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March 29, 2024

Milwaukee Common Council
200 E Wells St # 205
Milwaukee, WI 53202

Re: File #231836
Milwaukee Historic Preservation Comm. Historic Site Designation
Designation Of The Grand Avenue Historic District

Dear members of the Zoning, Neighborhoods and Development Committee, and Common Council:

My wife and I are the owners of the property located at 3111 W. Wisconsin Avenue. We have owned this property since 2020 when we purchased the building from the Estate of the late Alan Eisenberg. I have been working in and running my law practice out of this building, however, since 1994. During that time, I sadly witnessed the building fall into a state of disrepair. Since purchasing the building, my wife and I have invested close to \$200,000 to restore the interior of the building to its original grandeur. Oddly, and to my knowledge, nobody who is involved in the current historic designation process has ever visited or otherwise been inside of the building to see what we have done.

This building means a great deal to our family. It is where I started my own private practice and over the years, my wife and both of my sons have worked for me in the building. My younger son Brandon has been working with me at the building since 2021 as a paralegal. He will be present at the meeting and because I will be out of town on April 4, 2024, I hereby authorize him to speak on our behalf at the meeting.

I understand that this building has a history with the city. It also has a history with our family, as I have been in it for nearly one-quarter of its existence. It's the people who built this beautiful home and its subsequent inhabitants that breathe life into its history. History

is personal. We're proud of this building's history. For history being so personal, however, this historic designation process has been incredibly impersonal. While it is true that we received notices of what was going to happen to the building, we didn't feel like we had much of a choice, and sadly, given how things have played out, I still feel that way.

I'd like to point out that the person who nominated our building is someone I have never met. We only know who he is because we watched a recording of the last HPC meeting. As an aside, when Brandon saw him, he immediately recognized him as the guy he saw several months ago outside of his office window taking photos of our building. After watching the recording of the last HPC meeting I have three takeaways:

- (1) Ann Eisenbrown, who voted against this proposal, actually cares about people and is a proponent of transparency – I would encourage every one of you to watch the March 11th meeting and listen to what she had to say at 1:40:15:

“Tim, shouldn't the staff be reaching out to people who are nominated, to property owners? Shouldn't we as a matter of transparency be doing that before we just simply send a letter saying there's going to be a hearing? Nobody has to answer that question if they don't want to. It just feels like there should be some transparency in this process.” – Ann Eisenbrown

- (2) Our property and by extension *we* have become embroiled in a battle between the city and property management companies that has become terribly personal;
- (3) Those responsible for the historic preservation of this city are disorganized and prepared to lie for the sake of historic preservation.

To explain this final point, in replaying the recording I noticed that Tim Askin, the senior planner of the HPC, said “Andrew spoke to everyone (owners) on the south side (of Wisconsin Avenue), I spoke to the owner of 3127.” Our building is on the south side of Wisconsin Avenue, and I can tell you that neither I nor my wife nor Brandon have ever spoken with Andrew, who is apparently involved with historic preservation. Eric Sobush, our next-door neighbor who was at that meeting, also noted that neither he nor his partner Mark Roeker ever spoke to Andrew, whereupon Tim Askin said he would take Eric's word for it. That Tim so effortlessly accepted that a professional colleague had misled him about having spoken with owners is shocking and betrays an intent to make the process appear to be fair and transparent when in fact, it is really akin to a steamroller flattening owners who actually care deeply about the history of the properties affected.

What's also shocking is that members of the HPC were asking for an explanation of the process by which residents had become acquainted with the fact that their properties were being nominated, which is what happened during the March 11th meeting. Frankly, that's not a question members of the commission should be asking. A competent and reasonably respectful commission tasked with making decisions of such import should already be fully informed about such an issue. This is a commission that is doing things "on the fly."

I would also be interested in knowing the following:

- (1) Why didn't Tim or Andrew stop by our office to discuss this proposal with us in person?
- (2) Why didn't Jim, the person who proposed this historic designation, walk an additional 20 yards and knock on our door when he was taking photos of our building, to discuss this proposal? He does live in the neighborhood, after all.
- (3) Why didn't Carlen call us when just a year and half ago Brandon spoke with her over the phone about the history of our building?
- (4) Why hasn't Alderman Murphy responded to our request to speak with him ahead of this meeting?

These largely rhetorical questions only confirm what I suspected from the moment that I became aware of this effort. Nobody is interested in soliciting our thoughts and input. Nobody wants to have a real conversation with us or otherwise get to know who the people are who alone will bear the brunt of the decision. I would have liked to have had somebody explain to me any pros and cons of the proposal. It is clear now that the idea was always to ram this through and hope the owners are too busy to take the initiative to get involved. To date, that disrespectful approach has been largely successful.

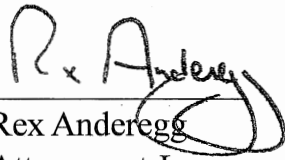
In closing, I would ask the members of the common council to not adopt this recommendation until the Historic Preservation Commission establishes a process that has at least a modicum of collaboration with the owners. And from a legal perspective, I also agree with Mark Roeker and Eric Sobush on the following procedural and due process points:

- (1) When, at the February 5, 2024 meeting of the commission to consider the original group of 5 properties to be historic ended without approval, such was a *de facto* denial of the nomination, and it was improper to immediately retool and

renew another nomination without waiting the requisite two-year period, as required by section 320-021 (9)h-1 of the HPC Rules; and

- (2) That 100% of the owners have filed a written objection to the designation with the city clerk more than 48 hours prior to the hearing should cause the common council to pause and not adopt the recommendation, pursuant to section 320-21(9)e.

Very truly yours,


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