

Date: March 24, 2009

CITY OF MILWAUKEE
2009 MAR 26 PM 12: 07

To: Ronald D. Leonhardt, City Clerk - City of Milwaukee
Joe Davis, Sr., 2nd District Alderman - City of Milwaukee
Laura Daniels, Administration and Projects Manager - Milwaukee Water Works
Bernice Flemming, Water Claims Specialist - City of Milwaukee

RONALD D. LEONHARDT
CITY CLERK

From: Ronald Sherrill, Proprietor
Satin Wave, LLC - 6446 W. Fond du lac Avenue, Milwaukee, WI 53218

Re: Damages to Property Parking Lot - Tuesday, February 3, 2009 from
Water Main Break(s), February 3, 2009 and March 12, 2009

This letter is written for the sole intent of filing a Claim with the City of Milwaukee for monetary relief to make repairs to my property parking lot, damaged on Tuesday, February 3, 2009 from a City of Milwaukee water main break. The damages were caused by one of two underground water main breaks that occurred at 6430 W. Fond du lac Ave. in Milwaukee on 2/3/09 and 6414 W. Fond du lac Ave. in Milwaukee on 3/12/09. My property is located at 6446 W. Fond du lac Ave.

CITY OF MILWAUKEE
OFFICE OF THE CITY ATTORNEY

2009 MAR 30 AM 9: 52

CITY OF MILWAUKEE
RECEIVED

On the morning of Tuesday, February 3, 2009, I received a phone call from my son, Ronald Sherrill, Jr. at approximately 5:00 a.m. He informed me that a water main broke at 6430 W. Fond du lac Ave. hours before daylight. He stated that Officers from District 7 - Milwaukee Police Department had responded. (Please see Police write-up attached.)

I arrived at approximately 5:40 a.m. to observe a blast of water shooting up from beneath the ground in front of 6430 W. Fond du lac Ave. I also observed that the flooding was so extensive. it covered my parking lot located at 6446 W. Fond du lac Ave., (one door north of where the main brake occurred) the sidewalk adjoining the lots and Fond du lac Ave. All were immersed and flooded with water. I telephoned District 7 - Milwaukee Police Department again. to ascertain whether the owner of the property had been notified. A worker from DPW arrived at approximately 5:50 a.m. and "marked" the area. A crew from the City of Milwaukee arrived at approximately 8:00 a.m. I observed the crew digging up the concrete in front of 6430 W. Fond du lac Ave. Much of the excess water, mud and debris that was pumped from beneath the ground level filled my parking structure and flowed east down into the alley way, and eventually into the streets onto Fond du lac Ave. (traveling north). See photos.

A DPW worker referred me to Bernice Flemming, a Water Claims Specialist for the City of Milwaukee Waterworks. After listening to my report of the incident. she offered to mail me "*Instructions for Filing A Claim.*" Ms. Fleming advised me to contact my local Alderman to request assistance with clean-up of my lot. From February 3, 2009 through February 6, 2009, I observed freezing water settling on my parking lot, in front of my business, and behind my

property where the lot adjoins to the alley. Sub-zero temperatures and the time that lapsed before crews arrived created more critical problems. Tightening of the ground (due to cold weather and water pressure) caused a noticeable shift of the pavement. The water main erupted hours before DPW crews arrived, and water flowed through cracks in the street causing icy, hazardous road conditions and bubbling and buckling of the surface of my parking lot area.

On February 6, 2009, I spoke to Sherman Morton, Assistant to Alderman Joe Davis, Sr. I explained the reason for my call. The next week, I hand delivered photos of the damages and debris to Alderman Davis' office. Mr. Morton received the photos, and assured me that he would arrange to have the mud, debris and water (now mounds of ice and extremely dangerous) removed. To date, no one has reported to my business for the purpose of cleaning up the ice and debris, nor have I received a follow-up phone call about the matter from the City of Milwaukee or Mr. Morton. See photos attached.

Per "*Instructions for Filing A Claim*" received from Bernice Flemming, Water Claims Specialist, I have indicated two Proposals, i.e., estimates for repairs necessary to correct the damages to my property. Written Proposals are also enclosed with this document.

