

July 6, 2012

Milwaukee City Clerk
200 East Wells Street Room 205
Milwaukee Wisconsin 53202-3567

RE: Thomas A. Balistreri
C.I. File No.: 12-V-62

This is an appeal to the decision in the letter dated Tuesday, June 19th, 2012, post marked Friday, June 22nd, 2012, and received Monday, June 25th, 2012. I am respectfully requesting a hearing.

Thomas A. Balistreri
8310 North Andrea Street
Milwaukee, WI. 53224-2768

C: Grant F. LANGLEY
Steven M. CARINI

CITY OF MILWAUKEE
RECEIVED
2012 JUL 10 PM 1:18
CITY ATTORNEY

CITY OF MILWAUKEE
2012 JUL 10 AM 9:51
CITY CLERK'S OFFICE

To: City of Milwaukee
Attn: City Clerk

RECEIVED

APR 3 - 2012

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE

2012 APR 3 PM 1:26

RONALD D. LEONHARDT
CITY CLERK

Dear Sir or Ma'am,

On Monday, March 26, 2012 at approximately 7:15 am, I arrived at the Milwaukee Police District Four station located at 6929 W. Silver Spring Dr. for my tour of duty and parked my private vehicle in the East parking area East of the main building. I have parked my private vehicle in this area hundreds of times in the past as do other employees. My private vehicle is a 2009 Chevy Silverado K2500 HD 3/4 ton diesel truck (silver) (Vin # 1GCHK53689F117328). The vehicle was legally parked and had no damage to the driver side front fender area. I ended my tour of duty at approximately 5:55 pm and returned to find a large dent in the driver side front fender of my vehicle. The dent was half moon shaped and creased and had a small amount of green/blue paint transfer. I immediately notified Sgt. Tischer and showed him the damage. I informed him that I did not give anyone permission to damage my private vehicle. I could not locate any vehicle in close proximity to my vehicle that would be consistent with the height and color transfer of the damage.

Three city owned (district) dumpsters are located on the curb/sidewalk area of the East side of the building. They were originally painted blue but are now painted green. They are emptied by rolling them off of the curb area by hand into the parking lot and hooked up to a sanitation truck for dumping. I measured with a tape measure that my vehicle was parked over 17 (feet) away from where the nearest dumpster is stored. However, when they are moved by hand for emptying, they would be in close proximity to my vehicle. I also measured the height of the cylindrical pins on the front sides of the dumpsters which match the shape of the dent/crease on the driver side fender of my vehicle. They measure 47" (inches) (from ground to pin). The dent/crease on my vehicle also measured 47" (inches) (from ground to dent). I also noted silver paint transfer on one of the pins consistent with the color of my vehicle. The green/blue paint transfer found in the crease of the dent was also consistent with the color of the paint on the dumpster pins. There is no doubt in my mind that the city sanitation workers who rolled the dumpsters off the curb area to be emptied are responsible for the damage that was done to my vehicle.

Police Officer Steven Jegen was ordered to investigate this damage to property on my behalf by Sgt. Tischer and took 24 photos (I/R # 12-086-0154).

I spoke and met with Driver Training Instructor Gene Deroune who investigated the damage to my vehicle. He stated that he felt that the damages done to my vehicle were in fact caused by City Sanitation workers and would note this in his report.

I am requesting reimbursement from the City for damages to my vehicle in the amount of the lesser of the two written estimates provided (\$1,685.31 - from Uptown Motor Cars Body Shop). This is a Chevrolet Dealership body shop that is associated with the sales department where I originally purchased my vehicle. I only ask the City bring my vehicle back to the original condition it was in prior to the damage committed.

I do not believe that the damage was committed intentionally. I am saddened, however, that the individual(s) responsible did not come into the 4th District Police Station where it occurred to notify someone regarding. This was not minor damage that could have somehow gone unnoticed.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Tom B.', with a long horizontal line extending to the right.

Mr. Thomas Balistreri
6929 W. Silver Spring Dr.
Milwaukee, WI. 53218
(414) 935-7242

UPTOWN MOTORCARS BODY SHOP
1111 EAST COMMERCE BLVD
SLINGER, WI 53086
PHONE: 262-644-8400 FAX: 262-644-8844
FED ID # 39-1705330

*** PRELIMINARY ESTIMATE ***

03/31/2012 09:37 AM

Owner

Owner: THOMAS BALISTRIRI
Address: 6929 WEST SLIVERSPRING DR
City State Zip: Milwaukee, WI 53218
Work/Day: (414)520-6379
FAX:

Inspection

Inspection Date: 03/31/2012 09:38 AM
Inspection Type:
Appraiser Name: Mark Kissinger
Appraiser License # :

