for that space if the individual does not own the
16 mobile home, and how much is the rent for the space if
17 they do own the mobile home?

18 MR. TEPPER: According to Mr. Fromm, it
19 would be between 420 for owning your own home, 575 if
20 you didn't own it.

21 ALDERMAN ZIELINSKI: So if they don't own
22 the home, how much are they paying to rent the home?

23 MR. TEPPER: They're paying, approximately,
24 another \$150.

25 ALDERMAN ZIELINSKI: So they pay \$150 a

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1 month to rent the mobile home?

2 MR. TEPPER: Approximately, yes.

3 ALDERMAN ZIELINSKI: Thank you.

4 CHAIRMAN BOHL: Other questions by
5 committee?

6 ALDERMAN HAMILTON: Mr. Chair. Not to go
7 too far down this road but to get a sense of the
8 responsibility of the mobile home and the expectation
9 of once you take ownership of that mobile home what
10 you're able to do with it. When you give away a
11 mobile home, there are certain standards that you have
12 for mobile homes that's on your property, right? Do
13 you have an age limit for mobile homes? Do you
14 grandfather certain mobile homes in? Or if someone
15 new was coming onto your property and let's say they
16 were coming from a different mobile home and they had
17 a mobile home from 1943 that was an antique, would
18 they be able to come onto your property regardless of
19 the condition of that mobile home?

20 MR. FROMM: I would say if the home is in
21 poor condition, I wouldn't want it. We have one older
22 home, his name is Terry Killups, but he maintains the
23 home very well. You know, it's an old home in
24 comparison to the other homes. Lot 729.

25 ALDERMAN HAMILTON: And if you gifted them a

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1 mobile home and they wanted to move off that one and
2 go to a different one, there would be certain
3 standards that that park would probably have of mobile
4 homes?

5 MR. FROMM: Could you repeat that question.

6 ALDERMAN HAMILTON: If someone left a park,
7 and let's just say they were leaving your park and
8 going to another park, those other parks would have a
9 standard of the type of mobile home that would come
10 onto that park; is that correct?

11 MR. FROMM: I don't know. I don't know what
12 the other parks -- how the other parks would handle
13 that, I couldn't tell you.

14 ALDERMAN HAMILTON: Is that pretty much the
15 situation with other parks?

16 INSPECTOR ROBERTS: I think you're hitting
17 the nail on the head here. Most of the condition of
18 this trailer park is the product of management and the
19 standard imposed by the management. Some of the other
20 trailer parks are managed much better and they require
21 higher standards, all of the roads are paved and
22 maintained. One example would be when we talk about
23 these trailer parks, you're talking about a connection
24 to plumbing and electrical systems underneath the
25 trailer, where in Wisconsin weather conditions, if

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1 that foundation is not properly insulated, you have
2 the potential of those pipes bursting, and as that
3 occurs, you may have sewage running onto the ground,
4 and if the manager has a standard where everything
5 that comes into the park I'm going to require
6 insulated skirting and I'm going to ensure that if
7 it's my trailer I'm going to put it on or if it's your
8 trailer, I'm going to require that insulation to
9 preserve and protect welfare of the occupants.

10 That's a decision the manager makes. When
11 the manager makes that decision and operates that
12 trailer park in that community, you eliminate some of
13 the concerns we may have expressed earlier today.

14 ALDERMAN HAMILTON: I guess when we were
15 talking about the language of giving and gifting, I'm
16 not too sure that every gift is a good gift, if it's
17 not meeting the standards that normal people would
18 expect, especially for living conditions. What is the
19 level of quality that's expected for this park, and if
20 you would give something that would be below the
21 standards for the park or for any other park, and I
22 was just trying to get an understanding of that.

23 MR. TEPPER: I don't think there's
24 necessarily any standards throughout the system as
25 such for the four parks. When you're talking about

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1 when you're gifting someone, it's, as far as we know,
2 any time we're gifting anything, it is meeting the --
3 it's in decent condition, it may not be perfect, and
4 many times and most of the time the people that are
5 getting this have lived in this particular unit for a
6 period of time, a lengthy period of time, and they
7 know everything about this unit, there's no secrets.
8 This isn't where we're trying to play games. It's a
9 reward in a sense.

