



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Meeting Minutes

ADMINISTRATIVE REVIEW BOARD OF APPEALS

VINCENT BOBOT, CHAIR

*Ald. Scott Spiker Bill Averill, Cecilia Gilbert, and Kendrick
Yandell*

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Monday, February 27, 2023

9:00 AM

City Hall, Room 301-B

Meeting convened: 9:02 A.M.

Present: 5 - Gilbert, Averill, Bobot, Spiker, Yandell

1. [22214](#) Appeal of Brian Kuhs for dumpster enclosure requirement (1703-1713 W State St.) (4th Aldermanic District)

Sponsors: THE CHAIR

A motion was made by Vincent Bobot, seconded by Bill Averill, that this APPEAL be GRANTED. This motion PREVAILED by the following vote:

Aye: 4 - Gilbert, Averill, Bobot, and Yandell

No: 0

Abstain: 1 - Spiker

2. [22178](#) Appeal of Gary Kruckenberg for reinspection fees (131 E Chambers St.) (6th Aldermanic District)

Sponsors: THE CHAIR

Hold only until the next meeting.

A motion was made by Bill Averill, seconded by Kendrick Yandell, that this APPEAL be HELD IN COMMITTEE. This motion PREVAILED by the following vote:

Aye: 5 - Gilbert, Averill, Bobot, Spiker, and Yandell

No: 0

3. [22179](#) Appeal of Gary Kruckenberg for reinspection fees (1325 N 28th St.) (4th Aldermanic District)

Sponsors: THE CHAIR

Not appealable, so dismissed. Refund filing fee. By Bill Averill, seconded by Kendrick Yandell.

This APPEAL was SETTLED

4. [22143](#) Appeal of John Wesley, Jr. for reinspection fees (3624-26 N 40th St.)
(7th Aldermanic District)

Sponsors: THE CHAIR

Held at the appellant's request.

A motion was made by Bill Averill, seconded by Kendrick Yandell, that this APPEAL be HELD IN COMMITTEE. This motion PREVAILED by the following vote:

Aye: 5 - Gilbert, Averill, Bobot, Spiker, and Yandell

No: 0

9:15 A.M.

5. [22241](#) Appeal of Austin Henderson for bulky waste fees (4901 N 37th St.)
(1st Aldermanic District)

Sponsors: THE CHAIR

A motion was made by ALD. SPIKER, seconded by Bill Averill, that this APPEAL be GRANTED. This motion PREVAILED by the following vote:

Aye: 4 - Averill, Bobot, Spiker, and Yandell

No: 0

Excused: 1 - Gilbert

6. [23006](#) Appeal of Shar Borg for graffiti nuisance fees (1504 E. North Ave.)
(3rd Aldermanic District)

Sponsors: THE CHAIR

RECESS: 9:16 A.M.

RECONVENE: 9:25 A.M.

A motion was made by Bill Averill, seconded by Vincent Bobot, that this APPEAL be GRANTED. This motion PREVAILED by the following vote:

Aye: 4 - Averill, Bobot, Spiker, and Yandell

No: 0

Excused: 1 - Gilbert

9:30 A.M.

7. [22242](#) Appeal of Maurice Russell for overhanging branches nuisance fees (2500 N 47th St.) (15th Aldermanic District)

Sponsors: THE CHAIR

8. [23010](#) Appeal of Andrew Larsen for tall grass and weeds nuisance fees (3011 W State St.) (4th Aldermanic District)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review Board of Appeals 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 February 28, 2023. The phone number for general information for the Court is (414) 278-4120.

A motion was made by Bill Averill, seconded by Kendrick Yandell, that this APPEAL be DENIED based upon non-appearance despite timely notice of the hearing. This motion PREVAILED by the following vote:

Aye: 4 - Averill, Bobot, Spiker, and Yandell

No: 0

Excused: 1 - Gilbert

9. [23007](#) Appeal of Abdul Motlani for tall grass and weeds nuisance fees (9264 N Burbank Ave.) (9th Aldermanic District)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review Board of Appeals 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 February 28, 2023. The phone number for general information for the Court is (414) 278-4120.

A motion was made by Bill Averill, seconded by Kendrick Yandell, that this APPEAL be DENIED based upon non-appearance despite timely notice of the hearing. This motion PREVAILED by the following vote:

Aye: 4 - Averill, Bobot, Spiker, and Yandell

No: 0

Excused: 1 - Gilbert

9:45 A.M.

10. [22189](#) Appeal of Debra Stewart for garbage and litter nuisance fees (3170 N 9th St.)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review Board of

Appeals 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 February 28, 2023. The phone number for general information for the Court is (414) 278-4120.

