



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 Strohhahn -- Alternate**

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

Friday, May 29, 2009

9:00 AM

Room 301-B, City Hall

Meeting convened: 9:16 A.M.

Present: 4 - Gordon, Witkowski, Fraker, Lee

Excused: 2 - Havas, Strohhahn

1. 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 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 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 based on non-appearance despite being provided timely notice of the hearing. The motion PREVAILED by the following vote:

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

2. 09056

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

Held at the request of the appellant.

This appeal was held by the City of Milwaukee's Administrative Review Appeals Board at the date and place listed above. You will be notified when it is rescheduled.

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

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

9:15 A.M.

3. **09041**

Appeal of Donald Feldbruegge, Agent for D&B Properties of WI, LLC, for board-up fees. (126 W. Center St.) (6th Aldermanic District)

Sponsors: THE CHAIR

Held at the request of the city.

This appeal was held by the City of Milwaukee's Administrative Review Appeals Board at the date and place listed above. You will be notified when it is rescheduled.

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

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

4. **09034**

Appeal of Ruth Murphy for a garbage and litter nuisance fee. (2801- 03 W. Wright St.) (15th Aldermanic District)

Sponsors: THE CHAIR

This matter was settled previously by the department.

RECESS: 9:17 A.M.

RECONVENE: 9:45 A.M.

9:30 A.M.

5. **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 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 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 based on non-appearance despite being provided timely notice of the hearing. The motion PREVAILED by the following vote:

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

6. 09048

Appeal of Roxann Hoffmann for snow removal fees. (5572 N. 42nd Street) (1st 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 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 as the city acted appropriately. The motion PREVAILED by the following vote:

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

9:45 A.M.

7. 09053

Appeal of Matthew Coburn for a snow removal fee. (3034 N. Farwell Ave.) (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 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 as the city acted appropriately. The motion PREVAILED by the following vote:

Aye: 3 - Gordon, Witkowski, and Fraker

No: 1 - Lee

Excused: 2 - Havas, and Strohhahn

8. 09060

Appeal of Richard Brittain for a snow removal fee. (1918 N. 53rd St.) (10th Aldermanic District)

Sponsors: THE CHAIR

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

Aye: 2 - Gordon, and Witkowski

No: 2 - Fraker, and Lee

Excused: 2 - Havas, and Strohhahn

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

Aye: 2 - Gordon, and Witkowski

No: 2 - Fraker, and Lee

Excused: 2 - Havas, and Strohhahn

Held in committee until a fifth member can be present. Ms. Havas will listen to the recording and appellant need not be present.

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

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

10:00 A.M.

9. 09061

Appeal of Donald Dietrich for a snow removal fee. (3457 S. 20th St.) (13th 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 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 Daniel Lee, seconded by Fredrick Gordon, that this APPEAL be DENIED as the city acted appropriately. The motion PREVAILED by the following vote:

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

10. 08175

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

Sponsors: THE CHAIR

This matter was settled previously by the department.

SETTLED

10:15 A.M.

11. 09044 Appeal of Jovan Torbica for reinspection fees. (1964 N. Farwell Ave.) (3rd Aldermanic District)

Sponsors: THE CHAIR

This matter was settled previously by the department.

SETTLED

12. 09049 Appeal of James Shaughnessy for a garbage and litter nuisance fee. (2509-2511 N. Holton St.) (6th Aldermanic District)

Sponsors: THE CHAIR

This matter was settled previously by the department.

SETTLED

10:30 A.M.

13. 09062 Appeal of Jermaine Perry for a garbage and litter nuisance fee. (3765-3767 N. 4th St.) (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 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 as the city acted appropriately. The motion PREVAILED by the following vote:

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

14. 09050 Appeal of James Shaughnessy for a garbage and litter nuisance fee. (2449-2451 N. 2nd St.) (6th Aldermanic District)

Sponsors: THE CHAIR

This matter was settled previously by the department

SETTLED

10:45 A.M.

15. 09052 Appeal of Maria Madrigal for a garbage and litter nuisance fee. (2543 S. 6th St.)

(14th 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 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 based on non-appearance despite being provided timely notice of the hearing. The motion PREVAILED by the following vote:

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

16. 09064

Appeal of Janet Mays for a nuisance vehicle fee. (4401 N. 25th St.) (1st 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 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 as the city acted appropriately. The motion PREVAILED by the following vote:

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

11:00 A.M.

17. 09045

Appeal of Luria Sampson for reinspection fees. (1903-1905 N. 27th St.) (15th Aldermanic District)

Sponsors: THE CHAIR

Wife of the appellant, Helen Sampson, present as he is hearing impaired.

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 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 Daniel Lee, that this APPEAL be DENIED as the city acted appropriately. The motion PREVAILED by the following vote:

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

18. **08050** Appeal of Lillian Curtice for reinspection fees. (2655 S. 13th St.) (12th Aldermanic District)

Sponsors: THE CHAIR

This matter was settled previously by the department.

SETTLED

11:15 A.M.

19. **08159** Appeal of Joseph Peters for reinspection fees. (2950 N. 17th St.) (6th Aldermanic District)

Sponsors: THE CHAIR

This matter was previously settled by the department.

SETTLED

20. **09035** Appeal of Daniel Dye Mngoja for reinspection fees. (2944-2946 N. 19th St.) (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 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 based on non-appearance despite being provided timely notice of the hearing. The motion PREVAILED by the following vote:

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

11:30 A.M.

21. **09042** Appeal of Tom Brittain, Agent for Brittain Brothers, LLC, for reinspection fees. (701-703 E. Center St.) (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 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 Daniel Lee, seconded by ALD. WITKOWSKI, that this APPEAL be DENIED as the city acted appropriately. The motion PREVAILED by the following vote:

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

22. 09032 Appeal of Lawrence Watson for reinspection fees. (4637 N. 29th St.) (1st 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 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 based on non-appearance despite being provided timely notice of the meeting. The motion PREVAILED by the following vote:

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

23. 09047 Appeal of Gregory Boettcher for reinspection fees. (2131 N. 56th St.) (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 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 based on non-appearance despite being provided timely notice of the meeting. The motion PREVAILED by the following vote:

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

11:45 A.M.

24. 09055 Appeal of Albert Gainey, Agent for Allegheny Enterprises, Inc. for reinspection fees.
(5929 N. 70th St.) (2nd Aldermanic District)

Sponsors: THE CHAIR

This matter was previously settled by the department.

SETTLED

25. 09063 Appeal of Jack Mahnke on behalf of Robert Zellmer, Agent for Action Property
Management, for graffiti nuisance and reinspection fees. (2945 N. Oakland Ave.)
(3rd Aldermanic District)

Sponsors: THE CHAIR

Held at the request of the appellant.

*This appeal was held by the City of Milwaukee's Administrative Review Appeals
Board at the date and place listed above. You will be notified when your appeal is
rescheduled.*

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

Aye: 4 - Gordon, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

Meeting adjourned: 12:03 P.M.

Linda M. Elmer

Staff Assistant