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19



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2008-0159 Claim Claim Report

TrustSolutions, LLC request for cancellation of personal property tax identification number 537837 and refund of \$4822.48 due to two personal property tax identification numbers being assigned to TrustSolutions, LLC for the same property.

Introduced: 3/18/2008

Controlling Body: Administration & Finance Committee

COMMITTEE RECOMMENDATION

POF

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
AUG 05 2008			Barczak				
			Czaplewski				
			Kopplin				✓
		✓	Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Roadt				
			Sengstock				
			Vitale		✓		
		Weigel					
		TOTAL		4			1

SIGNATURE OF COMMITTEE MEMBER

Chair

Vincent Vitale
Vice-Chair

Member

COMMON COUNCIL ACTION

PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
AUG 05 2008			Barczak				✓
			Czaplewski	✓			
			Kopplin				✓
			Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Roadt	✓			
			Sengstock	✓			
		✓		Vitale	✓		
			Weigel	✓			
		TOTAL		8	-		2



OFFICE OF THE CITY ATTORNEY

Scott E. Post
City Attorney

Sheryl L. Kuhary
Jeffrey J. Warchol
Jenna R. Merten
Assistant City Attorneys

July 16, 2008

Common Council
City of West Allis

RE: City Attorney's Report of Claims/Lawsuits

Dear Council Members:

The enclosed claims/lawsuits have been referred to this office in accordance with Section 3.05 (6)(a) of the Revised Municipal Code. This office has examined the facts of each claim/lawsuit and the applicable law. Our Opinion regarding liability is attached to each claim/lawsuit.

The following claims/lawsuits have been placed on file:

TrustSolutions, LLC/Mary Neustaedter (\$4,822.48)

CEI Services as Subrogees of GE Fleet Services/
Mary Kay Cosmetics/Sandra Hoeft (\$2,766.51)

The following claims/lawsuits have been denied:

Thomas Poppe (\$205.92)
Walters Wrecking Inc. (\$4,085.70)
Tracy Laverdure (\$2,354.00)

Respectfully submitted,


Jeffrey J. Warchol
Assistant City Attorney

JJW:da
Enclosures

cc: Thomas E. Mann, CVMIC



OFFICE OF THE CITY ATTORNEY

Scott E. Post
City Attorney

Sheryl L. Kuhary
Jeffrey J. Warchol
Jenna R. Merten
Assistant City Attorneys

July 14, 2008

Common Council
City of West Allis

RE: City Attorney's Report of Claim

Dear Council Members:

The enclosed claim has been referred to this office in accordance with Section 3.05 (6)(a) of the Revised Municipal Code. This office has examined the facts of the claim and the applicable law. Our Opinion regarding liability is as follows:

It is the recommendation of this office that the following claim be placed on file:

TrustSolutions, LLC/Mary Neustaedter – Amount \$4,822.48

This is a claim for the return of personal property taxes by the claimant business for tax year 2007. On or about March 10th, 2008, the claimant notified the City of an accounting error that allegedly occurred whereby the company's 2007 property taxes in the amount of \$4,822.48 were actually paid to the City twice, once by the claimant and a second time by the corporate headquarters of the claimant located in St. Louis, Missouri. The claimant is asking for a return of the overpayment in the amount of \$4,822.48.

Our investigation of this matter indicated that the claimant did indeed pay its 2007 personal property tax account twice. Although there are strict statutes related to the timing of such a claim, which the claimant did not meet, equitable principles at work in this case dictate that the return of an overpayment to the City is the fair method of handling this claim. Based upon the same, the City Attorney's Office paid the claimant in the amount stated above and obtained a signed Release of All Claims from the claimant company.

Based upon the above, this claim should be placed on file.

Respectfully submitted,

Jeffrey J. Warchol
Assistant City Attorney

JJW:da

RECEIVED

JUN 30 2008

RELEASE OF ALL CLAIMS

WEST ALLIS CITY ATTORNEY

FOR AND IN CONSIDERATION of the payment to TrustSolutions, LLC and/or its agent at this time of the sum of **Four Thousand Eight Hundred Twenty-two and 48/100 dollars (\$4,822.48)**, the receipt of which is hereby acknowledged, TrustSolutions, LLC does hereby release, acquit, and forever discharge The City of West Allis, Wisconsin, A Municipal Corporation, Its Departments, Commissions, Officials, Agents and Employees, his, her, its or their successors and assigns and all other persons, firms or corporations who are or might be liable from any and all claims, demands, damages, costs, actions and causes of action of whatever kind or nature which TrustSolutions, LLC may now have or may hereafter have, on account of, or in any way growing out of an overpayment of Personal Property Taxes to the City of West Allis, Wisconsin, for the tax year 2007. TrustSolutions, LLC hereby declare and represent that recovery in this matter is uncertain and indefinite and in making this Release and Agreement it is understood and agreed that TrustSolutions, LLC rely wholly upon its judgment, belief, and knowledge of the nature, extent and duration of said claims, and that TrustSolutions, LLC have not been influenced to any extent whatever in making this Release by any representations or statements regarding said claims, or regarding any other matters, made by the persons, firms or corporations who are hereby released, or by any person or persons representing him or them.

