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# City of West Allis Matter Summary

7525 W. Greenfield Ave.  
West Allis, WI 53214

File Number	Title	Status
2004-0626	Communication	In Committee
	Communication from City Engineer regarding encroachment issues along the 2100 block of S. 85 Street.	
	Introduced: 10/19/2004	Controlling Body: Public Works Committee

COMMITTEE RECOMMENDATION Place on file

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>10-19-04</u>	<input checked="" type="checkbox"/>		Barczak				
			Czaplewski				
			Dobrowski	<input checked="" type="checkbox"/>			
			Kopplin	<input checked="" type="checkbox"/>			
			Lajsic				
			Narlock	<input checked="" type="checkbox"/>			
			Reinke				
			Sengstock	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>			
			Weigel				
			TOTAL				

SIGNATURE OF COMMITTEE MEMBER

*Ruben Narlock* \_\_\_\_\_  
 Chair Vice-Chair Member

COMMON COUNCIL ACTION **PLACE ON FILE**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>OCT 19 2004</u>	<input checked="" type="checkbox"/>		Barczak				<input checked="" type="checkbox"/>
			Czaplewski	<input checked="" type="checkbox"/>			
			Dobrowski	<input checked="" type="checkbox"/>			
			Kopplin	<input checked="" type="checkbox"/>			
			Lajsic	<input checked="" type="checkbox"/>			
			Narlock	<input checked="" type="checkbox"/>			
			Reinke	<input checked="" type="checkbox"/>			
			Sengstock	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>9</u>	<u>-</u>		<u>1</u>



# CITY OF WEST ALLIS

WISCONSIN



Engineering Department

**MICHAEL G. LEWIS**  
*City Engineer*

October 11, 2004

Board of Public Works  
City of West Allis  
West Allis, WI 53214

**RE: Review of Encroachment Issues along the 2100 Block of 85<sup>th</sup> Street**

Dear Board Members:

At the request of Alderperson Linda Dobrowski, we granted an additional 30 days to resolve this issue. Attached is some background information.

Municipal Code is pretty clear on this issue; any type of encroachments, like plantings, walls and even a large boulder, needs a "Grant of Privilege." We have approved a couple of dozen of these since I have been here and probably have hundreds on the books. The intent is to protect the taxpayer from liability from private property owners using the public right-of-way.

If these residents want to keep what they have, it's pretty simple. We need a drawing and a letter explaining the encroachment, \$25 dollar per fee and an insurance certificate.

Respectfully,

Michael G. Lewis  
City Engineer

MGL/mgl

Attachments





# CITY OF WEST ALLIS

WISCONSIN



Engineering Department

**MICHAEL G. LEWIS**  
City Engineer

## Memorandum

**TO:** Alderperson Linda Dobrowski, Fourth District

**FROM:** Michael Lewis, City Engineer

**DATE:** September 28, 2004

**RE:** Encroachments along 85<sup>th</sup> Street

Attached are copies of the letters that Brian Block mailed out along with the packet materials from the City Attorney's Office. The property line is about 5 feet from the edge of sidewalk in this block.

According to Brian, Mr. Smedley called to complain about the plantings on Mr. & Mrs. Laumann's property. Brian explained to Mr. Smedley that he would look at other adjacent properties too if he was asked to inspect the Laumann's property. Mr. Smedley said he didn't care and also complained about the Krams. Apparently, Laumann's plantings interfered with his line of sight when exiting his driveway.

All we need is a simple drawing showing the right-of-way area and a letter explaining the encroachment mailed to Sharon Lesak to start the process. After approval, we would need the \$25 permit fee and an insurance certificate showing at least \$10,000 coverage for the City. All of this is explained in the packet materials.

*Probably true!*



# CITY OF WEST ALLIS

WISCONSIN



Engineering Department

**MICHAEL G. LEWIS**  
City Engineer

October 8, 2004

Daniel R. and Rebecca Kram  
2124 South 85 Street  
West Allis, Wisconsin 53227

Dear Daniel R. and Rebecca Kram:

At the request of Alderperson Linda Dobrowski, 4<sup>th</sup> District, we are granting an additional thirty (30) days (new date is therefore November 20, 2004) to comply with Mr. Brian Block's letter dated September 20, 2004. In that letter he states that:

*While responding to an unrelated complaint in the 2100 Block of S. 85 St. on September 16, 2004, I discovered an encroachment of approximately 5 ft. into the City Right-Of-Way. The encroachment consists of bushes and low voltage lights alongside the sidewalk of S. 85 St.*

