

ADMINISTRATIVE APPEALS BOARD
November 17, 2021 - 4:00 PM
City Conference Room - 1515 Strong's Avenue

MINUTES

1. Roll Call.

Present: Member Noltze, Member Speckmann, Ald. Shorr, Ald. Fishler

Absent: Ald. Leek

Others

Present: Clerk Yenter, Attorney Beveridge, Neighborhood Improvement Coordinator Mark Kordus.

2. Election of Chair.

Ald. Fishler called for nominations for chair of the Administrative Appeals Board.

Ald. Shorr nominated Ald. Fishler.

Ald. Shorr moved, Member Speckmann seconded, to appoint Ald. Fishler as chair.

Call for the vote: ayes, all; nays, none; motion carried.

Ald. Fishler called for nominations for vice-chair of the Administrative Appeals Board.

Member Noltze nominated Ald. Shorr.

Member Noltze moved, Member Speckmann seconded, to appoint Ald. Shorr as vice-chair.

Call for the vote: ayes, all; nays, none; motion carried.

3. Minutes of the August 18, 2021 meeting.

Member Speckmann moved, Member Noltze seconded, to approve the minutes of the August 18, 2021 meeting.

Call for the vote: ayes, all; nays, none; motion carried.

4. Appeal of notice/service charge for property maintenance violation:

a. 2901D Fifth Avenue.

Ald. Shorr moved, Member Noltze seconded, to deny the appeal for 2901D Fifth Avenue.

Neighborhood Improvement Coordinator Kordus gave an overview of the violation.

Member Noltze asked about the timeline of the incident.

Neighborhood Improvement Coordinator Kordus responded with clarification on the timeline.

Ald. Fishler commented on the time between the complaint to when action was taken by the landlord.

Call for the vote: ayes, all; nays, none; motion carried.

b. 1616 Main Street.

Neighborhood Improvement Coordinator Kordus outlined the complaint.

Member Speckamn asked how we notify citizens about violations.

Neighborhood Improvement Coordinator Kordus explained that the notices are mailed via USPS.

Member Noltze asked if the invoice dated October 12, 2021 was for the inspection of the September violation.

Neighborhood Improvement Coordinator Kordus answered that it was not, it was the invoice from the reinspection that occurred on October 12, 2021. He explained that a warning notice had been sent a month prior to the reinspection and subsequent fee of noncompliance which was invoiced on October 12, 2021.

Ald. Fishler asked if the appellant was still in noncompliance as of October 21, 2021.

Neighborhood Improvement Coordinator Kordus answered that the case was closed on the October 21, 2021 as the appellant was in compliance. He clarified that the appeal was not for the original noncompliance but rather the appellant communicated that they had not received the warning notice before the invoice was sent.

Attorney Beveridge provided context on the use of mail as a notice for legal proceedings, concluding that the use of mail is not unprecedented.

Ald. Shorr expressed concern about the confidence placed in the postal service.

Attorney Beveridge clarified that if there are continual delays or a shifting in timetables

for mail to be delivered, the timeframes given for notices can be reevaluated.

Neighborhood Improvement Coordinator Kordus responded that his department has taken this into consideration by providing an extra 2 to 3 days and, in this case, provided a full month.

Member Speckmann moved, Member Noltze seconded, to deny the appeal of 1616 Main Street.

Call for the vote: ayes, all; nays, none; motion carried.

5. Adjournment.

Adjourned at 4:18 p.m.