<u>Contractors</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Amount</u>
1.) H. Froebel & Son, Inc. Phone: (414) 461-0482	5686 N. Teutonia Ave.	Milwaukee,	WI	53209	\$9,090
2.) Marv Mews & Son's, Inc. Phone: (262) 798-7077	21820 W. Foxhaven Run #4	Waukesha,	WI	53186	\$6,300

Please respond with written notification or a phone call upon receipt of this document. I can be reached Monday through Friday from 8AM to 7PM at (414) 393-0228 or (414) 915-3023.

Again, this letter is written for the sole intent of obtaining monetary relief to cover repairs for damages to my property parking lot, due to a City of Milwaukee water main break that occurred Tuesday, February 3, 2009. I request your review of this matter and a response by April 25, 2009.


Signature of Claimant, Ronald Sherrill
6446 W. Fond du lace Ave.
Milwaukee, WI 53218
(414) 393-0228 / (414) 915-3023

Detailed History for Police Call #090340197 As of 3/23/2009 12:11:58

Priority:4 Type:1961 - WATER MAIN BRK
 Location:6430 W FOND DU LAC AV,MKE
 LocCross:btwn W ARMITAGE AV and W CONSTANCE AV

Created:	02/03/2009 04:01:24	PT01	018710
Entered:	02/03/2009 04:04:08	PT01	018710
Dispatch:	02/03/2009 04:06:12	PD05	006781
Enroute:	02/03/2009 04:06:12	PD05	006781
Onscene:	02/03/2009 04:12:31	PD05	006781
Closed:	02/03/2009 05:59:52	PD05	006781

IC: PrimeUnit:7326 Dispo:C18 Type:1961 - WATER MAIN BRK
 Agency:MWPD DAREA:D7 Squad Area:727 RptDist:1269 Detail

04:01:24 CREATE Location:6430 W FOND DU LAC AV,MKE Type:1961 Name:ARTHER CAINION Phone:(917) 674-8615 DAREA:D7 RptDist:1269 TypeDesc:WATER MAIN BRK LocCross:btwn W ARMITAGE AV and W CONSTANCE AV Priority:4 Response:IPO Agency:MWPD LocType:S Contact?:EITHER Call/InPerson Language?:English

04:04:08 ENTRY Comment:STS WATER IS COMING OUT OF FOUNDATION OF BLDING AND FROM SIDEWALK ONTO STREET...

04:04:08 -NPREMS Comment:(none)

04:04:12 SELECT

04:05:29 INFO Comment:WATER DEPT NOTIFIED-TERESA...NFI

04:05:49 NOMORE

04:06:12 DISPER 7326 Operator:017103 OperNames:MEINECKE, TIMOTHY M

04:06:12 -PRIU 7326

04:06:12 -HOLD

04:12:31 ONSCN 7326

05:59:52 CLEAR 7326 Dispo:C18 DispoLevel:0

05:59:52 -CLEAR

05:59:52 CLOSE

CONTACT INFO:

Name	Phone	RPadddr	Contact?	Language?	Contact3	Contact4
ARTHER CAINION	(917) 674-8615		EITHER Call/InPerson	English		

H. FROEBEL & SON, INC.

5686 N Teutonia Avenue
Milwaukee, WI 53209
414-461-0482
fax 414-461-0486

PROPOSAL

DATE	PROPOSAL#
3/23/2009	10366 G

NAME & ADDRESS

RONALD SHERRILL
6446 W. FOND DU LAC AVE.
MILWAUKEE, WI 53218

TELEPHONE

915-3023

TERMS

Payment upon receipt of billing

RETURN BY

4/23/2009

PROJECT LOCATION

SAME

DESCRIPTION OF WORK

REMOVE AND REPLACE AREA OF PARKING ALONG SOUTH EDGE OF DRIVE. NARROW STRIP ADJACENT TO BUILDING TO SOUTH TO REMAIN. CONCRETE TO BE 5" THICK. REPLACE ONE ADDITIONAL SLAB IN DRIVE AREA. CONCRETE TO BE 7" THICK. TOTAL AREA APPROXIMATELY 1190 SQUARE FEET. TOTAL \$9090.00