Repairer

Repairer: UPTOWN MOTORCARS
Address: 891 EAST COMMERCE BLVD
City State Zip: SLINGER, WI 53086
Email: MKISS@UPTOWNMOTORCARS.COM
Contact: MARK KISSINGER P
Work/Day: (262)644-8300
FAX: (262)644-8844

Vehicle

2009 Chevrolet Silverado K25 HD LT 4 DR Crew Cab Long Bed
8cyl Diesel Turbo 6.6
6-Speed Automatic

Lic Expire:
Prod Date:
Veh Insp# :
Condition:
Ext. Refinish: Two-Stage
VIN: 1GCHK53689F117328
Mileage: 36,800
Mileage Type: Actual
Code: U8765G
Int. Refinish: Two-Stage

Options

| | | |
|--------------------------|------------------------|--------------------------|
| 4-Wheel Drive | AM/FM CD Player | Air Conditioning |
| Alarm System | Anti-lock Brakes | Auto Headlamp Control |
| Auto Locking Hubs (4WD) | Auxiliary Battery | Chrome Grille |
| Chrome Steel Wheels | Chrome Step Bumper | Cruise Control |
| Daytime Running Lights | Dual Airbags | Electronic Transfer Case |
| Emergency S.O.S. System | Engine Block Heater | Fender Flares |
| Floor Mats | Full Size Spare Tire | Halogen Headlights |
| Heated Power Mirrors | Heavy Duty Suspension | Illuminatd Visor Mirrors |
| Intermittent Wipers | Keyless Entry System | Leather Steering Wheel |
| Lighted Entry System | MP3 Player | Overhead Console |
| Power Brakes | Power Door Locks | Power Steering |
| Power Take-Off Provision | Power Windows | Privacy Glass |
| Split Folding Rear Seat | Split Front Bench Seat | Tachometer |
| Theft Deterrent System | Tilt Steering Wheel | Tinted Glass |
| Tow Hooks | Velour/Cloth Seats | |

Damages

| Line | Op | Guide | MC | Description | MFR.Part No. | Price | ADJ% | B% | Hours | R |
|----------|----|-------|----|--------------------------|------------------|----------|------|----|-------|----|
| 1 | RI | 142 | | Cover,Front Bumper LT | R & I Assembly | | | | 1.9 | SM |
| 2 | RI | 300 | | Grille Assembly | R & I Assembly | | | | INC | SM |
| 3 | RI | 41 | | Headlamp Assy,Halogen LT | R & I Assembly | | | | 0.3 | SM |
| 4 | BR | 83 | 13 | Panel,Hood | Blend Refinish | | | | 2.6 | RF |
| 5 | RI | 136 | | Mldg,Hood Rear LT | R & I Assembly | | | | 0.1 | SM |
| 6 | RI | 137 | | Mldg,Hood Rear RT | R & I Assembly | | | | 0.1 | SM |
| 7 | E | 103 | | Fender,Front LT | 22768375 GM Part | \$579.63 | | | 3.1 | SM |
| 8 | L | 103 | | Fender,Front LT | Refinish | | | | 4.0 | RF |
| 9 | RI | 235 | | W/Strip,Belt Outer LT | R & I Assembly | | | | 0.5 | SM |
| 10 | RI | 130 | | Mldg,Front Door Lower LT | R & I Assembly | | | | 0.3 | SM |
| 11 | E | 134 | | N/Plate,Front Door LT | 15129646 GM Part | \$32.11 | | | 0.2 | SM |
| 12 | RI | 456 | | Mirror,Outer R/C LT | R & I Assembly | | | | INC | SM |
| 13 | RI | 227 | | Handle,Front Door Otr LT | R & I Assembly | | | | 0.6 | SM |
| 14 | SB | | | HAZARD. WSTE. REM. | Sublet Repair | \$5.00* | | | | SM |
| 15 | EC | | | COVER CAR EXTERIOR | Replace Economy | \$5.00* | | | | RF |
| 16 | EC | | | CORROSION PROTECTION | Replace Economy | \$10.00* | | | | RF |
| 16 Items | | | | | | | | | | |

