

Re: vertical planter

From: Ryan Montgomery <mr.ryanmontgomery@gmail.com>

Sent: Wed, Jul 26, 2023 at 6:56 pm

To: milwaukee@dcopy.net

On Wed, Jul 26, 2023 at 1:17 PM monty <awd4monty@gmail.com> wrote:

Hello there,


My name is Ryan Montgomery and I reside at 1952 N Commerce St, Milwaukee, WI 53212. On 6/13/23, the City of Milwaukee garbage disposal service took more than they should have. At approximately 7:50 AM, the garbage along with my vertical planter/garden, 2 stand alone planters with tomato rings and a rug were thrown in the back of the truck. I went down an hour or so after the pick up and realized everything was gone and immediately filed a claim on the website (claim number 13818109). I got a call back from Mike Stolarski later that morning. After some looking into it, he was able to confirm with the driver that this did indeed happen. Feel free to reach out to him @ 414.708.5840 and he can verify this.

It took 4 weeks to get the enclosed form sent to me because the envelope that was mailed to me didn't have a city or state on it (also enclosed) and Mike hand delivered it to me (also quite frustrating). A few things to keep in mind here. We have had the same setup by our garage for 3 seasons now. Mike verified that the same drivers pick up on that route so these individuals have seen this set up literally dozens of times. They claimed the plants looked dead. Not the case. I just took a few hours not more than 2-3 weeks prior to planting all of these plants and they were not only alive, but green and thriving. Not to mention this vertical planter would have weighed in excess of 100-150 lbs. Wouldn't you typically demand extra money for something like this to be removed? Mike and I went over the distance from the garbage cans etc. and agreed that these should not have been taken. It's been an extra stress in my life and without a doubt should be reimbursed. You will find a receipt for the plants/soil I just bought along with the receipt for the planter in this letter. I do not have a receipt for the additional planters, tomato rings and the rug that were also thrown away. Conservatively, that cost is \$150. I won't get into the time/frustration/lack of getting to benefit from the vegetables but if that could be taken into consideration that would be outstanding.

At the very minimum, I feel that I am owed the planter, soil/plants and additional \$150 for the other materials that were out there. This may not matter but my wife was diagnosed with a rare lung disease in April of 2022 so my life is very busy and stressful and this was just not needed and I find to be quite careless.

I look forward to hearing from whomever on the matter. My cell or email is the best way to reach me. Cell is 414.331.1081 and the best email is Mr.ryanmontgomery@gmail.com

Thank you for your time,



OFFICE OF CITY ATTORNEY
08 AUG '23 AM 09:16

CITY OF MILWAUKEE
2023 AUG - 7 PM 12:32
CITY CLERK'S OFFICE

GreenStalk garden

GreenStalk Garden invoice for order #53594

GreenStalk/GardenWell
4720 Middlebrook Pike
Knoxville, TN 37921

Billing Details

Heather Kaster
1952 N Commerce Street
Milwaukee, Wisconsin 53212
United States

How did you hear about us?

Phone: 2628931128
Email: spazeroni@yahoo.com

Order: #53594
Payment Method: PayPal (\$89.23)

Shipping Details

Heather Kaster
1952 N Commerce Street
Milwaukee, Wisconsin 53212
United States

How did you hear about us?

Phone: 2628931128
Email: spazeroni@yahoo.com

Order Date: Jun 27th 2021
Shipping Method: Fedex or UPS (Ground once shipped, delivers 3 days)

Order Items

Qty	Code/SKU	Product Name	Price	Total
1	3-3-SUPPORT	Set of 3 GreenStalk Plant Supports	\$59.00 USD	\$59.00 USD
1	3-SPRING-21	Limited Edition Spring 2021 Vinyl Sticker Pack	\$16.00 USD	\$16.00 USD
			Subtotal:	\$75.00 USD
			Shipping:	\$9.57 USD
			Tax:	\$4.66 USD
			Grand total:	\$89.23 USD

GreenStalk garden

GreenStalk Garden invoice for order #32473

GreenStalk/GardenWell
4720 Middlebrook Pike
Knoxville, TN 37921

Billing Details

Heather Kaster
1952 N Commerce Street
Milwaukee, Wisconsin 53212
United States

How did you hear about us?

Phone: 2628931128
Email: spazeroni@yahoo.com

Order: #32473
Payment Method: PayPal (\$220.50)

Shipping Details

Heather Kaster
1952 N Commerce Street
Milwaukee, Wisconsin 53212
United States

How did you hear about us?