SEE ENCLOSURE

AUTHORIZED SIGNATURE



AS REQUIRED BY THE WISCONSIN CONSTRUCTION LIEN LAW, BUILDER HERBY NOTIFIES OWNER THAT PERSONS OR COMPANIES FURNISHING LABOR OR MATERIALS FOR THE CONSTRUCTION ON OWNER'S LAND MAY HAVE LIEN RIGHTS ON OWNER'S LAND AND BUILDING IF NOT PAID. THOSE ENTITLED TO LIEN RIGHTS, IN ADDITION TO THE UNDERSIGNED BUILDER, ARE THOSE WHO CONTRACT DIRECTLY WITH THE OWNER OR WHO GIVE THE OWNER NOTICE WITHIN 60 DAYS AFTER THEY FIRST FURNISH LABOR OR MATERIALS FOR THE CONSTRUCTION. ACCORDINGLY, OWNER PROBABLY WILL RECEIVE NOTICES FROM THOSE WHO FURNISHED LABOR OR MATERIALS FOR THE CONSTRUCTING, AND SHOULD GIVE A COPY OF EACH NOTICE RECEIVED TO HIS MORTGAGE LENDER, IF ANY. BUILDER AGREES TO CO-OPERATE WITH THE OWNER AND HIS LENDER, IF ANY, TO SEE THAT ALL POTENTIAL LIEN CLAIMANTS ARE DULY PAID.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

H. FROEBEL AND SON, INC.

ITEMS INCLUDED IN OUR QUOTATION UNLESS OTHERWISE STATED
--

Concrete Driveways

- Excavate as required or discussed.
- Removals
 - Quote based on 5" or less in thickness
 - Thicker concrete, double slabs and heavy reinforcing to be added cost items
- Leveling gravel and necessary fill provided
- Concrete to be 5" – 4000 PSI – air entrained, reinforced with 6X6 #10 mesh – "Low Chert" concrete
- Crack control and expansion joints to be provided. Additional random cracks may occur which are beyond our control.
- Color and stamped or exposed aggregate concrete may not be low chert

Concrete Walks and Patios

As above but reinforcing deleted and thickness to be 4".

Concrete Steps

As above without reinforcing.

All debris to be removed from site and area left broom and rake clean.

At form removals, we will backfill with on site materials. Final leveling, additional fill, and seed or sod not included.

Shrubs and plantings to be saved, trimmed or moved by others.

Underground electrical, gas, water, phone, cable or sprinkler systems – if damaged – will be repaired. Cost to be additional to quotation.

Permits, if required, are not included.

Colored, stamped and stained samples may be viewed at our office anytime.

10 5/14/09

Proposal

Marv Mews & Son's, Inc.
 Quality Workmanship Since 1953
 21820 W. Foxhaven Run #4 Waukesha, WI 53186
 Phone 1-262-798-7077 or 1-262-798-9634
 Fax 1-262-798-8976



PROPOSAL SUBMITTED TO Bon Satin Wave DATE 12-19-09
 ADDRESS 6446 (W) Sondala PHONE 414-915-3023
 JOB NAME M/W 53 18 JOB PHONE _____

We hereby submit specifications and estimates, subject to all terms and conditions as set forth on both sides, as follows:

5 inch thick Concrete 6 Bag Mix of Portland Cement, air-entrained Concrete, Quality Finish, joints, expansion felt.
 Reinforced 6 x 6, 10 gage class A steel mesh, except walk. Fiber instead of steel. Compacted gravel subgrade.
 Driveway 82' x 126'

Garage Slab _____
 Patio _____
 Walk _____

5 inch thick Concrete removal with mesh _____ Grade, haul away material in area for construction
~~4~~ extra if 5" thick add \$ 1100
12.5 x 82 extra 6" " " " \$ 500

We propose hereby to furnish material and labor - complete in accordance with above specifications.
 for the sum of: _____ dollars (\$6300)

Extra quality work and materials, add if wanted.
 Low slump concrete, strike off (\$ _____)
 Planked for Ready Mix trucks to drive on, so not to disrupt grade (\$ _____)
 Low chert concrete, curing sealer (\$ _____)
 5" Conc. Add (\$ _____)
 Deposit _____ Payment on Completion Contract Total (\$ _____)

Note: This proposal may be withdrawn by us if not accepted within _____ days.
 Authorized Signature _____

Accepted: the above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date _____ Signature _____
 Signature _____



