



# 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**

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**Wednesday, December 1, 2010**

**9:00 AM**

**Room 301-B, City Hall**

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*Meeting convened: 9:03 A.M.*

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

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

**1. 10178**

Appeal of Khushwant Singh for reinspection fees. (406 W. Center 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 December 1, 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:** 3 - Havas, Fraker, and Lee

**No:** 0

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

**2. 10118**

Appeal of Mary Benford for reinspection fees. (2844 N. 22nd Street) (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 December 1, 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 owns the property through in-rem procedures, so the appellant has a lack of standing in this matter. This motion PREVAILED by the following vote:**

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

**No:** 0

**Excused:** 3 - Collins, Witkowski, and Strohhahn

3.      **10152**      Appeal of Janice Peete for reinspection fees. (3557 N. 15th Street) (6th Aldermanic District)

**Sponsors:**      THE CHAIR

*Settled with the department prior to the meeting to waive \$1,050. The Board has no jurisdiction to consider charges past 30 days from the filing of the appeal.*

**SETTLED**

**9:15 A.M.**

*Roll call taken at 9:18 A.M.*

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

**Excused:** 2 - Collins, Strohhahn

4.      **10161**      Appeal of Lonnie Slocum, Agent for T.S.E. Investments, LLC for reinspection fees. (2962-2964 N. 26th Street) (7th Aldermanic District)

**Sponsors:**      THE CHAIR

*Mr. Lee moved, seconded by Mr. Fraker, to deny based on non-appearance. There were no objections.*

*This matter was reconsidered, as Mr. Slocum now present.*

*Ms. Havas recused herself as she knows Mr. Slocum.*

*The approved motion was to grant in the amount of \$350 and deny in the amount of \$350.*

*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 December 1, 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:** 2 - Witkowski, and Lee

**No:** 1 - Fraker

**Excused:** 3 - Collins, Havas, and Strohhahn

5.        **10120**        Appeal of Mohammed Rashaed, Agent for First Property Development for board-up fees. (4620 W. Hale Place) (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 December 1, 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 upon non-appearance despite being provided timely notice of the hearing. This motion PREVAILED by the following vote:**

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

**No:** 0

**Excused:** 3 - Collins, Witkowski, and Strohhahn

**9:30 A.M.**

6.        **10169**        Appeal of Huseyin Macar for board-up fees. (617 S. 6th 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 December 1, 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:** 4 - Witkowski, Havas, Fraker, and Lee

**No:** 0

**Excused:** 2 - Collins, and Strohhahn

7.        **10188**        Appeal of Karla Bolden-Jackson for board-up fees. (2838 N. 46th 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 December 1,*

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 Ms. Bolden-Jackson lacks standing to appeal as she is no longer the property owner. This motion PREVAILED by the following vote:**

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

**No:** 0

**Excused:** 2 - Collins, and Strohhahn

**9:45 A.M.**

8.      **10170**      Appeal of Mervée Green, agent for Greenco, Inc. for garbage and litter nuisance fees. (2914 N. 19th Street) (6th Aldermanic District)

**Sponsors:**      THE CHAIR

*This matter was settled with the department during the meeting.*

**SETTLED**

9.      **10171**      Appeal of Amjad Tufail for garbage and litter nuisance fees. (1635 W. North 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 December 1, 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:** 4 - Witkowski, Havas, Fraker, and Lee

**No:** 0

**Excused:** 2 - Collins, and Strohhahn

**10:00 A.M.**

10.      **10194**      Appeal of Lynda Williams for a garbage and litter nuisance fee. (4624 N. 36th 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 December 1, 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 DENIED as the city followed proper procedures. This motion PREVAILED by the following vote:**

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

**No:** 0

**Excused:** 2 - Collins, and Strohhahn

11. 10185

Appeal of Lynda Williams for a garbage and litter nuisance three-strikes charge.  
(4630 N. 36th 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 December 1, 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:** 4 - Witkowski, Havas, Fraker, and Lee

**No:** 0

**Excused:** 2 - Collins, and Strohhahn

12. 10186

Appeal of Lynda Williams for a garbage and litter nuisance three-strikes charge.  
(4624 N. 36th 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 December 1, 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:** 4 - Witkowski, Havas, Fraker, and Lee

**No:** 0

**Excused:** 2 - Collins, and Strohhahn

10:15 A.M.