10 CHAIRMAN BOHL: I'm going to just provide a
11 little sound advice to the committee. Let's move on
12 beyond gifting and giving. I think the condition of
13 the park speaks for itself. We could be here until
14 noon talking about gifts and everything else. I think
15 the measure of the park speaks for itself. I want to
16 hear from Alderman Witkowski here now.

17 ALDERMAN HAMILTON: I just wanted to say --

18 CHAIRMAN BOHL: Go ahead, sure.

19 ALDERMAN HAMILTON: -- just to wrap it up
20 that a level of responsibility has to go to the
21 manager and to the owner for the conditions that exist
22 in the park. Whether it's owned by the owner of the
23 park or whether it's owned by the tenant or by the
24 person that's renting the space, I think there's a
25 standard that should be there and that should be

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1 maintained by the owner and by the person that's
2 renting the trailer, and I think that's the point, not
3 to pass the buck by saying I'm going to give it away
4 now to give that responsibility to someone else.

5 CHAIRMAN BOHL: I do want to hear from
6 Alderman Witkowski.

7 ALDERMAN WITKOWSKI: Thank you. Discussion
8 here has been -- Actually, there's four trailer parks
9 in the whole city. I have them all. I do not have
10 the calls for police service at the other three
11 trailers. That trailer park that you're hearing about
12 here today, 200 a year, breaking down 150 last year,
13 or 150 in 2005, 266 in 2007. Last year when we sat
14 here, we looked at the material we had at that time
15 indicated that there had been 90 calls within 60 days
16 during the summer months. We're approaching summer
17 here again, again tremendous demand for police
18 service.

19 I've met with the residents on occasion.
20 When I came into office, I met with about 40 of them
21 and began hearing the tales of problems at this court,
22 which has consistently seemed to have gotten worse. I
23 have been sworn in, Catherine has, and I would just
24 ask Catherine to step forward and talk to the types of
25 complaints that she receives from us. Catherine

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1 Cooper, my legislative assistant.

2 (Whereupon, the speaker is duly affirmed.)

3 CHAIRMAN BOHL: Catherine, if you could just
4 take the microphone and identify yourself for the
5 record.

6 LEGISLATIVE AIDE: I'm Catherine Cooper,
7 legislative assistant to Alderman Terry Witkowski in
8 the 13 District.

9 CHAIRMAN BOHL: Please, proceed.

10 LEGISLATIVE AIDE: We have received in our
11 office many, many calls about this particular trailer
12 park, and they're always calls in regard to issues of
13 health, safety, and conditions within the park that to
14 the residents are unacceptable. These conditions are
15 dirt in the park, drugs, prostitution, and domestic
16 disputes. The whole gamut of every kind of call you
17 could think of that human nature can fall into I've
18 received about this trailer park. I have not received
19 any calls from any of the other trailer parks that we
20 have in our district. So the calls can be a little
21 overwhelming at times.

22 CHAIRMAN BOHL: Thank you. Questions by
23 committee first, please.

24 ALDERMAN ZIELINSKI: Mr. Chairman, I have a
25 question of the captain. Captain, have you been able

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1 to quantify the amount of money associated with all
2 the police calls to this property?

3 CPT. NEGRON: I listed about three or four
4 bills that we have sent out. Aside from that -- This
5 is just this year alone, this is '07, so these are all
6 CADS from here for police service. And some of them
7 can be a quick drive-through, it's an anonymous caller
8 of fireworks or loud music, we drive through and it's
9 over with, or on occasions we've arrested burglars out
10 of that park, which constitutes a lot lengthier
11 investigation. So I don't have a dollar amount.

12 ALDERMAN ZIELINSKI: It's considerable?

13 CPT. NEGRON: It's very considerable.

14 CHAIRMAN BOHL: I guess what I would say is
15 the dollar amount is not as significant as the number
16 and the nature of the calls would be my own two cents
17 here on that. Other questions by committee?

18 ALDERMAN ZIELINSKI: That's all the
19 questions I have.

20 CHAIRMAN BOHL: Alderman Kovac.

21 ALDERMAN KOVAC: I want to ask Mr. Fromm, is
22 it your responsibility to make sure the sewer hook-ups
23 are working? Is that part of the management and part
24 of the 428 people who even own the trailers are paying
25 for? Is it you're responsible for the people who even

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1 own trailers but they're still paying you \$420, is
2 part of what they're paying for good sewer hook-ups so
3 that there's not raw sewage a few feet from that
4 trailer?

