



# City of West Allis

## Matter Summary

7525 W. Greenfield Ave.  
West Allis, WI 53214

File Number	Title	Status
2003-0456	Communication	In Committee
Communication from City Engineer regarding a request from Mr. Smigielski, 7624-30 West Lincoln Avenue, for storm sewer service.		
Introduced: 7/1/2003		Controlling Body: Public Works Committee

### COMMITTEE RECOMMENDATION

*Placed on File*

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<i>8-5-03</i>			Barczak				
			Czaplewski				
			Kopplin				
			Lajsic				
			Narlock	<input checked="" type="checkbox"/>			
			Reinke				
	<input checked="" type="checkbox"/>		Sengstock	<input checked="" type="checkbox"/>			
			Trudell				<input checked="" type="checkbox"/>
			Vitale	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<i>4</i>			<i>1</i>

### SIGNATURE OF COMMITTEE MEMBER (RECORDER)

*[Signature]*

Chair

Vice-Chair

Member

### COMMON COUNCIL ACTION

*Placed on File*

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<i>8-5-03</i>			Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
			Kopplin	<input checked="" type="checkbox"/>			
			Lajsic	<input checked="" type="checkbox"/>			
	<input checked="" type="checkbox"/>		Narlock	<input checked="" type="checkbox"/>			
			Reinke				<input checked="" type="checkbox"/>
		<input checked="" type="checkbox"/>	Sengstock	<input checked="" type="checkbox"/>			
			Trudell				<input checked="" type="checkbox"/>
			Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<i>8</i>			<i>2</i>



# CITY OF WEST ALLIS

WISCONSIN



Engineering Department

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

June 26, 2003

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

**RE: Request From Michael Smigielski for Storm Water Lateral**

Dear Board Members:

Attached is a letter from Mr. Smigielski asking for a storm water lateral for his business property. Under our current special assessment policy, commercial building must pay 100% of the costs of extending the stormwater sewer and installing a lateral. Mr. Smigielski claims that he has received estimates in the range of \$12,000. He is asking for consideration from the City to share in the costs. This would require a costly change in the special assessment policy.

Mr. Smigielski will be at Tuesday nights meeting to answer any questions.

Respectfully,

Michael G. Lewis  
City Engineer

MGL/mgl

June 23, 2003

Attn: Mr. Mike Lewis  
Engineering  
City of West Allis

**Key Property Valuations**  
*Real Estate Appraisals*

**Michael F. Smigielski**  
WCRA #982

3701 West Holmes Avenue  
Greenfield, WI 53221

Phone: (414) 282-7288  
Fax: (414) 282-9088  
Cell Phone: (414) 333-7160  
E-Mail: vit5054@earthlink.net

Subject: Installation of a new parking lot, requiring the excavation of the old, existing parking lot at 7624-30 West Lincoln Avenue, West Allis, WI

Owner: Smigielski Family, Michael Smigielski as representative.

Mr. Lewis:

The purpose of this letter is to request that the city provide a lateral from the above referenced site to the city storm sewer located on Lincoln Avenue, as recommended by the city building department (Mike Scherer). I am asking the city for reconsideration and or/financial assistance, as this is a Building Inspection requirement. They determined that the structural foundation of my basement has been affected by the settlement of the parking lot, however, no written concerns or conclusions by a qualified expert were provided to me. I do agree that the parking lot and any concrete & asphalt walks abutting the east foundation wall has settled over the years, as we have mud-jacked these areas on several occasions during our family ownership since 1961. Since I have decided that the current parking lot has ended its useful economic life, in addition to other factors leading to this decision that will be explained later, I proceeded to obtain bids from local paving companies on having a new parking lot installed. This instigated the participation of the City Building Inspection Department via Mr. Mike Scherer.

As noted, our family has been a long-term owner of this property, in addition to having had several years of home-ownership residency in the city over the last 40 years. Based on initial bids, the cost of adding a catch basin, as required by the city, will cost several thousand dollars. I have invested several thousand dollars in the subject property over the last ten months, in addition to complying with any work orders required by the building inspection department that was prompted by the occupancy of a new business tenant in the property. In short, I have been trying to be in complete compliance.

Addressing any delays that may be misconstrued by the building inspection department as our lack of maintaining our property, I would like to expand on the market influences that affected our decision-making on the major maintenance expenditures. In the late 1990's, I was contacted by the owner of the veterinarian clinic located on the northwest corner of 76<sup>th</sup> & Lincoln Avenue, just to the east of my (the subject) property. His desire was to expand his veterinarian practice, however, his desires were quelled by contacts from commercial real estate brokers that were inquiring on his, & my, interest on selling the properties to a developer with the potential of major development (e.g., like Walgreens). Although no specifics were ever discussed, I was led to believe that there was major interest in this block of Lincoln Avenue, which has had the affect of delaying



the maintenance projects that I desired for my property. By late summer of 2002, however, any commercial interests in my property appeared to have been depleted, which then set my interests on making the delayed maintenance projects a priority.

My main concern is that the city is requiring me to install a catch basin and be responsible for all incurred costs. The general grading of the parking lot from the east property line to the west side of the parking lot abutting the east foundation wall of the building has not changed significantly over the last forty years. Although there has been settlement along the foundation wall over the recent years, I have been advised that grading along this foundation wall, in addition to adding green space in this area, should help drainage away from the foundation. I am not going to need foundation repairs, and can provide evidence as such. This leads me to be over-whelmed with the financial burden that the city is requiring me to incur with the installation of the catch basin. As I have noted, the general grading has not changed, and other than the lack of mud-jacking in the last few years along the foundation wall, has not adversely affected the structural integrity of the basement foundation. In my desire to install the new parking lot, I will take expert advice into consideration in order to alleviate any concerns that the city has on my basement foundation. If this is a water drainage issue, I have not created a situation that has contributed to additional drainage, which has not been part of this site since the original construction of the improvements. I therefore do not feel that I should incur the full expense of the catch basin and related plumbing.

Perhaps a reconsideration, or an agreement can be reached in order to ensure the city that all measures will be taken to ensure the structural integrity of my basement foundation will remain. One option may include proper grading. If a catch basin is deemed necessary by the city, I ask your assistance for proper plumbing as required.

I have obtained three bids from paving contractors, two of which are written proposals which I can furnish at any time.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael F. Smigielski". The signature is fluid and cursive, with the first name "Michael" and last name "Smigielski" clearly distinguishable.

Michael F. Smigielski



# CITY OF WEST ALLIS

WISCONSIN



City Clerk/Treasurer Office

**Paul M. Ziehler**  
*City Administrative Officer  
Clerk/Treasurer*

**Dorothy E. Steinke**  
*Deputy City Treasurer*

**Monica Schultz**  
*Assistant City Clerk*

August 18, 2003

Mr. Michael Smigielski  
7624-30 W. Lincoln Ave.  
West Allis, WI 53219

Dear Mr. Smigielski:

On August 5, 2003, the Common Council placed the following communication on file:

- Communication from City Engineer regarding a request from Mr. Smigielski, 7624-30 West Lincoln Avenue, for storm sewer service.

Thank you for your attention in this regard.

Sincerely,

A handwritten signature in cursive script that reads 'Monica Schultz'.

Monica Schultz  
Assistant City Clerk

/dlm

cc: Michael Lewis