

81.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
2007-0067	Communication	In Committee
Communication from Thomas A. Miller, 10635 W. Greenfield Ave., regarding an easement to Greenfield Ave. and revised site plans for Sam's Club on Hwy. 100.		
Introduced: 2/6/2007		Controlling Body: Safety & Development Committee

COMMITTEE RECOMMENDATION File

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>2/6/07</u>		<input checked="" type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
			Czaplewski				
			Dobrowski				
			Kopplin				
			Lajsic	<input checked="" type="checkbox"/>			
			Narlock				
	<input checked="" type="checkbox"/>		Reinke	<input checked="" type="checkbox"/>			
			Sengstock				
			Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>5</u>	<u>0</u>		

SIGNATURE OF COMMITTEE MEMBER

[Signature] _____
 Chair Vice-Chair Member

COMMON COUNCIL ACTION **PLACE ON FILE**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>FEB 06 2007</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"/>			
	<input checked="" type="checkbox"/>		Lajsic	<input checked="" type="checkbox"/>			
			Narlock	<input checked="" type="checkbox"/>			
			Reinke	<input checked="" type="checkbox"/>			
			Sengstock	<input checked="" type="checkbox"/>			
			Vitale	<input checked="" type="checkbox"/>			
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>9</u>	<u>0</u>		<u>1</u>

RECEIVED

JAN 29 2007

CITY OF WEST ALLIS
CLERK/TREASURER

Thomas A Miller
7244 W Greenfield Ave
West Allis, Wisconsin 53214
Phone: 414-331-2219 Fax: 414-727-2224

Jan. 27,2007

City of West Allis
Mayor & All Alderpersons, & Dept of Development
West Allis City Hall
7245 W. Greenfield Ave
West Allis, WI 53214

Dear Sirs & Madams:

This letter serves as my protest as to how the Department of Development has proceeded with the conditions placed on Sam's Club on Hwy 100 for their recent request for remodeling, expansion, signage change, and easements.

I am the property owner of 10635 W Greenfield Ave the 2 1/2 acres north of Sam's starting at Orchard Ave. Since Sam's was built, there has been quite a problem of several hundred to thousands of cars illegally passing through my property weekly for ingress and egress to Sam's circumventing Hwy 100. Garbage has been a constant problem from that as well as a deterioration of the asphalt surface and approaches to both Orchard Ave and Greenfield Ave. I have attempted to block this however somehow all my efforts fail by someone moving objects I place there. These problems are apparent and the City has been aware of this for a number of years most recently documented in a raze order issued to me by Ted Atkinson, Building inspections citing the condition of the site with abandoned tires, garbage and vandalism. The building had been vacant since 2000 and the most use of the lot has been from Sam's members. The building was demolished in 2005 and was declared an unusable unsafe site since 2000 by Ted Atkinson. The cost of this demolition was in excess of \$100,000.00.

It has been stated to me that the ultimate desire for the city is to create easements connecting Mitchell Street and Greenfield Ave so all of the traffic on the Sam's site does not have to exit on Hwy 100. The Greenfield Ave easement should have been in place at the time of building Sam's as the traffic reports by DOT have consistently recommended, however at the inception it somehow fell by the wayside and never formally required to be done. (I was willing and able to create one but the builder and Sam's were never so required to do so.

In April 2006 Deborah Tomczyk, local legal counsel for Sam's contacted me stating "I look forward with you to improve everybody's access on Highway 100. Please send me any site plans, easements or other proposals that you would like Sam's to consider". We worked out a verbal/e-mail agreement creating a purchase agreement for the easement to Greenfield Ave. She had and said she was authorized by Sam's club to enter into it and that she would prepare the needed documents. To date I have received no documents. I find this disturbing in as much as they have not honored a verbal contract and have shown a total disregard as to the City's plans not to mention the Hwy 100 safety and traffic issues. Should another big box builder build across from Sam's imagine the addition congestion and safety issue it will create if a Greenfield easement is not in place.

I would not be writing this letter to everyone and would appear in person to publicly address this easement issue however prior unchangeable plans have me out of town until Feb 8, 2007. At the Jan 24 2007 Planning Commission meeting this was not even raised or discussed although I had earlier in the week brought it to the attention of the Department of Development and a few Aldermen.

The approval of the revised site plans for Sam's should include a condition that they obtain this easement to Greenfield Ave. Anything less would be detrimental to the City's future plans regarding traffic and Hwy 100 safety. If you choose not to place this condition I would request that it be tabled until my return so I can personally appear and state my case.

I attempted after the planning commission meeting to discuss this with the Sam's representatives outside of the city hall stating I was

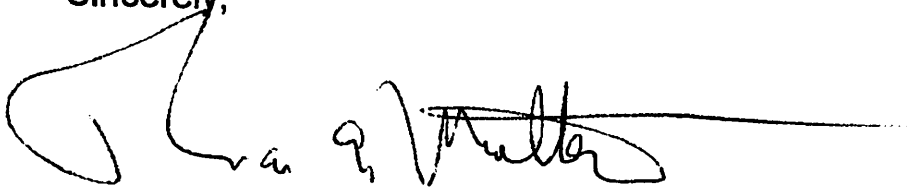
willing to follow thru with this easement and not object at the full counsel meeting to which they just kind of disregarded me and felt they had all they needed for approval.

I believe all of you know that by having them obtain an easement will take away approximately 10,000 sq ft of land of mine for future development. If they are not required now to do so you know I will be required to create one when my land is developed. I do not see that as fair or equitable or consistent with City prior policies.

I hope the counsel understands why I am at a loss as to why this condition was not included in the recommended approval and will be properly addressed at your Feb.6 2007 Common Counsel Meeting.

I would also ask that this letter be made part of the official minutes of your meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas A. Miller". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Thomas A Miller, a West Allis resident, business owner, & developer

CC: Mayor
All Alderpersons
West Allis Department of Development

To: West Allis City Clerks Office
From: Tom Miller

Correspondence for Mayor, All Alderperson's and Steven Schaer Development

Would you please see a copy of the enclosed letter are distributed to the Mayor, 10 Alderpersons, and Steven Schaer Development Department as soon as practical. I wish them a time prior to the Tue Feb 6 2007 Common Counsel Meeting to read and review.

Thank You,



Tom Miller

RECEIVED

JAN 29 2007

**CITY OF WEST ALLIS
CLERK/TREASURER**