



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Meeting Minutes ADMINISTRATIVE REVIEW APPEALS BOARD

JENNIFER HAVAS, CHAIR

Donald Fraker, Vice-Chair

**Martin Collins, Daniel Lee, Christopher Strohbehn (Alternate),
and Ald. Terry Witkowski**

Staff Assistant, Linda Elmer, 286-2232

Fax: 286-3456, lelmer@milwaukee.gov

Monday, September 20, 2010

9:00 AM

Room 301-A, City Hall

Meeting convened: 9:05 A.M.

Present: 4 - Collins, Havas, Fraker, Lee

Excused: 2 - Witkowski, Strohbehn

- 1. 10111** Appeal of Geraldine Bridges for board-up fees. (4859 N. 54th Street) (7th Aldermanic District)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review 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 commencing an action in the Circuit Court of Milwaukee County no later than thirty (30) days from September 20, 2010. The phone number for general information for the Court is (414) 278-4120.

A motion was made by Donald Fraker, seconded by Martin Collins, that this APPEAL be DENIED as the city followed proper procedures. This motion PREVAILED by the following vote:

Aye: 4 - Collins, Havas, Fraker, and Lee

No: 0

Excused: 2 - Witkowski, and Strohbehn

- 2. 10119** Appeal of Karel Fraser for board-up fees. (4578 N. 37th Street) (7th Aldermanic District)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review 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 commencing an action in the Circuit Court of Milwaukee County no later than thirty (30) days from September 20, 2010. The phone number for general information for the Court is (414) 278-4120.

A motion was made by Donald Fraker, seconded by Martin Collins, that this

APPEAL be DENIED based on non-appearance despite being provided timely notice of the hearing. This motion PREVAILED by the following vote:

Aye: 4 - Collins, Havas, Fraker, and Lee

No: 0

Excused: 2 - Witkowski, and Strohhahn

3. 10120

Appeal of Mohammed Rashaed, Agent for First Property Development for board-up fees. (4620 W. Hale Place) (7th Aldermanic District)

Sponsors: THE CHAIR

Operations Manager present for Mr. Rashaed, but he has no written authorization on behalf of Mr. Rashaed.

A motion was made by Donald Fraker, seconded by Martin Collins, that this APPEAL be HELD IN COMMITTEE. This motion PREVAILED by the following vote:

Aye: 4 - Collins, Havas, Fraker, and Lee

No: 0

Excused: 2 - Witkowski, and Strohhahn

9:15 A.M.

4. 10121

Appeal of Mohammed Rashaed, Agent for Second Property Development for board-up fees. (1622 N. 38th Street) (15th Aldermanic District)

Sponsors: THE CHAIR

This appeal was settled prior to the hearing.

SETTLED

Present: 5 - Collins, Witkowski, Havas, Fraker, Lee

Excused: 1 - Strohhahn

5. 10114

Appeal of Fred Hill for a grass and weed nuisance fee. (2455B N. 9th Street) (12th Aldermanic District)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review 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 commencing an action in the Circuit Court of Milwaukee County no later than thirty (30) days from September 20, 2010. The phone number for general information for the Court is (414) 278-4120.

A motion was made by ALD. WITKOWSKI, seconded by Donald Fraker, that this APPEAL be DENIED as the city followed proper procedures. This motion

PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohhahn

9:30 A.M.

RECESS: 9:34 A.M.

RECONVENE: 9:47 A.M.

- 6. 10117** Appeal of Gabriel Vidal for a grass and weed nuisance fee. (1016 W. Washington Street) (12th Aldermanic District)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review 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 commencing an action in the Circuit Court of Milwaukee County no later than thirty (30) days from September 20, 2010. The phone number for general information for the Court is (414) 278-4120.

A motion was made by Daniel Lee, seconded by Donald Fraker, that this APPEAL be DENIED based on non-appearance despite being provided timely notice of the hearing. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohhahn

- 7. 10122** Appeal of Chandra Gollapudy for grass and weed nuisance fees. (4503 N. 44th Street) (7th Aldermanic District)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review 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 commencing an action in the Circuit Court of Milwaukee County no later than thirty (30) days from September 20, 2010. The phone number for general information for the Court is (414) 278-4120.

