



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Meeting Minutes ADMINISTRATIVE REVIEW APPEALS BOARD

JENNIFER HAVAS, CHAIR

**Donald Fraker, Vice-Chair, Fredrick Gordon, Daniel Lee, and Ald. Terry Witkowski
Christopher Strohbehn -- Alternate**

**Staff Assistant, Linda Elmer, (414)-286-2232
Fax: 286-3456, E-mail: lelmer@milwaukee.gov**

Thursday, January 15, 2009

9:00 AM

Room 301- B, City Hall

Meeting convened: 9:18 A.M.

Present: 4 - Gordon, Havas, Fraker, Witkowski

Excused: 1 - Strohbehn

1. 08181

Appeal of Atty. John Fuchs, on behalf of Patrick Dunphy relating to the Administration Review Appeals Board's jurisdiction to review the Historic Preservation Commission's decision to grant a certificate of appropriateness. (1550 N. Prospect Ave. Goll House) (4th Aldermanic District)

Sponsors: THE CHAIR

Member Daniel Lee recuse himself from this matter.

Individuals present:

Kathy Z. Block, Assistant City Attorney

Attorney John Fuchs, on behalf of Patrick Dunphy

Attorney Rebecca Boyles, on behalf of Patrick Dunphy

Attorney Bruce T. Block, on behalf of New Land Enterprises LLP

Craig Hagopian, Assistant City Attorney

Vanessa Koster, City Plan Commission

Mr. Gordon moved to make pictures submitted by Attorney Hagopian a part of the file.

A motion was made by ALD. WITKOWSKI, seconded by Fredrick Gordon, that this APPEAL be DENIED. The motion FAILED by the following vote:

Aye: 1 - Witkowski

No: 3 - Gordon, Havas, and Fraker

Excused: 2 - Lee, and Strohbehn

A motion was made by Mr. Fraker that an appeal to review the Historic Preservation Commission's decision to grant a certificate of appropriateness is under the jurisdiction of the Administrative Review Appeals Board.

A motion was made by Donald Fraker, seconded by Fredrick Gordon, that this APPEAL be GRANTED. The motion PREVAILED by the following vote:

Aye: 3 - Gordon, Havas, and Fraker

No: 1 - Witkowski

Excused: 2 - Lee, and Strohhahn

10:00 A.M.

2. 08147

Appeal of Lana Colburn Lifschutz for Blackhawk Co., Inc. regarding Emerging Business Certification.

Sponsors: THE CHAIR

Individuals Present:

Mr. Ossie Kendrix, Emerging Business Enterprise Manager

Ms. Lana Colburn Lifschutz, Blackhawk Co., Inc. - owner

Mr. Joel Lifschutz, Blackhawk Co., Inc. - co-owner

Deny appeal relative to the denial of Emerging Business Enterprise Certification for Lana Colburn Lifschutz for Blackhawk Co., Inc., as the city acted appropriately in this matter.

This appeal was heard by the City of Milwaukee's Administrative Review and 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 petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.

A motion was made by ALD. WITKOWSKI, seconded by Fredrick Gordon, that this APPEAL be DENIED. The motion PREVAILED by the following vote:

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

No: 0

Excused: 1 - Strohhahn

Recess: 11:26 A.M.

Reconvened: 11:31 A.M.

Present: 4 - Gordon, Havas, Fraker, Witkowski

Excused: 1 - Strohhahn

10:15 A.M.

3. 08186

Appeal of Syed Hasan Turab for garbage and litter nuisance fees. (307 E. Center St.) (6th Aldermanic District)

Sponsors: THE CHAIR

Deny appeal for reinspection fee in the amount of \$238.97, due to non-appearance despite being provided timely notice of the hearing.

This appeal was heard by the City of Milwaukee's Administrative Review and 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 petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. 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. The motion PREVAILED by the following vote:

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

No: 0

Excused: 1 - Strohbehn

4. 08111

Appeal of Maria Miramontes for reinspection fees. (1035 W. Maple St.) (12th Aldermanic District)

Sponsors: THE CHAIR

Deny appeal for reinspection fee in the amount of \$125.00, due to non-appearance despite being provided timely notice of the hearing.

This appeal was heard by the City of Milwaukee's Administrative Review and 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 petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.

A motion was made by Fredrick Gordon, seconded by Donald Fraker, that this APPEAL be DENIED. The motion PREVAILED by the following vote:

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

No: 0

Excused: 1 - Strohbehn

5. 08180

Appeal of Mark Cook for reinspection fees. (7743 N. 51st Bl.) (9th Aldermanic District)

Sponsors: THE CHAIR

Individuals Present:

Ron Roberts, Dept. of Neighborhood Services

Mark Cook, Property owner

Mr. Cook said that he submitted a second appeal for reinspection fees in the amount \$300.00. Mr. Cook said he would like both appeals heard at this time. File #09001.

Deny appeal for reinspection fees in the amount of \$600.00, as the city acted appropriately in this matter.