A motion was made by Bill Averill, seconded by ALD. SPIKER, that this APPEAL be DENIED as the city followed proper procedures . This motion PREVAILED by the following vote:

Aye: 4 - Averill, Bobot, Spiker, and Yandell

No: 0

Excused: 1 - Gilbert

11. [22239](#) Appeal of Michael Roginsky for garbage and litter nuisance fees (5830 N 91st St.)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review Board of Appeals 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 February 28, 2023. The phone number for general information for the Court is (414) 278-4120.

A motion was made by Kendrick Yandell, seconded by Bill Averill, that this APPEAL be DENIED based upon non-appearance despite timely notice of the hearing. This motion PREVAILED by the following vote:

Aye: 5 - Gilbert, Averill, Bobot, Spiker, and Yandell

No: 0

12. [22240](#) Appeal of Regina Blackmon for garbage and litter nuisance fees (1718 W Nash St.)

Sponsors: THE CHAIR

If she withdraws her appeal, Mr. Schaewe will return \$121.92 and will reduce the bill to what the contractor charged the city. Appellant refused the offer.

A motion was made by ALD. SPIKER, seconded by Bill Averill, that this APPEAL be GRANTED. This motion PREVAILED by the following vote:

Aye: 5 - Gilbert, Averill, Bobot, Spiker, and Yandell

No: 0

13. [22244](#) Appeal of Edward Desgazer for garbage and litter nuisance fees (3048 N Palmer St.)

Sponsors: THE CHAIR

This appeal was heard by the City of Milwaukee's Administrative Review Board of Appeals 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 February 28, 2023. The phone number for general information for the Court is (414) 278-4120.

A motion was made by Bill Averill, seconded by Kendrick Yandell, that this APPEAL be DENIED based upon non-appearance despite timely notice of the hearing. This motion PREVAILED by the following vote:

Aye: 5 - Gilbert, Averill, Bobot, Spiker, and Yandell

No: 0

14. [22245](#) Appeal of Rajesh Gupta for garbage and litter nuisance fees (5029 N 41st St.)

Sponsors: THE CHAIR

Held as appellant going in-and-out of the meeting.

A motion was made by Bill Averill, seconded by Cecilia Gilbert, that this APPEAL be HELD IN COMMITTEE. This motion PREVAILED by the following vote:

Aye: 5 - Gilbert, Averill, Bobot, Spiker, and Yandell

No: 0

15. [23001](#) Appeal of Huifang Jia for garbage and litter nuisance fees (5800 N 68th St.)

Sponsors: THE CHAIR

Settled at the table - DNS removed the 3-strikes and administrative charges, so \$61.09 remain. He accepts the offer.

This APPEAL was SETTLED

16. [23002](#) Appeal of Huifang Jia for three-strikes garbage and litter nuisance fees (5800 N 68th St.) (2nd Aldermanic District)

Sponsors: THE CHAIR

Settled at the table. Appellant will pay \$61.09 (city waives the administrative charges and the 3-strikes charge).

This APPEAL was SETTLED

17. [23004](#) Appeal of Jaggi Singh Ghotra for garbage and litter nuisance fees (5208 S 27th St.)

Sponsors: THE CHAIR

Deny, by Mr. Averill. Seconded by Ms. Gilbert. Mr. Bobot abstaining. Ald Spiker and Mr. Yandell voting "no". Motion Failed. Motion withdrawn by Mr. Averill. Held to get direct DNS testimony.

A motion was made by ALD. SPIKER, seconded by Bill Averill, that this APPEAL be HELD IN COMMITTEE. This motion PREVAILED by the following vote:

Aye: 4 - Gilbert, Averill, Spiker, and Yandell

No: 0

Abstain: 1 - Bobot

10:00 A.M.

18. [23005](#) Appeal of Atty. Joshua Gimbel on behalf of Felipe Martinez, Jr. for chronic nuisance premises designation (626 S 5th St.) (12th Aldermanic District)

Sponsors: THE CHAIR

Deny, by Ald. Spiker, based on testimony of the police and the police record. There was no second.

A motion was made by Bill Averill, seconded by Cecilia Gilbert, that this APPEAL be GRANTED. This motion PREVAILED by the following vote:

Aye: 3 - Gilbert, Averill, and Bobot

No: 1 - Spiker

Abstain: 1 - Yandell

Next meeting: Tuesday, March 28th at 9 a.m.

Linda M. Elmer

Staff Assistant

This meeting can be viewed in its entirety through the City's Legislative Research Center at <http://milwaukee.legistar.com/calendar>.