5 MR. FROMM: Yes, we take care of that. We
6 watch for that very carefully.

7 ALDERMAN KOVAC: What about the situation on
8 Trailer 47 where it was supposedly for three years
9 there was raw sewage?

10 MR. FROMM: Immediately when I became aware
11 I called Gene Radner, and here's his invoice here for
12 Trailer 47 and Lot 25. He came immediately. Whenever
13 I have a plumbing problem, I call Gene Radner. He
14 comes immediately. He was there the same day, came
15 back the next day to correct the problem.

16 ALDERMAN KOVAC: Can DNS confirm that?

17 MR. ROBERTS: No, we have not.

18 CHAIRMAN BOHL: Other questions for Ms.
19 Cooper? Thank you, Ms. Cooper. Are there other
20 neighbors here to testify on this matter? Hands way
21 up in the air so I can see them physically. Swear
22 them in, Madame Clerk, please.

23 (Whereupon, speakers were duly affirmed.)

24 CHAIRMAN BOHL: I'm going to ask each one of
25 the neighbors, everyone who's going to speak take

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1 every seat in the front row, we're going to you up one
2 by one. We'll need your name and your address for the
3 record and then your testimony. Sir, we'll start with
4 you because you were seated first. Thank you.

5 MR. MAYCROFT: My name is David Maycroft, I
6 reside at 2006 East Morgan. I just moved out of the
7 park about a month ago and purchased a house. I do a
8 lot of work for Mr. Fromm, and we have pretty much
9 complied with everything on the list, even the 90-day
10 order is, like the attorney said, 95 percent done.
11 That is definitely verifiable.

12 I think the problem with the sewage is it
13 was hard to detect because there's skirting on the
14 side of the trailers, so you can't see underneath
15 unless you pull it. There was swamp water back there
16 at the time, so if there was a little smell, they
17 probably just didn't correlate one with the other.
18 That was more than likely the issue with that.

19 CHAIRMAN BOHL: Thank you. Questions by
20 committee? Thank you, sir. Next witness, please.

21 MS. LAZARO: My name is Debra Lazaro, I am a
22 tenant at 6160 South 6th Street, Lot E6.

23 CHAIRMAN BOHL: For the record we will need
24 a spelling of your last name.

25 MS. LAZARO: L-A-Z-A-R-O.

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1 CHAIRMAN BOHL: And you are a tenant of this
2 mobile home park?

3 MS. LAZARO: Yes. I have been a tenant
4 there for five years, since 1994. I help people
5 there, even my neighbors. I have a lot of elderly
6 neighbors that cannot do things there, and I'm a good
7 neighbor and helping, doing their lawn, shoveling
8 their snow. And just where I came from, I have seen a
9 lot of difference from where I lived. I lived on 26th
10 and Greenfield Avenue. I cannot walk outside at
11 night. I can walk outside at night at this trailer
12 park and get a soda and not worry about being hassled
13 or stuck up. Where I used to live, that's what
14 happened to me over there.

15 I'm very happy where I will. I want to stay
16 where I live. And we do have a lot of elderly people
17 there that we do try to help out that cannot do. And
18 they do have their own grandsons, granddaughters, and
19 they do not help them, but I'm one of the neighbors
20 who do help them and try to. And Zellmer is a very
21 good landlord. He does abide with everything. I have
22 a 1992 home that is in very good shape and painted and
23 a nice yard, and we have a lot of tenants around me
24 that have done the same thing.

25 CHAIRMAN BOHL: Thank you for your

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1 testimony, Ms. Lazaro. Questions by committee?
2 Alderman Hamilton.

3 ALDERMAN HAMILTON: Have you noticed any of
4 the activity that's been complained about today about
5 the prostitution or drug activity or those types of
6 things?

7 MS. LAZARO: No. There's no prostitution in
8 our park at all. I don't know where that came from,
9 but that totally is a lie. There's no prostitution.
10 We have children there. They go on each side of the
11 park, north side, east side, west, and south, and we
12 do not have that going on. We have a lot of parents
13 there, a lot of kids where I live, and it's a very
14 good area.

