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In 2002 a plaque was installed in Pulaski Playground, right next door to Wolski's Tavern, thanking all the volunteers who helped revitalize the neighborhood play space. Going by the list of names, it looks as if everyone in the neighborhood was getting along. Our front page story reveals a much different neighborhood today, in the midst of a battle over a Conservation Overlay District that has moved from shouting matches to court cases. If you get lost in our description of who & what, check the info box on page 20. For the publisher's opinion, check the editorial on page 2. ~ photo by Vince Bushell

# People vs. Property Getting Ugly in the East Village

by Nik Kovac

In a town made famous by its beer, the most famous place to belly up and have one is probably Wolski's, a family owned establishment since 1908. The bar itself can be hard to find, tucked inside an old cream city brick house along wandering Pulaski Street, a few blocks southeast of a westward bend in the Milwaukee River. But bumper stickers proudly proclaiming "I Closed Wolski's" are not nearly so obscure. They have been plastered all over town for more than a generation.

Lately though, Pulaski Street is becoming known for a new kind of slogan. "No Overlay District, Alderman D'Amato" signs have adorned most of the houses near the bar for several months now. A place to drink, throw darts, and shoot pool has become the epicenter of a political movement. Maps are being drawn, petitions are being signed, and strategies for overthrowing the powers-that-be are being discussed.

There are parallels to the American Revolution, an uprising discussed and organized in the taverns north of Boston 230 years ago. The minutemen drank and slept there, then fired muskets at the redcoats. In this case,

however, the perceived enemy is not an invading royal army. It is people who live nearby, and have for decades, some of whom even used to drink at the bar.

"I used to watch Packer games at Wolski's," laments Ginger Duiven, a neighborhood resident since 1988. "It makes me sad that I can't do that anymore."

Duiven is on the board of the East Village Association (EVA), a neighborhood group started in the mid-90s. So is Bernie Bondar, who owns Wolski's (the original last name has been lost through marriage) along with his two brothers, Mike and Dennis. Bernie and Ginger, however, have very different ideas about the future, and the past, of the EVA.

**Shouting Matches**

The full EVA Board of Directors has not met since June, an unprecedented gap in the group's schedule. This was brought about by shouting matches that occurred every time the board tried to meet this spring. Those shouting matches were mostly over a disputed election last November. That election was so contentious because of new zoning guidelines proposed

(and by now implemented) in the neighborhood, called the Conservation Overlay District. Those guidelines are less restrictive than the more common Historic Preservation District rules, but more restrictive than the city's standard zoning. In fact, this is the first time this style of zoning has ever been implemented in the city of Milwaukee.

"That's what is terrible about this," said Joe Kaye, an EVA member who owns property in the neighborhood. "Whoever controls the EVA controls the zoning in the neighborhood."

Kaye's comment typifies the current mood at Wolski's, where the old guard of the EVA is perceived to have shoved the Conservation District's new zoning guidelines down the throats

of an unwitting neighborhood. On its surface, however, the comment is clearly false. The EVA, no matter who is on the board, does not control the zoning in the neighborhood. The EVA can make proposals and it can take advisory votes. But the Common Council gets the final decision on all zoning changes, and they approved this unprecedented Overlay District for the East Village last December.

If there is truth in Kaye's comment, it is a much more sinister truth, and it is at the center of a far-reaching conspiracy stretching from neighborhood living rooms, across empty lots and planned condo developments, all the way to the chambers of city hall. Kaye, a lawyer, does not allege **CONTINUED ON 19**

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**PROPERTY FROM 1** this conspiracy merely over beers at the bar. He is now alleging it in federal court, where just last month he filed a Racketeer Influenced and Corrupt Organizations (RICO) claim against the local alderman, Mike D'Amato and other city officials, against various local developers of whom he is a rival, and against the very association of which he is a member.

The lawsuit also names at least two EVA members: Shirley Ferguson and Lisa Christopherson. It was in Ferguson's living room, two blocks from Wolski's, where this conspiracy allegedly began. "Back in 2001," explained Bernie Bondar at a neighborhood meeting last month convened by himself and fellow EVA board member Brian Delfosse, "Alderman D'Amato had a secret meeting in Shirley Ferguson's house, and that's how this whole Overlay District got started."

Neither D'Amato nor Ferguson disputes the facts of that claim, except for the use of the word "secret." D'Amato, in particular, is not shy about presenting his version of events. The alderman described a years-long process, which resulted in the Overlay District. "This procedure," he said, speaking from his city hall office, "was initiated by a neighborhood group [the EVA], it was assisted by city hall, it received a number of public hearings, no less than three, where public input was taken, and no less than two mailings were sent to every property owner in advance of the final vote. It passed the Common Council unanimously."