Phone: 2628931128
Email: spazeroni@yahoo.com

Order Date: Mar 17th 2021
Shipping Method: Fedex or UPS (Ground once shipped, delivers 2 days)

Order Items

Qty	Code/SKU	Product Name	Price	Total
1	2-INV-CS	GreenStalk Inventor's Bundle	\$209.00 USD	\$209.00 USD
		Option: Stunning Stone		

Subtotal:	\$209.00 USD
Shipping:	\$0.00 USD
Tax:	\$11.50 USD
Grand total:	\$220.50 USD



OFFICE OF THE CITY CLERK
Milwaukee, Wisconsin

INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

To file a claim against the City a claimant must comply with Section 893.80(1), Wis. Stats., a copy of which is printed at the bottom of this instruction sheet. Generally the statute requires the claimant to submit to the City Clerk:

1. A document stating the circumstances of the claim which must be signed by the claimant, or his/her agent or attorney. This document should be filed within 120 days of the event.
2. A document stating the address of the claimant and a statement of the relief sought. If money damages are sought, a specific sum must be stated.

(The above information may be combined in a single document.)

The following information should also be submitted to allow the City to promptly act on your claim:

1. Proof of the amount of the claim by means of either itemized receipts or two itemized estimates.
2. A phone number where the claimant can be reached during business hours as well as the claimant's e-mail address, if any.
3. As detailed a description of the incident as possible, including the date, time and place.

All information should be submitted to:

City Clerk
ATTN: CLAIMS
200 E. Wells St., Room 205
Milwaukee, WI 53202-3567

ADDITIONAL INFORMATION

Before you can file a lawsuit against the City of Milwaukee for reimbursement, State law requires that you first follow the claim procedures established by the City Clerk.

Filing a claim against the City does not automatically guarantee reimbursement from the City. However, the City examines each claim on an individual basis in determining if reimbursement is legally required.

In order to obtain reimbursement for a claim against the City, you must prove that the City or its employees acted unlawfully or negligently.

Only the City Attorney or the Common Council and the Mayor can authorize payment of a claim against the City. Any other representations made by City employees are not legally binding on the City.

893.80 Claims against governmental bodies or officers, agents or employees; notice of injury; limitation of damages and suits. (1) Except as provided in subs. (1g), (1m), (1p) and (8), no action may be brought or maintained against any volunteer fire company organized under ch. 213, political corporation, governmental subdivision or agency thereof nor against any officer, official, agent or employee of the corporation, subdivision or agency for acts done in their official capacity or in the course of their agency or employment upon a claim or cause of action unless:

(a) Within 120 days after the happening of the event giving rise to the claim, written notice of the circumstances of the claim signed by the party, agent or attorney is served on the volunteer fire company, political corporation, governmental subdivision or agency and on the officer, official, agent or employee under s. 801.11. Failure to give the requisite notice shall not bar action on the claim if the fire company, corporation, subdivision or agency had actual notice of the claim and the claimant shows to the satisfaction of the court that the delay or failure to give the requisite notice has not been prejudicial to the defendant fire company, corporation, subdivision or agency or to the defendant officer, official, agent or employee; and

(b) A claim containing the address of the claimant and an itemized statement of the relief sought is presented to the appropriate clerk or person who performs the duties of a clerk or secretary for the defendant fire company, corporation, subdivision or agency and the claim is disallowed.

Milaeger's
 4838 Douglas ave.
 RACINE, WI 53402
 262-639-2040

Date Printed: 05/10/2023 2:54:20 PM
 Orig Sales Date: 05/10/2023 2:54:20 PM
 Short Register ID: 1-97
 Short Receipt ID: 1-2591143
 Transaction Type: Sale
 Short Cashier ID: 59-302
 Cashier #: PATTY L

STYLE SIZE SALESPERSON	DESCRIPTION QTY @ PRICE SUBTOTAL
78111 NO SIZE PATTY	MIL ANNUAL 4 PACK 4 @ 4.49 17.96
7817 NO SIZE PATTY	MIL 3.25" RUST POT VEGET 7 @ 2.99 20.93
78210 NO SIZE PATTY	MIL 3.25" Red Pot 15 @ 1.99 29.85
783301 NO SIZE PATTY	MIL 4.5" GREEN ROUND POT 1 @ 4.99 4.99
78721 NO SIZE PATTY	MIL 5" Annual Pot 1-11 1 @ 7.99 7.99

Subtotal \$81.72
 Total Tax \$4.09
 Total \$85.81

Total Qty 28

-----Payments-----
 CASH \$100.00
 CASH (Change) (\$14.19)
 Balance \$0.00

-----Taxes By Rate-----
 5.00% 4.09

-----Payment History-----
 05/10/2023 - CASH \$100.00
 05/10/2023 - CASH (\$14.19)

Save your receipt.
 We will gladly issue a store credit or a
 refund for returns accompanied by a
 receipt within 30 days.
 No cash back will be given for items
 purchased with a gift card or items with
 a gift receipt.
 Sale merchandise reduced 50% or more is
 not returnable.
 We appreciate you!
 Thanks for shopping Milaeger's