15 ALDERMAN HAMILTON: And the general
16 condition of the trailers are --

17 MS. LAZARO: Very good. It depends on the
18 home owner. You do have a lot of elderly that
19 couldn't take care of things. I had an elderly man
20 who had to go in a nursing home. We took care of his
21 plumbing. He would call us up and his toilet and
22 things, you know. And his house was full of things,
23 but that is how some people live. You cannot tell
24 people that are in a condition like that how to keep
25 their home. He was old, he could not do things. He

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1 just lived with a lot of furniture there, and there
2 was only a pathway to get in his house, but that is
3 what he did, and I was one of the tenants who went
4 over there and helped him out and did what I could do
5 for him.

6 ALDERMAN HAMILTON: Thank you.

7 MS. LAZARO: You're welcome.

8 CHAIRMAN BOHL: Further questions by
9 committee of this witness? Thank you, ma'am.

10 MS. LAZARO: You're welcome.

11 CHAIRMAN BOHL: Sir.

12 MR. UPTON: My name is James Upton. I'm the
13 security officer of the park.

14 CHAIRMAN BOHL: And we will need an address
15 for you, Mr. Upton.

16 MR. UPTON: My address is 6160 South 6th,
17 Lot No. E3. I live in the park. I don't see anything
18 as far as high volumes of traffic come through there
19 as far as what you're relating to as far as
20 prostitution, there isn't any of that going on in our
21 park. I will say that I've been monitoring vehicles
22 that come in and out of the park as far as the
23 suspicious looking vehicles, as far as anybody trying
24 to establish a foothold trying to sell drugs in the
25 park. I haven't seen anything recently. We did have

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1 a situation whereas I had to call vice squad to come
2 in to take care of a certain situation we had. That
3 problem has been resolved. That person is no longer
4 living in the park.

5 My job is to watch around, make sure that
6 nobody is trying to be put into a dangerous situation,
7 as far as activity, as far as loud music. As far as
8 vehicles driving through, you can only do so much much
9 late hours of the night. I can't be on call 24/7, but
10 I do the best job I can to make sure everything is
11 taken care of properly.

12 Mr. Fromm has done extensive work to the
13 park that I've noticed with my patrol. My correlation
14 with him, I keep him informed of everything that goes
15 on in the park, as far as any violations, as far as
16 nuisance calls or whatever. I'm not quite sure
17 exactly everything that has gone on in the past. He's
18 recently had me working for him from last year, last
19 portion of last year to now. We do have reports as
20 far as showing, like I said, as far as any drug use,
21 that person's been gone. And as far as prostitution,
22 I have not seen anything as far as the volume of cars
23 or anybody come in and out of the park for that
24 activity.

25 CHAIRMAN BOHL: Thank you, Mr. Upton. Mr.

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1 Upton, how long have you served in the capacity as a
2 security officer for this park?

3 MR. UPTON: This park for approximately a
4 year-and-a-half now. I was working last year as far
5 as helping him and then up until now.

6 CHAIRMAN BOHL: Questions by committee?
7 Alderman Kovac.

8 ALDERMAN KOVAC: So a year-and-a-half ago,
9 you were doing maintenance on the facility and you've
10 been a security officer since when?

11 MR. UPTON: No, I haven't done any
12 maintenance of the facility. I work for another
13 company that works here in town, S & B Security
14 Services. I help Mr. Fromm here as watching over his
15 property as far as in the park. That's something I do
16 on the side basically for him to help him out. He
17 needs help.

