

August 28, 2003

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Communication from Mohammad K. Ali
C.I. File No. 03-L-48

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Mohammad K. Ali, 5310 West Capitol Drive, Milwaukee, WI 53216 alleges that the Department of Neighborhood Services placed a fee on his tax bill for the Tax Year 2002 for landscaping the property located at 2023 South Kinnickinnic Avenue. He claims reimbursements in the amount of \$10,000.00.

The Department of Neighborhood Services (DNS) records indicate this claim references 2 separate properties: 2023 South Kinnickinnic Avenue and 2011 South Kinnickinnic Avenue. DNS records note landscape orders were written under Sections 218-6-8-c and 218-6-8-d Milwaukee Code of Ordinances on May 23, 2001 following the private razing of structures on each parcel. On June 11, 2001, the owner was contacted via phone and the orders were explained per departmental procedures. The compliance time was extended to July 21, 2001 due to a Board of Zoning approval to re-develop the site. On October 31, 2001, the orders were referred for City contractor abatement after Board of Zoning approval lapsed and attempts to contact owner were unsuccessful. On December 10, 2001, a landscape contractor returned their estimate to complete removal of debris, fill, grade and landscape the site. The owner again was

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contacted and he indicated he would contact the City by December 12, 2001 with a plan to resolve issues in question. The property owner failed to contact the City and on December 13, 2001 the City contractor abated the site per the issued orders. The DNS acted appropriately in this matter, as such, the City would not be liable. Accordingly, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
1053-2003-1170:71487