It is further understood and agreed that this settlement is the compromise of doubtful and disputed claims and that the payment of said amount is not to be construed as an admission of liability upon the part of said persons, firms, or corporations released; liability being by it, him or them expressly denied.

It is further understood and agreed that this Release and payment pursuant thereto is not be construed as a waiver by or estoppel of any party released to prosecute a claim or action for any damages sustained.

This Release contains the ENTIRE AGREEMENT between the parties hereto, and the terms of this Release are contractual and not a mere recital.

TRUSTSOLUTIONS, LLC AND/OR ITS AGENT HAVE READ THE FOREGOING RELEASE AND FULLY UNDERSTAND IT. TRUSTSOLUTIONS, LLC ACKNOWLEDGES HAVING THE OPPORTUNITY TO NEGOTIATE THE TERMS OF THIS RELEASE WITH THE CITY ATTORNEY AND SPECIFICALLY WAIVES ITS OPPORTUNITY TO DO SO.

Signed and sealed this 26 day of June, 2008.

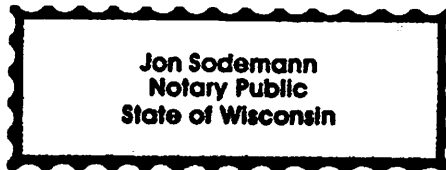
Mary Neustaedter
TrustSolutions, LLC, by Rose Igowski - MARY
Its: Controller Neustaedter

Subscribed and sworn to before me this 26 day of June, 2008.

[Signature]

Notary Public, State of Wisconsin
My Commission Expires: 6/26/2010
JJW:da

L:/Jeff/Releases/TrustSolutionsPPT Overpayment



TRUST SOLUTIONS, LLC

A CMS Program Safeguard Contractor

6775 West Washington Street, Milwaukee, WI 53214

RECEIVED

MAR 10 2008

CITY OF WEST ALLIS
CLERK/TREASURER

March 10, 2008

TO: Common Council of the City of West Allis
7525 West Greenfield Avenue
West Allis, WI 53214

REGARDING: Cancellation of Tax ID, and refund of payment

It has been brought to our attention recently that TrustSolutions, LLC has duplicate tax identification numbers with the City of West Allis.

In January of this year we had paid personal property taxes under Tax ID 000537837 in the amount of \$ 4822.48. Then it was noticed that our corporate headquarters, Wellpoint Inc. in St. Louis, Missouri had paid them, along with the other Wellpoint companies that are located at **6775 West Washington Street**. The tax ID number they used was 000537878. It has been decided within our organization that the corporate office will continue to handle the payment of the personal property taxes for all of it's locations. With that being said we, **TrustSolutions, LLC would like to cancel Tax ID 000537837, and have the monies, \$ 4822.48, refunded.**

Attached you will find a copy of the check, and a copy of the tax bill.



Mary Neustaedter, Controller
TrustSolutions, LLC
6775 West Washington Street
West Allis, WI 53214
(414) 459-5574

TRUST SOLUTIONS LLC
 6775 WEST WASHINGTON STREET
 MILWAUKEE, WI 53214

BANK OF AMERICA
 ATLANTA, DEKALB COUNTY, GA

64-1278 CHECK NUMBER
 611 00075293

C2

Date 01/18/2008 Pay Amount ***4,822.48

Pay ****FOUR THOUSAND EIGHT HUNDRED TWENTY-TWO AND 48 / 100 DOLLAR****

To The Order Of

CITY OF WEST ALLIS
 TREASURER'S OFFICE
 7525 W GREENFIELD AVE
 WEST ALLIS, WI 53214

COPY

Joanne Haulbo

⑈00075293⑈ ⑆061112788⑆ 329 911 1585⑈

Check Date: 01/18/2008		Business Unit: A0433		Check No. 00075293		C2
Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount	
2007 PROPERTY TAXES TAX ID: 000537837	01/11/2008	04189156	4,822.48	0.00	4,822.48	
Name CITY OF WEST ALLIS			4,822.48	0.00	4,822.48	