A motion was made by Donald Fraker, seconded by Daniel Lee, that this APPEAL be DENIED based upon non-appearance despite being provided timely notice of the hearing. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohhahn

9:45 A.M.

8. 10123 Appeal of Mary Kwiatkowski for grass and weed nuisance fees. (5208 W. Norwich Street) (11th Aldermanic District)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review 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 commencing an action in the Circuit Court of Milwaukee County no later than thirty (30) days from September 20, 2010. The phone number for general information for the Court is (414) 278-4120.

A motion was made by ALD. WITKOWSKI, seconded by Donald Fraker, that this APPEAL be DENIED based upon non-appearance despite being provided timely notice of the hearing. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohbehn

9. 10125 Appeal of Colleen Marchese for grass and weed nuisance fees. (8502 W. Euclid Avenue) (11th Aldermanic District)

Sponsors: THE CHAIR

This appeal was settled prior to the meeting.

SETTLED

10:00 A.M.

RECESS: 9:48 A.M.

RECONVENE: 10:03 A.M.

10. 10129 Appeal of Dennis Barthenheier for grass and weed nuisance fees. (229 E. Keefe Avenue) (6th Aldermanic District)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review 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 commencing an action in the Circuit Court of Milwaukee County no later than thirty (30) days from September 20, 2010. The phone number for general information for the Court is (414) 278-4120.

A motion was made by ALD. WITKOWSKI, seconded by Donald Fraker, that this APPEAL be DENIED based upon non-appearance despite being provided timely notice of the hearing. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohbehn

11. 10130 Appeal of J. D. Hatchett for grass and weed nuisance fees. (5311 N. 45th Street)

(9th Aldermanic District)

Sponsors: THE CHAIR

Granted as the department not present.

A motion was made by Donald Fraker, seconded by Martin Collins, that this APPEAL be GRANTED. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohbehn

10:15 A.M.

RECESS: 10:05 A.M.

RECONVENE: 10:18 A.M.

- 12. 10099** Appeal of Allen Wells for reinspection fees. (2508-2512 N. Teutonia Avenue) (15th Aldermanic District)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review 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 commencing an action in the Circuit Court of Milwaukee County no later than thirty (30) days from September 20, 2010. The phone number for general information for the Court is (414) 278-4120.

A motion was made by ALD. WITKOWSKI, seconded by Donald Fraker, that this APPEAL be DENIED based on non-appearance despite being provided timely notice of the hearing. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohbehn

- 13. 10101** Appeal of Mary Albritton for reinspection fees. (2869 N. 21st Street) (15th Aldermanic District)

Sponsors: THE CHAIR

Settled with the department prior to the hearing.

SETTLED

10:30 A.M.

RECESS: 10:19 A.M.

RECONVENE: 10:30 A.M.

- 14. 10075** Appeal of Jessie Dunning for reinspection fees. (3902 N. 19th Place) (6th Aldermanic District)

Sponsors: THE CHAIR

This matter was settled prior to the hearing.

SETTLED

15. 10118 Appeal of Mary Benford for reinspection fees. (2844 N. 22nd Street) (15th Aldermanic District)

Sponsors: THE CHAIR

Held as owner is trying to find out if she can redeem the property from the city.

A motion was made by ALD. WITKOWSKI, seconded by Donald Fraker, that this APPEAL be HELD IN COMMITTEE. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohhahn

16. 10131 Appeal of Jerome Huiras for reinspection fees. (1539 S. 15th Street) (12th Aldermanic District)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review 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 commencing an action in the Circuit Court of Milwaukee County no later than thirty (30) days from September 20, 2010. The phone number for general information for the Court is (414) 278-4120.

A motion was made by ALD. WITKOWSKI, seconded by Martin Collins, that this APPEAL be DENIED as the city followed proper procedures. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohhahn

10:45 A.M.