**Ice and water settled in front of
6446 W. Fond du lac Ave**



**Water draining into the street in
front of my property and beyond
(going north)**



See at entry of driveway first,



Ice settled on parking structure (lot) creating cracks, (Stall 10)



Ice buildup caused by flooding, (Stall 3 & 4)



Cracks formed from water freezing and settling on the parking lot 6446 W. Fond du lac Ave., (Stalls 6 & 7)



Autos parked on patches of frozen ice, (one week after damages occurred)



Ice buildup and mud debris settled on lot, (stalls 5 & 6)



Debris settled on parking lot



Cracks in pavement caused by water (Stalls 1 & 2)



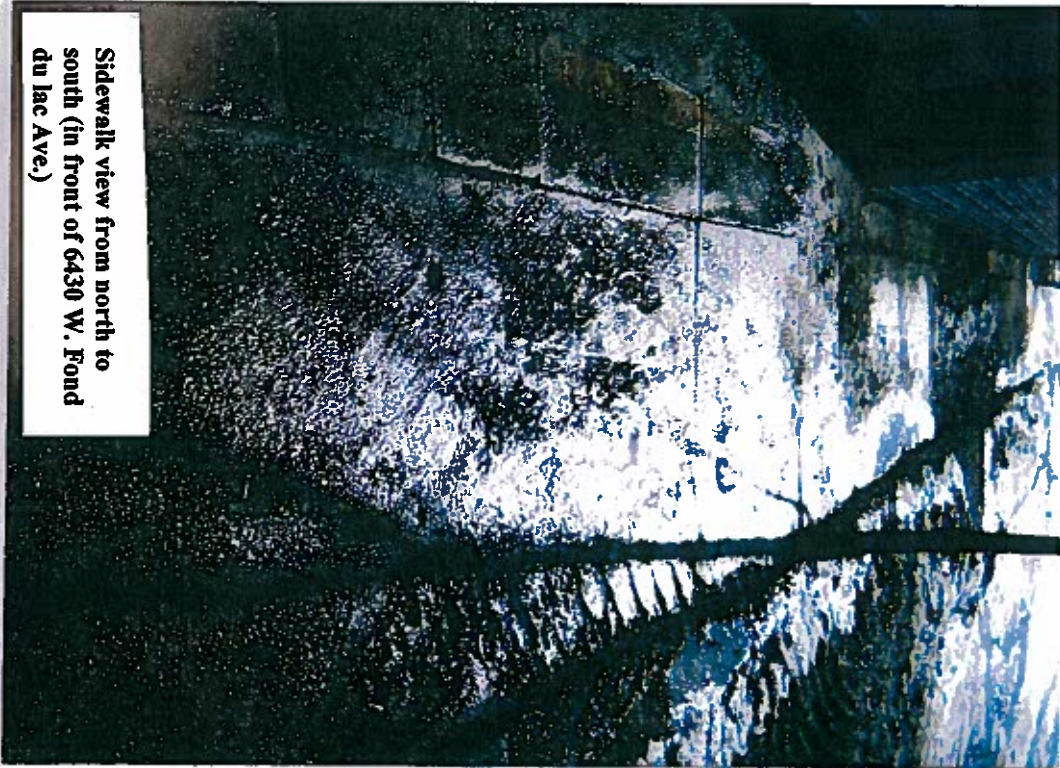
Cracks that formed from water/ice buildup, (Stalls 6 & 7)



Crack caused by settled ice, (Stall 8)



View of damage to lot, (Stalls 6 & 7)



Sidewalk view from north to south (in front of 6430 W. Fond du lac Ave.)



Mud and debris passing from 6430 W. Fond du lac Ave. to 6446 W. Fond du lac Ave.



Slope of parking lot (south end of lot)



View of south end of parking lot



Center of parking lot





Ice settled on parking structure, creating cracks, (Stall 9)



Frozen Ice at entrance of driveway, (east of lot)



Alley view from south to north (behind 6446 W. Food Justice)



Mud visually collecting and settling on my property parking lot (facing west)



Hole in concrete filled after main break



View of water (frozen) that settled after from 6430 W. Fond du lac Ave. (traveling north) and in front of 6446 W. Fond du lac Ave.