This appeal was heard by the City of Milwaukee's Administrative Review and 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 petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. 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. The motion PREVAILED by the following vote:

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

No: 0

Excused: 1 - Strohbehn

6. 08175

Appeal of Carol Maglio for reinspection fees. (723 S. 22nd St.) (8th Aldermanic District)

Sponsors: THE CHAIR

This matter was adjourned to the next meeting of the Administrative Review Appeals Board at the request of the appellant.

No other action was taken relative to this matter.

HELD IN COMMITTEE

7. 08182

Appeal of James Mikecz for reinspection fees. (8630 W. Burdick Ave.) (11th Aldermanic District)

Sponsors: THE CHAIR

Individuals present:

Steve Fritsche, Dept. of Neighborhood Services

James Mikecz, Property owner

Grant appeal in the amount of \$50.00, due to departmental error.

A motion was made by Daniel Lee, seconded by Donald Fraker, that this APPEAL be GRANTED (DEPARTMENT ERROR). The motion PREVAILED by the following vote:

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

No: 0

Excused: 1 - Strohbehn

10:45 A.M.

8. 08173

Appeal of Francis and Adeola Oyewumi for board-up fees. (10327 W. Kiehnau Ave.) (5th Aldermanic District)

Sponsors: THE CHAIR

Individuals present:

Dave Lewis, Dept. of Public Works

Adeola Oyewumi, Property owner

Deny appeal for board-up fees in the amount of \$204.00, as the city acted appropriately in this matter.

This appeal was heard by the City of Milwaukee's Administrative Review and 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 petitioning the Circuit

Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.

A motion was made by ALD. WITKOWSKI, seconded by Fredrick Gordon, that this APPEAL be DENIED. The motion PREVAILED by the following vote:

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

No: 0

Excused: 1 - Strohbehn

9. 08176 Appeal of James Behrens for board-up fees. (2946 N. 37th.) (7th Aldermanic District)

Sponsors: THE CHAIR

Individual presents:

Dave Lewis, Dept. of Public Works

James Behrens, Property owner

Officer Matthew Grauberger, Milwaukee Police Dept.

Deny appeal for board-up fees in the amount of \$246.00, as the city acted appropriately in this matter.

This appeal was heard by the City of Milwaukee's Administrative Review and 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 petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. The phone number for general information for the Court is (414)-278-4120.

A motion was made by Fredrick Gordon, seconded by ALD. WITKOWSKI, that this APPEAL be DENIED. The motion PREVAILED by the following vote:

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

No: 0

Excused: 1 - Strohbehn

10. 08183 Appeal of William Lewis for board-up fees. (1030 S. 12th St.) (12th Aldermanic District)

Sponsors: THE CHAIR

Deny appeal for board-up fees in the amount of \$1,045.00, due to non-appearance despite being provided timely notice of the hearing.

This appeal was heard by the City of Milwaukee's Administrative Review and 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 petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. 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. The motion PREVAILED by the following vote:

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

No: 0

Excused: 1 - Strohhahn

11. **08185** Appeal of Eric Lundberg, agent for Rahjah Holdings, LLC for board-up fees. (1949 S. 23rd St.) (8th Aldermanic District)
- Sponsors:** THE CHAIR
- Per Dave Lewis, Department of Public Works, he is cancelling the board-up charges in the amount of \$225.00, due to departmental error.*
- GRANTED (DEPARTMENT ERROR)**
12. **08162** Appeal of Atty. Steven McGaver on behalf of Hussein Govani, Agent for Club International for police service fees. (721 S. Cesar E. Chavez Dr.) (12th Aldermanic District)
- Sponsors:** THE CHAIR
- This matter was adjourned to the next meeting of the Administrative Review Appeals Board at the request of the appellant.*
- No other action was taken relative to this matter.*
- HELD IN COMMITTEE**
13. **08163** Appeal of Atty. Steven McGaver on behalf of Hussein Govani, Agent for Club International for police service fees. (721 S. Cesar E. Chavez Dr.) (12th Aldermanic District)
- Sponsors:** THE CHAIR
- This matter was adjourned to the next meeting of the Administrative Review Appeals Board at the request of the appellant.*
- No other action was taken relative to this matter.*
- HELD IN COMMITTEE**
14. **08177** Appeal of Atty. Steven McGaver on behalf of Hussein Govani, Agent for Club International for police service fees. (721 S. Cesar E. Chavez Dr.) (12th Aldermanic District)
- Sponsors:** THE CHAIR
- This matter was adjourned to the next meeting of the Administrative Review Appeals Board at the request of the appellant.*
- No other action was taken relative to this matter.*
- HELD IN COMMITTEE**
15. **08184** Appeal of Curt Kandel for a nuisance determination by the police department. (9575 W. Allyn St.) (9th Aldermanic District)
- Sponsors:** THE CHAIR
- Deny appeal for a nuisance determination by the police department, due to non-appearance despite being provided timely notice of the hearing.*
- This appeal was heard by the City of Milwaukee's Administrative Review and 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 petitioning the Circuit Court of Milwaukee County within thirty (30)-days of the date of the postmark of this notice. 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. The motion PREVAILED by the following vote:

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

No: 0

Excused: 1 - Strohbehn

Meeting adjourned: 12:46 P.M.

Terry J. MacDonald
Staff Assistant