13. 10157

Appeal of Carole Geary for grass and weed nuisance fees. (2142 N. 34th Street)  
(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 December 1, 2010. The phone number for general information for the Court is (414) 278-4120.*

**A motion was made by Donald Fraker, seconded by ALD. WITKOWSKI, 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:** 4 - Witkowski, Havas, Fraker, and Lee

**No:** 0

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

14.      10156      Appeal of Carole Geary for grass and weed nuisance fees. (2138 N. 34th Street) (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 December 1, 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 upon non-appearance despite being provided timely notice of the hearing. This motion PREVAILED by the following vote:**

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

**No:** 0

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

10:30 A.M.

15.      10173      Appeal of Joseph Palm and Carol Pociecha-Palm for tree-cutting fees. (2934 S. Logan Avenue) (14th Aldermanic District)

**Sponsors:**      THE CHAIR

*Appeal fee will be returned due to dept. error and the appeal is withdrawn as the department issued another letter on November 15th.*

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

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

**No:** 0

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

16.      10182      Appeal of Samuel Johnson for grass and weed nuisance fees. (2335 N. 5th 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 December 1, 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 upon non-appearance despite being provided timely notice of the hearing. This motion PREVAILED by the following vote:**

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

**No:** 0

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

17.      10189      Appeal of Richard Berger for grass and weed nuisance fees. (1724 N. 19th Street) (15th Aldermanic District)

**Sponsors:** THE CHAIR

*This appeal was held at the request of the appellant.*

**HELD IN COMMITTEE**

**10:45 A.M.**

18.      10172      Appeal of Michael Lee for inspection fees. (2900 N. Newhall Street) (3rd Aldermanic District)

**Sponsors:** THE CHAIR

*This matter was settled prior to the meeting.*

**SETTLED**

19.      10174      Appeal of Ronald Collison for vacant building inspection fees. (1414 N. 4th Street) (6th Aldermanic District)

**Sponsors:** THE CHAIR

*This appeal was held at the request of the appellant.*

**HELD IN COMMITTEE**

**11:00 A.M.**

20.      10175      Appeal of Jonathan Loduca for residential rental inspection fees. (3445 N. Cramer Street) (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 December 1, 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. This motion PREVAILED by the following vote:**

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

**No:** 1 - Lee

**Excused:** 2 - Collins, and Strohhahn

21. 10176 Appeal of Jim Borchert for vacant building inspection fees. (5361 N. Hopkins Street Street) (9th Aldermanic District)

**Sponsors:** THE CHAIR

*Held at the request of the appellant.*

**HELD IN COMMITTEE**

**11:15 A.M.**

22. 10177 Appeal of Robert McDonald for vacant building inspection fees. (3327 W. Center Street) (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 December 1, 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:** 4 - Witkowski, Havas, Fraker, and Lee

**No:** 0

**Excused:** 2 - Collins, and Strohhahn

23. 10179 Appeal of Robert Mueller for vacant building inspection fees. (5514 W. Lisbon Avenue) (10th 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 December 1, 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 DENIED based upon non-appearance despite being provided timely notice of the hearing. This motion PREVAILED by the following vote:**

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

**No:** 0

**Excused:** 2 - Collins, and Strohhahn

**11:30 A.M.**

- 24. 10183** Appeal of Stephen Silbert for fire prevention permit fees. (7023 W. Adler Street) (10th 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 December 1, 2010. The phone number for general information for the Court is (414) 278-4120.*

**A motion was made by Daniel Lee, seconded by ALD. WITKOWSKI, 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:** 4 - Witkowski, Havas, Fraker, and Lee

**No:** 0

**Excused:** 2 - Collins, and Strohhahn

- 25. 10184** Appeal of Nafiz Efe for vacant building inspection fees. (1928 W. Fond du Lac 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 December 1, 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:** 4 - Witkowski, Havas, Fraker, and Lee

**No:** 0

**Excused:** 2 - Collins, and Strohhahn

- 26. 10187** Appeal of Anthony DeRosa, agent for 1910 North Water Street, LLC for vacant building inspection fees. (1910 North Water Street) (3rd Aldermanic District)

**Sponsors:** THE CHAIR

*This appeal was settled prior to the meeting.*

**SETTLED**

**11:45 A.M.**

*Roll call taken at 1:00 P.M.*

**This was**

- 27.      10151**      Appeal of Atty. Michael Whitcomb on behalf of George Kusak of a nuisance determination by the Police Department. (2500 N. 35th Sttreet) (15th Aldermanic District)

**Sponsors:**      THE CHAIR

*Other individuals also present:*

*Alex Runner - A.D. 15 aide*

*Martin Collins - board member, but testifying as a former Commissioner of Neighborhood Services*

**A motion was made by Daniel Lee, 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 - Strohbehn

*Next meeting date/time: January 14th at 9 a.m.*

*Meeting adjourned: 1:40 P.M.*

*Linda M. Elmer*

*Staff Assistant*