Indeed, as far back as the summer of 2003, a full year and a half before the Common Council vote was taken, the following entry, under the heading, "Conservation District - What is it?" appeared in the EVA newsletter: "After a year of working to put together these guidelines for the East Village Conservation District a special meeting is being planned to present the guidelines. With all the new interest in the EVA it is important to guide developments that might detract from the village-like atmosphere we now all enjoy. Supporter Alderman Michael D'Amato will be mailing out copies of the guidelines and an invitation to attend a special meeting to all homeowners in the proposed Conservation District."

In the next EVA newsletter, the following historical background was printed and dropped on every doorstep in the neighborhood: "The East Village is a residential neighborhood settled by Polish immigrants, beginning in the late 1860s. The Association's housing styles consist predominantly of modest frame structures, including workers' cottages, 'Polish flats,' single family houses and duplexes, as well as a handful of brick buildings,

interspersed with a scattering of commercial structures, all densely packed into an approximately four-square block area with an irregular street pattern... By the time Milwaukee began requiring building permits in 1888, the area was already well developed. As a result, a majority of the buildings lack original building permits. Even after 1888, immigrant property owners were often less than scrupulous about obtaining permits."

**Historic Ironies**

Within this history lie several grand ironies. First and most obvious is a tension familiar to preservationists. When trying to preserve historical structures, when does history stop? Of course it never actually stops, but at what point does it deserve to be preserved? The Polish immigrants who built the neighborhood were constantly modifying and jerry-rigging their homes. Is preserving tradition preserving the changes these now-dead homeowners made, or is it allowing current homeowners to alter their houses as they see fit?

The second irony is a tension unique to the East Village. Most preservation efforts, most historic districts, focus on formerly wealthy neighborhoods. This can be explained cynically as an elitist bias on the part of preservationists, or materialistically as a tendency of more expensive buildings to be better built, and hence more likely to last. In any event, when the East Village was put on the National Register of Historic Places (a label which carries prestige and tax incentives but no zoning changes) in January of 2004, it was an unusual accomplishment for a neighborhood first built - and first owned - by the working class.

The third irony is unique to the personalities involved in the current clashes. The Wolski/Bondar family has deep roots in the historical community, and yet they are prominently opposed to the current preservation efforts of the EVA. The grandmother of Bernie, Mike, Dennis, and their sister Jill was born next door to the current site of Wolski's in 1896. The land underneath Pulaski playground, which sits on the other side of Wolski's, was donated to the city by their great-grandfather. The Bondars, descendants of immigrants who built the neighborhood, have a very different concept of preservation from the current powers-that-be at the EVA. "Preserving the neighborhood," explains Jill, "is preserving the people, not preserving the properties."

**People vs. Property**

Herein lies a political clash, which should be familiar to most Americans alive today. The property rights crowd vs.

the neighborhood cohesion crowd. The cowboy individual vs. the community consensus. One is tempted to also describe it, politically, as a conservative vs. liberal dispute, but local politics are seldom so tidy. It is true that Citizens for Responsible Government (CRG), a group often labeled as a bunch of suburban conservatives, has joined the battle against the Overlay District.

But Kaye, for one, resolutely resists such labels. "I'm a bleeding heart liberal," he insists. "We called in the CRG because we share a common cause. It's not political. It's about clean government, and that's it. I even liked Clinton." As soon as Kaye makes this comment about our former president, he gets a dirty look from Jill, who has just bought him a beer. When it comes to national politics, Kaye does not agree with Jill or her brothers. Locally, however, they are united.

When it comes to derogatory labels, the East Village neighborhood currently has no shortage. The opponents of the Overlay District are supposedly a den of politically motivated outsiders, absentee landlords out for a quick buck, or even, if certain mumblings are to be believed, a bunch of cranky, lazy drunks. Meanwhile, the proponents of the Overlay District have been called elitist busybodies, a pretentious social club, hypocritical schemers out to steal elections from the people.

The issue of neighborhood elections, and the prickly question of "What do the people really think?" are not easily settled in the East Village. Both sides have a theory, and a narrative, and part of these competing stories is the complete idiocy and maliciousness of the other side. (For the sake of the neighborhood, we must hope that they are both wrong.)

The Bondars have a map of the neighborhood colored with pink and blue markers. For each property lot in the tax key, they have colored it blue if the owner is willing to sign a petition against the Overlay District. They have colored it pink if the owner refused. If they don't know, the lot has remained white, the background color. So far the decisive score on their map is 128 against, 20 for, with about 70 lots unaccounted for.

Meanwhile, the old guard at the EVA has a list. It is list of voters - a head count, not a property count - of individuals eligible to vote in last November's election. By Ferguson's reckoning, 33 of those EVA members, most of whom have been in the organization for years, support the Overlay District. Meanwhile, 41 members, most of whom joined in the months right before the November EVA election, were opposed to it, and wanted to vote the current board out of office. **NEXT PAGE >>>**

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