17. 10132 Appeal of Miguel Garcia, Agent for New Creation Home Rehabilitation, LLC for reinspection fees. (500 W. Arthur Avenue) (14th Aldermanic District)

Sponsors: THE CHAIR

This matter will be held until January 2011 at the request of the department.

A motion was made by Martin Collins, seconded by Daniel Lee, that this APPEAL be HELD IN COMMITTEE. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohbehn

18. 10108 Appeal of Sujin Lee, Agent for Almian Holdings, LLC for garbage and litter nuisance fees. (3413 N. Buffum Street) (6th Aldermanic District)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review 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 commencing an action in the Circuit Court of Milwaukee County no later than thirty (30) days from September 20, 2010. The phone number for general information for the Court is (414) 278-4120.

A motion was made by ALD. WITKOWSKI, seconded by Martin Collins, that this APPEAL be DENIED as the city followed proper procedures. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohbehn

11:00 A.M.

19. 10109 Appeal of Tammy Johnson for garbage and litter nuisance fees. (3524 N. 37th Street) (7th Aldermanic District)

Sponsors: THE CHAIR

Appellant pays \$125.07, but grant the \$65 administration fee, based on testimony from the appellant.

This appeal was heard by the City of Milwaukee's Administrative Review 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 commencing an action in the Circuit Court of Milwaukee County no later than thirty (30) days from September 20, 2010. 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 GRANTED (WITH MODIFICATIONS). This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohbehn

20. 10110 Appeal of William Klar for reinspection fees. (3248 W. Lakefield Drive) (11th Aldermanic District)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review 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 commencing an action in the Circuit Court of Milwaukee County no later than thirty (30) days from September 20, 2010. The phone number for general information for the Court is (414) 278-4120.

A motion was made by Donald Fraker, seconded by Daniel Lee, that this APPEAL be DENIED as the city followed proper procedures. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohbehn

11:15 A.M.

21. **10112** Appeal of Yvonne Dettloff for garbage and litter nuisance fees. (3077-3079 N. Humboldt Blvd.) (3rd Aldermanic District)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review 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 commencing an action in the Circuit Court of Milwaukee County no later than thirty (30) days from September 20, 2010. The phone number for general information for the Court is (414) 278-4120.

A motion was made by Daniel Lee, seconded by Donald Fraker, that this APPEAL be DENIED as the city followed proper procedures.. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohbehn

22. **10115** Appeal of Jason Fennhaber, Agent for JNF Properties, LLC for garbage and litter nuisance fees. (1206-1208 N. 46th Street) (10th Aldermanic District)

Sponsors: THE CHAIR

This appeal was settled prior to the hearing.

SETTLED

11:30 A.M.

23. **10124** Appeal of Donald Feldbruegge for garbage and litter nuisance fees. (2642-2644 N. 24th Street) (15th Aldermanic District)

Sponsors: THE CHAIR

This appeal was held at the request of the appellant.

A motion was made by Donald Fraker, seconded by ALD. WITKOWSKI, that this APPEAL be HELD IN COMMITTEE. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohhahn

24. 10126 Appeal of Joan Arnett for garbage and litter nuisance fees. (2325 W. Cherry Street)
(4th Aldermanic District)

Sponsors: THE CHAIR

This appeal was held at the request of the appellant.

A motion was made by ALD. WITKOWSKI, seconded by Donald Fraker, that this APPEAL be HELD IN COMMITTEE. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohhahn

11:45 A.M.

25. 10107 Appeal of Steven Patrick of a nuisance determination by the Police Department.
(11529 W. County Line Road) (9th Aldermanic District)

Sponsors: THE CHAIR

Granted as the police department is not present.

A motion was made by Daniel Lee, seconded by Donald Fraker, that this APPEAL be GRANTED. This motion PREVAILED by the following vote:

Aye: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohhahn

Next meeting: October 5th at 1 p.m.

Meeting adjourned: 12:31 P.M.

*Linda M. Elmer
Staff Assistant*