18 ALDERMAN KOVAC: You started doing that a
19 year-and-a-half ago?

20 MR. UPTON: Yes.

21 ALDERMAN KOVAC: In the abatement letter, it
22 mentioned they had hired security as of last
23 September.

24 MR. UPTON: Right. Last September I was
25 working with him. I help just as a good neighbor to

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1 watch around and make sure I report things. But I
2 don't call the police. I make sure he knows first. I
3 don't understand the situation as far as nuisance
4 calls. And I can say as far as fireworks calls that
5 we've had from last year, I don't know what you take
6 into report of that, but I will say that any of those
7 calls I was helping him out as far as curbing that
8 activity. We haven't had any problems since then.
9 ALDERMAN KOVAC: Do you live in the park?
10 MR. UPTON: Yes, I do.
11 ALDERMAN KOVAC: For how long?
12 MR. UPTON: I've lived there since 2005.
13 ALDERMAN KOVAC: Because there were
14 significant calls to service, and they were increasing
15 up until last year, so I just wanted to clarify how
16 your role has changed pursuant to their abatement
17 program since last September.
18 MR. UPTON: I've had to step up my patrols
19 in the park. I go around on foot or else in the
20 vehicle in the car, I sometimes don't wear a uniform,
21 I walk my dog, make sure everything going on, try to
22 fit into the community. A lot of people don't know
23 who I am, so I try to keep that at a low. As far as
24 this last call as far as with vice, I basically was
25 undercover, I just blended in. So I'm basically his

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1 eyes and ears when he's not there.

2 ALDERMAN KOVAC: Was there activity a year
3 ago that there isn't now?

4 MR. UPTON: There's less activity,
5 substantial less activity, so it's way down. Gotten
6 rid of the problem.

7 ALDERMAN KOVAC: What kind of activity has
8 gone down?

9 MR. UPTON: As far as, you know, I mean, I
10 would say partying, being outside their trailers, I
11 would say as far as the fights. I've had one instance
12 where I had to pepper spray two women that got into a
13 disagreement. They were fighting with physical
14 contact. We had to break it up. They were arrested.
15 So I mean, we're doing, I think, the best job we
16 possibly can as far as using security.

17 ALDERMAN HAMILTON: What is your contact
18 like with the 2nd District?

19 MR. UPTON: I think I've called like, I
20 would say, I think four phone calls to 2nd District.

21 ALDERMAN KOVAC: Captain?

22 CPT. NEGRON: Yes, sir. I was not aware
23 that he was a secured guard. He may have interacted
24 with some of the officers on the calls, but I was not
25 aware.

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1 MR. UPTON: I'm sorry. In fact, I've got
2 Officer Veddin from vice.
3 CPT. NEGRON: That's vice, not 2nd District.
4 MR. UPTON: And Officer Keller.
5 CPT. NEGRON: I do have a Keller at 2nd
6 District.
7 ALDERMAN KOVAC: Thank you.
8 CHAIRMAN BOHL: Other questions by
9 committee? Thank you, sir. Sir, your name and
10 address for the record, please.
11 MR. WYRWICKI: Russell Wyrwicki, I live at
12 6160 South 6th Street, Lot W1.
13 CHAIRMAN BOHL: Please, proceed.
14 MR. WYRWICKI: I can verify him as the
15 security guard because I live on the corner lot, and
16 I'm always seeing him going around at nighttime
17 watching. And basically I see a lot of kids playing,
18 having fun. They're always in my yard. I don't see
19 no danger there. I really haven't seen any trouble
20 there. I've been there for almost three years.
21 CHAIRMAN BOHL: So you've seen no danger, no
22 trouble. Any reason for the 266 calls for police
23 service last year? Do you see any --
24 MR. WYRWICKI: All I heard was police cars
25 coming in the lot but not where I live. I heard the

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1 cars coming, and I heard the sirens stop when they
2 come into the park, but in my eyes, I haven't seen
3 anything. I don't know why they were even there.
4 CHAIRMAN BOHL: You keep more to yourself?
5 MR. WYRWICKI: Right. I sit in my yard.
6 CHAIRMAN BOHL: Questions by committee?
7 Thank you, sir. Any other members of the public here
8 to speak on this matter? I'm not trying to pull them
9 out of the woodwork. They didn't raise their hand,
10 they lose out. Mr. Tepper, is there anything else you
11 want to add here?
12 MR. TEPPER: Yes, I would.
13 CHAIRMAN BOHL: One moment. What I'm going
14 to do, Alderman Witkowski, is I'll give him a closing.
15 This will be your closing, your summary, your closing,
16 and then I'll hear from you, Alderman Witkowski, and
17 then we'll take this into consideration. Go ahead,
18 sir.
19 MR. TEPPER: When there's been complaints of
20 neighbors, we have never been advised of those. If
21 there's a complaint that's to be made, if someone
22 would call and let us know -- when I say us, Mr. Fromm
23 or one of his managers or assistant manager -- who are
24 there at all times on the premises, they would be
25 taken care of. There's been an accusation of

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1 prostitution. Never I don't believe you will find in
2 any of the police records that you will ever see a
3 complaint of prostitution. We're having to defend
4 something that we know absolutely nothing about.

