

December 4, 2025

To: Members of the Judiciary and Legislative Committee (J&L)

From: Clark and Dawn Wantoch

Re: Memo 2 for the file:
C. I. File No. 1050-2025-907
CC File No. 251169

This is a response to the City Attorney's "**Letter**" to the Common Council dated September 30, 2025, printed off the J&L Agenda today, for the meeting on Monday, December 8, 2025.

Under *Factual Background*, the **Letter** fails to mention City Attorney Goyke was contacted by our Attorney Rodney Carter in a letter dated December 19, 2024, Exhibit G requesting, " your office enforce the Subdivision Regulations (SS 119-14 to 119-16), issue penalties per S 119-15, and require Mr. Czarnecki to submit a corrected CSM and affidavit of correction, adding a dedication for W. Van Beck Ave. Additionally, as compensation for DCD's actions in 1995 and 2022, we request DPW schedule public improvements (water, sewer, pavement) for West Van Beck Avenue in 2025 and waive special assessments for these improvements on lots 5, 6 and 7 of Wantoch Woods Subdivision."

The bottom of Exhibit H includes the results of a phone conversation with Assistant City Attorney Jordan Schettle on March 7, 2025. Per Attorney Carter, "Call with City Attorney Jordan Schuttle went well. The roadway is definitely reserved, so that is a win. The issue is how the road is to be developed and financed. The City Attorney needs to circle back with the City Engineer on some procedural issues. He promised to get back to us by Tuesday or Wednesday of next week with some answers."

After numerous calls went unanswered between Attorney Schettle and Attorney Carter, Clark contacted Yance Marti by email with the City Engineer's Maps and Plats office on April 23, 2025. Exhibit H at the top shows the email was sent to determine the status of the dedication of street right of way for W. Van Beck Ave. In a follow-up phone call with Mr. Marti, Clark was told nothing had happened nor was Mr. Marti aware of anything being planned for W. Van Beck Ave.

It was this phone conversation, determining the city was not going to take action to correct CSM 6083 that we filled our Claim "in a timely manner" on April 28, 2025, only days after the phone call, following up on the April 23, 2025, email.

The **Letter** further states "The map subdivided a portion of Czarnecki's Property". As stated in our Memo 1, a parcel being divided must show the exterior boundaries, not a portion!

The **Letter** once again repeats, “When the department reviewed the map in 1995 the unplatted parcel was outside the exterior boundary of the map.” In fact, the entire parcel purchased by Czarnecki in 1990 is unplatted lands and identified as tax key number 571-9994-112-9. CSM 6083 was required to show the entire boundaries of tax key number 571-9994-112-9. The unplatted lands referred to are “not adjacent unplatted lands”. These are lands within the parcel divided by CSM 6083. The letters between DCD and DPW in 1994 clearly show they were aware of this when reviewing CSM 6083!

The **Letter** goes on to say “ the present record contains no evidence establishing that the City intended to adversely affect the Wantoch’s property”.

The City Attorney’s office was provided all of the information given in these two memos and more, in their review of Attorney Carters letter dated December 19, 2024, not mentioned in the **Letter** a portion of the evidence includes the City’s requirement to include a 10’ wide easement within Parcel 4 and 5 of Wantoch Woods Subdivision knowing CSM 6083 was cutting off access to lots 5, 6 and 7.

We have provided clear and methodical evidence in all our correspondence with the City Attorney’s office showing city staff worked with and on behalf of the **Czarneckis** to deliberately approve an incomplete division of lands by CSM 6083. This was done for the sole purpose of keeping W. Van Beck Ave. from being improved.

Landlocking lots 5, 6 and 7, have kept them vacant and unusable for over 30 years.

Once again, lots 5 6 and 7 provide a beautiful and picturesque wooded backyard view for the Czarneckis’ to enjoy. It is clear that City staff did not follow “strict compliance” with the Subdivision regulations as stated that they needed to do in their letters in 1994. All for the benefit Joe Czarnecki, who happens to be a person with extensive political clout.

The Common Council has the authority to correct CSM 6083 to include the full Parcel and dedicating the required right of way for W. Van Beck Ave. Specifically, Chapter 119-16 of the city’s Subdivision Regulations. Form No. 9 “Affidavit of Correction” is available to do so.

It is unfortunate that City staff conspired with the Czarneckis in 1994 and 1995 to willfully approve CSM 6083.

It is also unfortunate that City staff were unwilling to correct the error as allowed by the City’s subdivision regulations in 2022, 2023 and 2025.

Once again, **We** are hopeful a settlement can be reached before having to file a lawsuit against the city.

Attachments: Exhibits G-H