



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**

Friday, March 27, 2009

9:00 AM

Room 301-B, City Hall

Meeting convened: 10:08 A.M.

Present: 3 - Gordon, Witkowski, Lee

Excused: 3 - Havas, Fraker, Strohbehn

1. **09014** Appeal of Atty. John Fuchs, on behalf of Patrick Dunphy, relating the Historic Preservation Commission's decision to grant a certificate of appropriateness. (1550 N. Prospect Ave. Goll House) (4th 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

10:00 A.M.

2. **09020** Appeal of Rick Kohen, Kids 2, LLC for nuisance determination by the Police Department. (3001 W. Silver Spring Dr.) (1st 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

3. **09018** Appeal of Mitchell Spector, Agent for S-G Northport Apts., LLC for nuisance determination by the Police Department. (2801 W. Custer Ave.) (1st Aldermanic District)

Sponsors: THE CHAIR

Individuals present:

Mitchell Spector, Agent for S-G Northport Apts., LLC

*Yadi Massoumi, Apartment Manager
Lt. Charles Berard
Police Officer Julie A. Strache*

Deny appeal for nuisance determination by the Police Department, 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: 3 - Gordon, Witkowski, and Lee

No: 0

Excused: 3 - Havas, Fraker, and Strohhahn

4. 09026

Appeal of Mitchell Spector, Agent for Lloyd Apts., LLC for nuisance determination by the Police Department. (2830 W. Bobolink Ave.) (1st Aldermanic District)

Sponsors: THE CHAIR

Individuals present:

Mitchell Spector, Agent for S-G Northport Apts., LLC

Yadi Massoumi, Apartment Manager

Lt. Charles Berard

Police Officer Julie A. Strache

Deny appeal for nuisance determination by the Police Department, 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: 3 - Gordon, Witkowski, and Lee

No: 0

Excused: 3 - Havas, Fraker, and Strohhahn

5. 09028

Appeal of Atty. John Schaak on behalf of Metropolitan Associates for a nuisance determination by the Police Department. (5166 N. Lovers Land Rd.) (5th Aldermanic District)

Sponsors: THE CHAIR

Individuals present:

Atty. John Schaak, Quarles and Brady LLP

*Jerry Cook, Vice President, Metropolitan Associates
Lt. Charles Berard
Police Officer Julie A. Strache*

Grant appeal to remove the nuisance determination by the Police Department for the property at 5166 N. Lovers Land Rd.

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

Aye: 3 - Gordon, Witkowski, and Lee

No: 0

Excused: 3 - Havas, Fraker, and Strohhahn

6. **09037** Appeal of Jeffrey Kirchman for special charges for police services. (5338 N. 54th St.)
(2nd Aldermanic District)

Sponsors: THE CHAIR

*Individuals present:
Atty. Kathy Burgoyne for appellant
Jeff Kirchman, property owner
Lt. Charles Berard
Police Officer Julie A. Strache*

Deny appeal for special charges for police services in the amount of \$33.19, 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: 3 - Gordon, Witkowski, and Lee

No: 0

Excused: 3 - Havas, Fraker, and Strohhahn

7. **09038** Appeal of Jeffrey Kirchman for special charges for police services. (5338 N. 54th St.)
(2nd Aldermanic District)

Sponsors: THE CHAIR

*Individuals present:
Atty. Kathy Burgoyne for appellant
Jeff Kirchman, property owner
Lt. Charles Berard
Police Officer Julie A. Strache*

Deny appeal for special charges for police services in the amount of \$30.15, 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: 3 - Gordon, Witkowski, and Lee

No: 0

Excused: 3 - Havas, Fraker, and Strohbehn

8. **09039** Appeal of Jeffrey Kirchman for special charges for police services. (5338 N. 54th St.) (2nd Aldermanic District)

Sponsors: THE CHAIR

Individuals present:

Atty. Kathy Burgoyne for appellant

Jeff Kirchman, property owner

Lt. Charles Berard

Police Officer Julie A. Strache

Deny appeal for special charges for police services in the amount of \$28.42, 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: 3 - Gordon, Witkowski, and Lee

No: 0

Excused: 3 - Havas, Fraker, and Strohbehn

10:30 A.M.