MC Message

13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

Estimate Total & Entries

| | | | | | | | | | |
|-------------------------|--|---------|---------|------------|------------|----------|--|------------|--|
| Gross Parts | | | | | \$611.74 | | | | |
| Other Parts | | | | | \$15.00 | | | | |
| Paint Materials | | | | | \$224.40 | | | | |
| Parts & Material Total | | | | | | | | \$851.14 | |
| Tax on Parts & Material | | | | @ 5.600% | | | | \$47.66 | |
| Labor | | | | | | | | | |
| | | Rate | Replace | Repair Hrs | Total Hrs | | | | |
| | | | Hrs | | | | | | |
| Sheet Metal (SM) | | \$54.00 | 7.1 | | 7.1 | \$383.40 | | | |
| Mech/Elec (ME) | | \$95.00 | | | | | | | |
| Frame (FR) | | \$58.00 | | | | | | | |
| Refinish (RF) | | \$54.00 | 6.6 | | 6.6 | \$356.40 | | | |
| Paint Materials | | \$34.00 | | | | | | | |
| Labor Total | | | | | 13.7 Hours | | | \$739.80 | |
| Tax on Labor | | | | @ 5.600% | | \$41.43 | | | |
| Sublet Repairs | | | | | | \$5.00 | | | |
| Tax on Sublet | | | | @ 5.600% | | \$0.28 | | | |
| Gross Total | | | | | | | | \$1,685.31 | |
| Net Total | | | | | | | | \$1,685.31 | |

Alternate Parts Y/00/00/00/00/00 CUM 00/00/00/00/00 Zip Code: 53086 Default

2.0 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.

Op Codes

| | | |
|----------------------------|--------------------------------|----------------------------|
| * = User-Entered Value | E = Replace OEM | NG = Replace NAGS |
| EC = Replace Economy | OE = Replace PXN OE Srpls | UE = Replace OE Surplus |
| ET = Partial Replace Labor | EP = Replace PXN | EU = Replace Recycled |
| TE = Partial Replace Price | PM = Replace PXN Reman/Reblt | UM = Replace Reman/Rebuilt |
| L = Refinish | PC = Replace PXN Reconditioned | UC = Replace Reconditioned |
| TT = Two-Tone | SB = Sublet Repair | N = Additional Labor |
| BR = Blend Refinish | I = Repair | IT = Partial Repair |
| CG = Chipguard | RI = R & I Assembly | P = Check |
| AA = Appearance Allowance | RP = Related Prior Damage | |



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METICULOUS AUTO / TRUCK BODY INC
8800 W FOND DU LAC AVE
MILWAUKEE, WI 53225
PHONE 414 464 9000 FAX 414 464 5950
FEDERAL TAX ID 39-1960215

*** PRELIMINARY ESTIMATE ***

03/29/2012 04:12 PM

Owner

Owner: THOMAS BALISTRERI
Address: 6929 W SILVER SPRING DR
City State Zip: Milwaukee, WI 53218

Work/Day: (414)520-6379
FAX:

Inspection

Inspection Date: 03/29/2012 04:12 PM

Inspection Type:

Repairer

Repairer: Meticulous Auto/Truck Body
Address: 8800 W Fond du lac Ave.
City State Zip: Milwaukee, WI 53225
Email: meticulousinc@sbcglobal.net

Contact:
Work/Day: (414)464-9000
FAX: (414)464-5950

Vehicle

2009 Chevrolet Silverado K25 HD LT 4 DR Crew Cab Short Bed
8cyl Diesel Turbo 6.6
6-Speed Automatic

Lic Expire:
Prod Date:
Veh Insp# :
Condition: Excellent
Ext. Refinish: Two-Stage

VIN: 1GCHK53689F117328
Mileage: 36,000
Mileage Type: Actual
Code: U8765E
Int. Refinish: Two-Stage

Options

4-Wheel Drive
Alarm System
Auto Locking Hubs (4WD)
Chrome Grille
Cruise Control
Electronic Transfer Case
Floor Mats
Heated Power Mirrors
Intermittent Wipers
Lighted Entry System
Power Brakes
Power Take-Off Provision
Split Folding Rear Seat
Tachometer
Tinted Glass

AM/FM CD Player
Anti-lock Brakes
Auxiliary Battery
Chrome Steel Wheels
Daytime Running Lights
Emergency S.O.S. System
Full Size Spare Tire
Heavy Duty Suspension
Keyless Entry System
MP3 Player
Power Door Locks
Power Windows
Split Front Bench Seat
Theft Deterrent System
Tow Hooks

Air Conditioning
Auto Headlamp Control
Center Console
Chrome Step Bumper
Dual Airbags
Engine Block Heater
Halogen Headlights
Illuminatd Visor Mirrors
Leather Steering Wheel
Overhead Console
Power Steering
Privacy Glass
Stability Cntrl Suspensn
Tilt Steering Wheel
Velour/Cloth Seats