5 If there was prostitution taking place on
6 the premises, which we vehemently deny, we would
7 certainly remove that tenant. If a tenant violates a
8 rule such as violating the city ordinances, we are not
9 going to stand for that. They are provided with rules
10 when they move in, we expect the tenants to abide by
11 those rules.

12 When we're talking about drug abuse, that's
13 another thing. I'm not denying that the alderman
14 might have gotten some calls from neighbors. We don't
15 even know who these neighbors are. Not that I need to
16 know their names, but we have never been advised that
17 this is a problem. How do you correct something that
18 you're willing to correct if you're not told about it?
19 You can't.

20 Now, when it comes to on the premises, we
21 have people. Besides Mr. Fromm coming there almost
22 every single day, we have the situation where we have
23 a manager and an assistant manager living on the
24 premises that are available to handle any of the
25 neighbors' complaints. If the neighbors complain, we

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1 take -- When I say neighbors, I'm assuming we're
2 talking about people within the community, I'm not
3 talking about people living outside the community. I
4 don't know anything about that, if there's ever been a
5 complaint about someone living outside of the trailer
6 home park. We have people to handle these problems if
7 we know about them.

8 Similarly, when it comes to Department of
9 Neighborhood Services, if we're told, they are
10 corrected. We're not avoiding anything with that.
11 The relationship with the Milwaukee Police Department
12 has substantially improved, I believe. Unfortunately,
13 Officer Harris can't be here, but he could talk about
14 the relationship he has with Mr. Fromm, the constant
15 communication to avoid various things. Last time when
16 Mr. Fromm was here, I think it was the chairman, in
17 fact, that suggested that he go to landlord school.
18 He took that advice. In fact, the assistant manager
19 had to go to landlord school as well as the manager.
20 All of these things have been done with an attempt to
21 resolve and help in the future.

22 You have 130 units, you have close to 300-
23 some people. It is a constant battle, which he is
24 slowly, maybe slower than what maybe some people might
25 want, trying to correct and bring it up. It is only

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1 to his betterment to make any necessary corrections
2 and that people learn that this is a wonderful place
3 to live if you choose to live in a mobile home park.
4 It is not anything other than a nice community. The
5 people that are -- I don't know who's complaining
6 exactly what they're complaining about except from
7 what the alderman said, and I'm not denying that he
8 got those telephone calls. If people would let us
9 know. Or if the alderman has a complaint about
10 something, we're certainly willing to correct any
11 problem.

12 He has spent, besides maintenance, over
13 \$150,000 at the request of the Department of
14 Neighborhood Services through the last couple years.
15 He is prepared to spend another \$40,000 to correct
16 another problem that they found. Now, if we talk
17 about some of these problems, he just found out about
18 it that they were violations. Now, this property has
19 been inspected every year. Okay. So when we talk
20 about the water in a certain area, this is nothing
21 that -- It depends on the time of the year. I think
22 if you go out there right now, you're not going to
23 find any water, so at the time of the inspection there
24 was water. That's going to be corrected.

25 It's our position that we certainly would

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1 request that the renewal be granted today, not only
2 for the ownership's interest, but, also, we have 130
3 families there, and we really don't have anybody that
4 came today that said there was anything wrong. We
5 understand the police get more calls, but it's the
6 nature of the tenant. We check the tenants before
7 they move in, we go through CCAP, we go through the
8 City of Milwaukee for their court system to find out
9 how they are. We even had experiences where we tried
10 to check the previous landlords, and who are the
11 previous landlords? Their friend. It wasn't a
12 landlord.

13 We're trying to do whatever we can do to try
14 to upgrade this park, and I think by less calls that
15 are here today, less complaints that are there, there
16 is progress being made, and we respectfully request
17 that the committee approve the renewal of the license.

18 CHAIRMAN BOHL: Thank you, Mr. Tepper.
19 Alderman Witkowski.

20 ALDERMAN WITKOWSKI: Thank you, Mr.
21 Chairman. I just heard about the amount of money
22 being spent to repair this park. The park's been
23 problems for as long as I've been here and getting
24 complaints about it going back four-plus years. If
25 you quick multiply out the amounts you were given,

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1 it's receipts over 900,000 a year for the 130
2 trailers, and again, it's not comparable to any other
3 park here that we have in my district in the City of
4 Milwaukee.