9. **08183** Appeal of William Lewis for board-up fees. (1030 S. 12th St.) (12th Aldermanic District)

Sponsors: THE CHAIR

Individuals present:

William Lewis, property owner

David Lewis, Dept. of Public Works

Ron Roberts, Dept. of Neighborhood Services

Matt Dama, Dept. of Neighborhood Services

Deny appeal for board-up fees in the amount of \$1,045.00, 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: 3 - Gordon, Witkowski, and Lee

No: 0

Excused: 3 - Havas, Fraker, and Strohhahn

10. **09019** Appeal of Daniel Welytok for board-up fees. (3411 S. Howell Ave.) (14th Aldermanic District)

Sponsors: THE CHAIR

Individuals present:

Daniel Welytok, property owner

David Lewis, Dept. of Public Works

Police Officer Arenas, Milwaukee Police Dept.

Deny appeal for board-up fees in the amount of \$225.00, 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: 3 - Gordon, Witkowski, and Lee

No: 0

Excused: 3 - Havas, Fraker, and Strohhahn

11. **09025** Appeal of Lee Xiong for board-up fees. (6501-6503 W. Florist Ave.) (2nd Aldermanic District)

Sponsors: THE CHAIR

Individuals present:

Mr. Xiong, property owner

David Lewis, Dept. of Public Works

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

Aye: 3 - Gordon, Witkowski, and Lee

No: 0

Excused: 3 - Havas, Fraker, and Strohhahn

11:00 A.M.

- 12. 09029** Appeal of Ahmad Bahrami-Mogahdam for snow and ice removal fees. (3528-3530 N. Port Washington Rd.) (6th 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. 09034** Appeal of Ruth Murphy for a garbage and litter nuisance fee. (2801- 03 W. Wright St.) (15th Aldermanic District)

Sponsors: THE CHAIR

Individuals present:

Ruth Murphy, property owner

Gary Colorez, Dept. of Public Works, Sanitation

Mr. Gordon moved to hold this appeal until the next meeting date to give the Dept. of Public Works a chance to obtain the property lot line information for the property at 2801 W. Wright St.

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

Aye: 3 - Gordon, Witkowski, and Lee

No: 0

Excused: 3 - Havas, Fraker, and Strohhahn

- 14. 09004** Appeal of Richard Nastal for reinspection fees. (2136-2138 S. 7th St.) (12th Aldermanic District)

Sponsors: THE CHAIR

Individuals present:

Richard Nastal, property owner

David Krey, Dept. of Neighborhood Services

Deny appeal for reinspection fees in the amount of \$300.00, 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: 3 - Gordon, Witkowski, and Lee

No: 0

Excused: 3 - Havas, Fraker, and Strohhahn

15. 09030

Appeal of Charles Biddle for reinspection fees. (2008 W. Clarke St.) (15th Aldermanic District)

Sponsors: THE CHAIR

Deny appeal for reinspection fees in the amount of \$300.00, 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 Fredrick Gordon, that this APPEAL be DENIED. The motion PREVAILED by the following vote:

Aye: 3 - Gordon, Witkowski, and Lee

No: 0

Excused: 3 - Havas, Fraker, and Strohhahn

16. 09035

Appeal of Daniel Dye Mngoja for reinspection fees. (2944-2946 N. 19th St.) (6th Aldermanic District)

Sponsors: THE CHAIR

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

No other action was taken relative to this matter.

HELD IN COMMITTEE

17. 09036

Appeal of Julius Nash for reinspection fees. (2455 W. Keefe Ave.) (6th Aldermanic District)

Sponsors: THE CHAIR

Deny appeal for reinspection fees in the amount of \$850.00, 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 Fredrick Gordon, that this APPEAL be DENIED. The motion PREVAILED by the following vote:

Aye: 3 - Gordon, Witkowski, and Lee

No: 0

Excused: 3 - Havas, Fraker, and Strohbehn

Meeting adjourned: 12:18 P.M.

Terry J. MacDonald
Staff Assistant