City of West Allis
 Treasurer's Office
 7525 W Greenfield Ave
 West Allis, WI 53214

STATEMENT OF
 PERSONAL PROPERTY TAXES FOR 2007
 CITY OF WEST ALLIS
 COUNTY OF MILWAUKEE
 STATE OF WISCONSIN

37

COPY

00000912

TRUST SOLUTIONS
 6775 W WASHINGTON STREET
 WEST ALLIS WI 53214-5644

TAX ID: 000537837

KEY 26528
 TRUST SOLUTIONS
 6775 W WASHINGTON ST



IMPORTANT: The owner above is for tax bill purposes only.
 It may be abbreviated.

Assessed Value Land Personal Property	Ass'd. Value Improvements Personal Property	Total Assessed-Value 204,600	Ave. Assmt. Ratio 1.0000	Net Assessed Value Rate (Does NOT reflect Lottery Credit) 23.5703	
Est. Fair Mkt. Land	Est. Fair Mkt. Improvements	Total Est. Fair Mkt.	<input type="checkbox"/> A star in this box means Unpaid Prior Year Taxes	School taxes reduced by school levy tax credit 289.10	
TAXING JURISDICTION	EST. STATE AIDS ALLOCATED TO TAXDIST. FOR	EST. STATE AIDS ALLOCATED TO TAXDIST. FOR	NET TAX	NET TAX	% CHANGE NET TAX
	2006	2007	2006	2007	
CITY OF WEST ALLIS	12,510,182	12,545,047	.00	1,770.16	.0
MILWAUKEE COUNTY	4,179,181	4,141,568	.00	837.67	.0
MILW METRO SEWERAGE DIST			.00	276.01	.0
WAWM SCHOOL DISTRICT	38,922,735	38,100,909	.00	1,520.38	.0
MILW AREA TECH COLLEGE	1,487,906	1,406,655	.00	381.70	.0
STATE OF WISCONSIN			.00	36.56	.0
TOTALS	57,100,004	56,194,179	.00	4,822.48	.0
LOTTERY CREDIT			.00	.00	.0
NET PROPERTY TAX AFTER LOTTERY CREDIT			.00	4,822.48	.0

Warning: If the first installment is not paid by the due date, the installment option is lost and the total tax is delinquent and subject to interest and penalty. (See reverse)

DUE DATE AMOUNT DUE
 01-31-2008 \$ 4,822.48

IMPORTANT: BE SURE THIS DESCRIPTION COVERS YOUR PROPERTY.
 NOTE THAT THIS DESCRIPTION IS FOR TAX BILL ONLY AND MAY NOT
 BE A FULL LEGAL DESCRIPTION.

NET PROPERTY TAX 4,822.48

*or
 may be payable
 1/11/08*

Full Payment of: \$ 4,822.48
 or First Installment of: \$ 4,822.48
 Due on or Before: January 31, 2008
 Make Check Payable to: City of West Allis



IT SOLUTIONS, LLC

A CMS Program Safeguard Contractor
6775 West Washington Street
Milwaukee, WI 53214

RECEIVED

MAR 10 2008

CITY OF WEST ALLIS
CLERK/TREASURER

City of West Allis
Treasurer's Office
7525 W. Greenfield Ave.
West Allis, WI 53214



CITY CLERK/TREASURER'S OFFICE
414/302-8200 or 414/302-8207 (Fax)
www.ci.west-allis.wi.us
Paul M. Ziehler
City Admin. Officer, Clerk/Treasurer
Monica Schultz
Assistant City Clerk
Rosemary West
Treasurer's Office Supervisor

March 13, 2008

Ms. Mary Neustaedter, Controller
TrustSolutions, LLC
6775 W. Washington Street
West Allis, WI 53214

Dear Ms. Neustaedter:

This letter acknowledges receipt of your communication regarding request for cancellation of personal property tax identification number 537837 and refund of \$4822.48 due to two personal property tax identification numbers being assigned to TrustSolutions, LLC for the same property.

The original document will be submitted to the Common Council at its meeting of March 18, 2008.

It is not anticipated that a decision regarding this matter will be made on this date. Generally, all communications are directed to the City Attorney's office for investigation. Common Council action regarding your communication will not be taken until the City Attorney's investigation is completed. Any questions you may have regarding this matter should be directed to their attention.

Sincerely,

Monica Schultz
Assistant City Clerk

/jl

cc: City Attorney