5 I did meet with neighbors last week, I got
6 calls yesterday saying they had been threatened, they
7 were afraid to come down, a call from this morning
8 saying they would not be down because of that.
9 Reported an assault last night, a woman getting beaten
10 out there. Police were called. The tenants tell me
11 that tenants are encouraged to contact the office
12 rather than the Milwaukee Police Department.

13 Testimony's been given about conditions. I
14 can tell you that that first meeting I had with
15 residents where over 40 people showed up, you don't
16 have over 40 people showing up unless they have
17 problems. I started working with Marty Collins to get
18 inspectors in the place, and yes, they do get
19 inspected every year now because there have been
20 problems out there. And again, there are very few
21 trailer courts in the City of Milwaukee, so Building
22 Inspection or Neighborhood Service did not have a
23 protocol prior to lately on how to deal with these
24 types of events here.

25 Now, you've got trailers sitting there that

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1 are as old as the 1960s. These are not well-built
2 homes, if you have door problems, if you have window
3 problems, if you have no skirting on the bottom, it's
4 zero outside, and your paying for the heat. If you
5 get a free trailer or not, it's a pretty expensive
6 place to live.

7 The landlord training. I'm very happy that
8 after all these years they have gone to landlord
9 training, but applying what you learned in landlord
10 training and doing tenant screening are two different
11 things compared to just going to school. I'm informed
12 that things are not proactive. If there
13 are police complaints, something is done, Neighborhood
14 Services complaint, something is done but not things
15 going proactive here. With Catherine getting calls on
16 drugs, fights, noise, I've been out there after two
17 arsons, it's a tremendous cost to the city.

18 We heard testimony from Neighborhood
19 Services about 10 of these homes with human waste
20 floating around them because they're on the low end of
21 the park, and the inspector happened to be out there
22 at the right time of the year where this exists.
23 Apparently the flooding exists every year but has
24 never been corrected. Again, evidence of lack of
25 proactivity there.

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1 CHAIRMAN BOHL: I don't know that that would
2 -- Do you want to deny?

3 ALDERMAN ZIELINSKI: To deny.

4 CHAIRMAN BOHL: The motion by Alderman
5 Zielinski is for denial of the mobile home park
6 license. On the motion, Alderman Kovac.

7 ALDERMAN KOVAC: Could I ask a question of
8 of Alderman Witkowski?

9 CHAIRMAN BOHL: We're in committee, but go
10 ahead.

11 ALDERMAN KOVAC: I just wanted to ask you,
12 the 40 people that came to the meeting and complained,
13 what's the remedy that they're seeking? Are they
14 hoping for this nonrenewal?

15 ALDERMAN WITKOWSKI: The 40 people I spoke
16 to was awhile back, it's been since I'm elected.
17 What they were looking for was the park to be
18 improved. People I spoke recently with see it as the
19 only alternative for improving it.

20 ALDERMAN KOVAC: If we nonrenew this,
21 they're all going to have to move out?

22 ALDERMAN WITKOWSKI: Yes, sir.

23 CHAIRMAN BOHL: Mr. Schrimpf, for the
24 committee's edification, we have the ability to renew,
25 to deny the license, there is also the ability to

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1 suspend the license, is that correct or not?

2 MR. SCHRIMPF: It's not set forth in the
3 ordinances or for that matter the statute, but the
4 fact of the matter is is that if you have -- there's
5 case law in Wisconsin -- if you have the power to deny
6 a license, you have the power to suspend a license.

7 CHAIRMAN BOHL: We are not required to abide
8 by these same not fewer than 10 nor more than 90?

9 MR. SCHRIMPF: No.

10 CHAIRMAN BOHL: Would it just have to be
11 within a year's context because we license them on an
12 annual basis?

13 MR. SCHRIMPF: Right.

14 CHAIRMAN BOHL: On the motion, Alderman
15 Hamilton.

16 ALDERMAN HAMILTON: I guess I want a little
17 clarification on the effect, and I guess I understand
18 what a denial would do. I'm not sure of what a
19 suspension would do.