Damages

| Line | Op | Guide | MC | Description | MFR.Part No. | Price | ADJ% | B% | Hours | R |
|------|----|-------|----|--------------------------|------------------|----------|------|----|-------|-----|
| 1 | RI | 41 | | Headlamp Assy,Halogen LT | R & I Assembly | | | | 0.8 | SM |
| 2 | BR | 83 | 13 | Panel,Hood | Blend Refinish | | | | 2.6 | RF |
| 3 | RI | 136 | | Mldg,Hood Rear LT | R & I Assembly | | | | 0.1 | SM |
| 4 | RI | 137 | | Mldg,Hood Rear RT | R & I Assembly | | | | 0.1 | SM |
| 5 | E | 103 | | Fender,Front LT | 22768375 GM Part | \$579.63 | | | 3.1 | SM |
| 6 | L | 103 | | Fender,Front LT | Refinish | | | | 4.0 | RF |
| 7 | RI | 1306 | | Guard,Fender Mud LT | R & I Assembly | | | | INC | SM |
| 8 | BR | 207 | | Door Shell,Front LT | Blend Refinish | | | | 1.3 | RF |
| 9 | RI | 130 | | Mldg,Front Door Lower LT | R & I Assembly | | | | 0.3 | SM |
| 10 | E | 27 | | Emblem,Front Door L/R | 15223483 GM Part | \$9.07 | | | 0.2 | SM |
| 11 | E | 138 | | N/Plate,Front Door LT | 15129644 GM Part | \$32.11 | | | 0.2 | SM |
| 12 | RI | 227 | | Handle,Front Door Otr LT | R & I Assembly | | | | 0.6 | SM |
| 13 | SB | | | HAZARD. WSTE. REM. | Sublet Repair | \$6.00* | | | | SM |
| 14 | N | | | COVER CAR EXTERIOR | Additional Labor | \$10.00* | | | | RF |
| 15 | N | | | CORROSION PROTECTION | Additional Labor | \$15.00* | | | 0.3* | RF |
| 16 | N | | | Clead and retape molding | Additional Labor | \$8.00* | | | 0.2* | SM* |
| 17 | N | | | aim headlights | Additional Labor | | | | 0.4* | SM* |
| 18 | N | | | Color sand and polich | Additional Labor | | | | 0.5* | SM* |

18 Items

MC Message

13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

Estimate Total & Entries

| | | |
|-----------------------------------|----------|----------|
| Gross Parts | \$620.81 | |
| Other Parts | \$33.00 | |
| Paint Materials | \$278.80 | |
| Parts & Material Total | | \$932.61 |
| Tax on Parts & Material | @ 5.600% | \$52.23 |

| Labor | Rate | Replace Hrs | Repair Hrs | Total Hrs | | |
|--------------------|---------|-------------|------------|------------|----------|------------|
| Sheet Metal (SM) | \$54.00 | 5.4 | 1.1 | 6.5 | \$351.00 | |
| Mech/Elec (ME) | \$80.00 | | | | | |
| Frame (FR) | \$65.00 | | | | | |
| Refinish (RF) | \$54.00 | 7.9 | 0.3 | 8.2 | \$442.80 | |
| Paint Materials | \$34.00 | | | | | |
| Labor Total | | | | 14.7 Hours | | \$793.80 |
| Tax on Labor | | @ 5.600% | | | \$44.45 | |
| Sublet Repairs | | | | | \$6.00 | |
| Tax on Sublet | | @ 5.600% | | | \$0.34 | |
| Gross Total | | | | | | \$1,829.43 |
| Net Total | | | | | | \$1,829.43 |

Alternate Parts Y/00/00/00/00/00 CUM 00/00/00/00/00 Zip Code: 53225 Default
SPPL Yes Zip Code: 53225 Default

Audatex Estimating 6.0.726 ES 03/29/2012 04:25 PM REL 6.0.726 DT 03/01/2012
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2.4 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.

Op Codes

| | | |
|----------------------------|--------------------------------|----------------------------|
| * = User-Entered Value | E = Replace OEM | NG = Replace NAGS |
| EC = Replace Economy | OE = Replace PXN OE Srpls | UE = Replace OE Surplus |
| ET = Partial Replace Labor | EP = Replace PXN | EU = Replace Recycled |
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| L = Refinish | PC = Replace PXN Reconditioned | UC = Replace Reconditioned |
| TT = Two-Tone | SB = Sublet Repair | N = Additional Labor |
| BR = Blend Refinish | I = Repair | IT = Partial Repair |
| CG = Chipguard | RI = R & I Assembly | P = Check |
| AA = Appearance Allowance | RP = Related Prior Damage | |



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July 6, 2012

Milwaukee City Clerk
200 East Wells Street Room 205
Milwaukee Wisconsin 53202-3567

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C.I. File No.: 12-V-62

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Thomas A. Balistreri
8310 North Andrea Street
Milwaukee, WI. 53224-2768

C: Grant F. LANGLEY
Steven M. CARINI

CITY OF MILWAUKEE
2012 JUL 10 AM 9: 51
CITY CLERK'S OFFICE