



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, and Ald.

Terry Witkowski

Christopher Strohbehn -- Alternate

Staff Assistant, Linda Elmer, (414)-286-2232

Fax: 286-3456, E-mail: lelmer@milwaukee.gov

Wednesday, July 21, 2010

9:00 AM

Room 301-A, City Hall

Meeting convened: 9:03 A.M.

Present: 3 - Collins, Fraker, Lee

Excused: 3 - Witkowski, Havas, Strohbehn

1. 10090

Appeal of Rabeeh Musaitif for Health Department reinspection fees. (103 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 petitioning the Circuit Court of Milwaukee County no later than thirty (30) days from July 21, 2010. The phone number for general information for the Court is (414) 278-4120.

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

Aye: 3 - Collins, Fraker, and Lee

No: 0

Excused: 3 - Witkowski, Havas, and Strohbehn

Roll call taken at 9:20 A.M.

Present: 4 - Collins, Havas, Fraker, Lee

Excused: 2 - Witkowski, Strohbehn

2. 10105

Appeal from Tracy Carson for fees to return garbage carts to the storage area. (2163 N. 47th 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 petitioning the Circuit Court of Milwaukee County no later than thirty (30) days from July 21, 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 Strohhahn

9:15 A.M.

3. **10088** Appeal of Daniel Chudnow, Agent for AMC Realty, LLC for board-up fees. (1119 W. Kilbourn Avenue) (4th 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 no later than thirty (30) days from July 21, 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 Strohhahn

4. **10067** Appeal of Monica Streff for garbage and litter nuisance fees. (2873-2875 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 petitioning the Circuit Court of Milwaukee County no later than thirty (30) days from July 21, 2010. The phone number for general information for the Court is (414) 278-4120.

A motion was made by Daniel Lee, 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 Strohhahn

9:30 A.M.

5. 10089 Appeal of Loyce Evans for reinspection fees for an unlicensed vehicle. (2116 N. 36th 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 petitioning the Circuit Court of Milwaukee County no later than thirty (30) days from July 21, 2010. The phone number for general information for the Court is (414) 278-4120.

A motion was made by Martin Collins, seconded by Donald Fraker, 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 Strohhahn

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

Excused: 1 - Strohhahn

6. 10092 Appeal of Robert Clark for garbage and litter nuisance fees. (308 S. Honey Creek Drive) (10th Aldermanic District)

Sponsors: THE CHAIR

Tenant and employee, Thomas Schinker, of Mr. Clark also present.

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 no later than thirty (30) days from July 21, 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 - Collins, Witkowski, Fraker, and Lee

No: 0

Excused: 2 - Havas, and Strohhahn

7. 10093 Appeal of Myra Holland for garbage and litter nuisance fees. (3123 W. North Avenue) (15th Aldermanic District)

Sponsors: THE CHAIR

Also present: Amy Koebel - personal secretary for Ms. Holland.

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 no later than thirty (30) days from July 21, 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: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohhahn

9:45 A.M.

8. **10095** Appeal of Rose Vidmar for garbage and litter nuisance fees. (8801-8803 W. Thurston Avenue) (2nd 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 no later than thirty (30) days from July 21, 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: 5 - Collins, Witkowski, Havas, Fraker, and Lee

No: 0

Excused: 1 - Strohhahn

9. **10096** Appeal of John Williams for garbage and litter nuisance fees. (2656 N. 5th Street) (6th Aldermanic District)

Sponsors: THE CHAIR

Appellant not present.

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 no later than thirty (30) days from July 21, 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 - Strohhahn

10:00 A.M.

- 10. 10098** Appeal of Margaret Ness for garbage and litter nuisance fees. (918-920 S. 30th Street) (8th 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 no later than thirty (30) days from July 21, 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 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

10:15 A.M.

- 11. 10084** Appeal of Janice Peete on behalf of Wilma Peete for reinspection fees. (3557 N. 15th Street) (6th Aldermanic District)
- Sponsors:** THE CHAIR
- Appellant not present.*
- 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 no later than thirty (30) days from July 21, 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 - Strohhahn

- 12. 10087** Appeal of Louis Plotkin, Agent for L & C Enterprises, LLP for reinspection fees. (3051 N. 12th Street) (6th Aldermanic District)

Sponsors: THE CHAIR

This matter was settled prior to the Board hearing.

This APPEAL was SETTLED

10:30 A.M.

13. 10038 Appeal of Vincent Nelson for reinspection fees. (2472 N. 33rd Street) (15th Aldermanic District)

Sponsors: THE CHAIR

Louisa Nelson, wife of the appellant, present.

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 no later than thirty (30) days from July 21, 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

14. 10058 Appeal of Troy Zupanc for reinspection fees. (3540 N. 11th Street) (6th Aldermanic District)

Sponsors: THE CHAIR

This matter was settled prior to the Board hearing.

This APPEAL was SETTLED

10:45 A.M.

15. 10061 Appeal of Bette Annette Davis for reinspection fees. (2402 N. Sherman Blvd.) (7th Aldermanic District)

Sponsors: THE CHAIR

Claimant not present.

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 no later than thirty (30) days from July 21, 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

16. 10075

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

Sponsors: THE CHAIR

Held at the request of the department as long as the work will be done in a timely manner.

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 - Strohhahn

11:00 A.M.

17. 10100

Appeal of John Smith for reinspection fees. (2637-2639 N. 50th Street) (10th Aldermanic District)

Sponsors: THE CHAIR

Appellant not present.

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 no later than thirty (30) days from July 21, 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 - Strohhahn

18. 10101

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

Sponsors: THE CHAIR

Held so Ms. Albritton and the department can get together to compare the orders and the court case.

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

11:15 A.M.

19. 10099 Appeal of Allen Wells for reinspection fees. (2508-2512 N. Teutonia Avenue) (15th Aldermanic District)

Sponsors: THE CHAIR

The family needs to file probate for Hazel Wells and proceed through the court system. Allan Wells has no legal authority to file an appeal.

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

20. 10102 Appeal of May Vang Vue for reinspection fees. (1650 N. 29th Street) (15th Aldermanic District)

Sponsors: THE CHAIR

This APPEAL was SETTLED

21. 10103 Appeal of Dennis Edwards for reinspection fees. (4444 N. 26th 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 no later than thirty (30) days from July 21, 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

11:30 A.M.

22. **10107** Appeal of Steven Patrick of a nuisance determination by the Police Department.
 (11529 W. County Line Road) (9th Aldermanic District)

Sponsors: THE CHAIR

Held at the request of the City Attorney's Office.

This APPEAL was HELD IN COMMITTEE

Next meeting: Sept. 20th

Meeting adjourned: 12:39 P.M.

Linda M. Elmer

Staff Assistant

Members of the Common Council, and members of its Standing Committees who are not members of this Committee, may attend this meeting to participate or to gather information. Therefore, notice is given that this meeting may constitute a meeting of the Common Council or any of its Standing Committees, and must be noticed as such, although they will not take any formal action at this meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to the Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code of Ordinances are required to register with the City Clerk's Office License Division. More information is available at www.milwaukee.gov/lobby or by calling 414-286-2238.