*The discovered encroachment must be addressed in one of the following two ways:*

- 1. The plant encroachments and low voltage lights are ordered to be removed within thirty (30) days from receipt of this letter...OR*
- 2. The plant encroachments and lights may remain in place if an approved Grant of Privilege is on file with the City Attorney's Office.*

Alderperson Dobrowski requested that this issue be placed on the agenda of the next Board of Public Works meeting. This meeting will be held during the recess session of Tuesday, October 19<sup>th</sup> Common Council meeting. The Common Council meeting will start at 7:00 p.m. If you have any questions, please contact me.

Sincerely,

Michael G. Lewis  
City Engineer

MGL/mgl

Alderperson Dobrowski, 4<sup>th</sup> District  
Alderperson Thomas Lajsic, 4<sup>th</sup> District  
Brian Block, Engineering Department  
Terry Tauschmann, Building Inspection Department  
Darilyn Adams, City Attorney's Office



# CITY OF WEST ALLIS

WISCONSIN



## Engineering Department

**MICHAEL G. LEWIS**  
*City Engineer*

October 8, 2004

Mr. Everett A. Smedley  
2126 South 85 Street  
West Allis, Wisconsin 53227

Dear Mr. Smedley:

At the request of Alderperson Linda Dobrowski, 4<sup>th</sup> District, we are granting an additional thirty (30) days (new date is therefore November 20, 2004) to comply with Mr. Brian Block's letter dated September 20, 2004. In that letter he states that:

*While responding to an unrelated complaint in the 2100 Block of S. 85 St. on September 16, 2004, I discovered an encroachment of approximately 4 ft. into the City Right-Of-Way. The encroachment consists of a boulder alongside the north side of the property.*

*The discovered encroachment must be addressed in one of the following two ways:*

- 1. The boulder is ordered to be removed within thirty (30) days from receipt of this letter...OR*
- 2. The boulder may remain in place if an approved Grant of Privilege is on file with the City Attorney's Office.*

Alderperson Dobrowski requested that this issue be placed on the agenda of the next Board of Public Works meeting. This meeting will be held during the recess session of Tuesday, October 19<sup>th</sup> Common Council meeting. The Common Council meeting will start at 7:00 p.m. If you have any questions, please contact me.

Sincerely,

Michael G. Lewis  
City Engineer

MGL/mgl

cc: Alderperson Dobrowski, 4<sup>th</sup> District  
Alderperson Thomas Lajsic, 4<sup>th</sup> District  
Brian Block, Engineering Department  
Terry Tauschmann, Building Inspection Department  
Darilyn Adams, City Attorney's Office





# CITY OF WEST ALLIS

WISCONSIN



Engineering Department

**MICHAEL G. LEWIS**  
City Engineer

October 8, 2004

Mario and Cynthia Laumann  
2132 South 85 Street  
West Allis, Wisconsin 53227

Dear Mario and Cynthia Laumann:

At the request of Alderperson Linda Dobrowski, 4<sup>th</sup> District, we are granting an additional thirty (30) days (new date is therefore November 20, 2004) to comply with Mr. Brian Block's letter dated September 20, 2004. In that letter he states that:

*The encroachment consists of an arbor vitae alongside the north side of the property. In addition to the bushes along the north property line, I discovered a wooden rail planter at the City sidewalk encroaching 5 ft. directly north of your driveway.*

*The discovered encroachment must be addressed in one of the following two ways:*

- 1. The plant encroachment and planter are ordered to be removed within thirty (30) days from receipt of this letter...OR*
- 2. The plant encroachment and planter may remain in place if an approved Grant of Privilege is on file with the City Attorney's Office.*

Alderperson Dobrowski requested that this issue be placed on the agenda of the next Board of Public Works meeting. This meeting will be held during the recess session of Tuesday, October 19<sup>th</sup> Common Council meeting. The Common Council meeting will start at 7:00 p.m. If you have any questions, please contact me.

Sincerely,

Michael G. Lewis  
City Engineer

MGL/mgl

cc: Alderperson Dobrowski, 4<sup>th</sup> District  
Alderperson Thomas Lajsic, 4<sup>th</sup> District  
Brian Block, Engineering Department  
Terry Tauschmann, Building Inspection Department  
Darilyn Adams, City Attorney's Office