20 MR. SCHRIMPF: Well, if you would suspend
21 the license -- we deal with this issue with boarding
22 houses and rooming houses -- if you suspend it, as a
23 practical matter, what has to happen is that a notice
24 has to be given by the licensee to the tenants that
25 they have to vacate the place because it's going to be

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1 unlicensed for a while. And basically speaking, under
2 other laws in Wisconsin, that means there would have
3 to be a 30-day notice given, and the notice would have
4 to be given before the start of the next rental paying
5 period, if it's not covered by a lease, in other
6 words, if it's a month-to-month sort of tenancy.

7 If any of these are covered by leases, then
8 it becomes far more complicated because the notice has
9 to be given before the start of the next leasehold
10 period. So that would be the effect, everyone has to
11 move out, so you're putting the licensee in the
12 position where he would have to start that process.

13 ALDERMAN HAMILTON: And he would be denied
14 rents for that suspension period?

15 MR. SCHRIMPF: He could not collect rents
16 for the suspension period, that's correct.

17 ALDERMAN HAMILTON: Okay.

18 CHAIRMAN BOHL: Again, the motion by
19 Alderman Zielinski is for denial of the license. Is
20 there any other discussion on the motion?

21 ALDERMAN KOVAC: Mr. Chair.

22 CHAIRMAN BOHL: On the motion, Alderman
23 Kovac.

24 ALDERMAN KOVAC: On the motion, just a
25 question. I want to clarify these calls for service.

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1 They have gone down, but we don't have year-to-date
2 numbers to compare to previous years. I don't know if
3 you have that available. It looks like
4 proportionately they've gone down but the summer
5 months, I assume, is the high activity as the
6 alderman's pointed out?

7 CPT. NEGRON: Yes, sir. I do not have the
8 exact time period for '07. I only give you the total
9 for '07. Again, for year-to-date, that was as of May
10 18th, it was 48 calls, and as of a day ago, it was 59
11 calls. So the consistency is still there. I also
12 remind you that, as we discussed here, the winter was
13 very harsh. You won't expect as many calls, but yet
14 we were still receiving them. If we would have had a
15 mild winter, which we have in the past and people are
16 out and about and the calls come in, it's more
17 understandable. I think even considering the factor
18 of the weather that has been introduced here, taking
19 that into consideration, I think the calls are still
20 up there.

21 ALDERMAN KOVAC: In the abatement plan, they
22 had said they were going to evict certain people, and
23 you've indicated from the experience of your officers,
24 people they promised to evict had, in fact, just been
25 moved within the park?

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1 CPT. NEGRON: That I received at the most
2 recent meeting I attended with the alderman and some
3 of the tenants and owners who chose to not show up
4 today. But that is also why we held off on sending
5 bills for all these calls for service because we were
6 under the understanding that we had complete
7 cooperation, and now there's a dubious factor here we
8 have to look into much greater.

9 ALDERMAN KOVAC: So you're investigating
10 that now?

11 CPT. NEGRON: I'm going to have to, yes,
12 again, depending on what happens here.

13 CHAIRMAN BOHL: If there are no other
14 questions, I'll ask Madame Clerk to call the roll on
15 the motion for denial.

16 THE CLERK: Alderman Hamilton.

17 ALDERMAN HAMILTON: Aye.

18 THE CLERK: Alderman Kovac.

19 ALDERMAN KOVAC: Aye.

20 THE CLERK: Alderman Coggs.

21 ALDERMAN COGGS: Aye.

22 THE CLERK: Alderman Zielinski.

23 ALDERMAN ZIELINSKI Aye.

24 THE CLERK: Mr. Chair.

25 CHAIRMAN BOHL: Aye. The motion carries on

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1 a 5-0 vote. Mr. Schrimpf.

2 MR. SCHRIMPF: Mr. Tepper, the committee is
3 going to be doing findings of fact and conclusions of
4 law recommending to the Common Council nonrenewal of
5 this license. You will receive a copy of that report,
6 and you'll have an opportunity to submit written
7 objections to that report as well as appear before the
8 Milwaukee Common Council when it considers this matter
9 at approximately 9:00 a.m. on June 10th, 2008 in the
10 Common Council Chambers of this building, the same
11 floor but the opposite end. Will you accept service?

12 MR. TEPPER: Sure.

13 * * *

