

Eric J. and Marcia J. Hagmayer

ehagmayer@yahoo.com  
4250 S 81<sup>st</sup> St  
Greenfield, WI 53220

March 23, 2022

Milwaukee City Clerk  
Attn: Tearman Spencer and Patricia Klosiewski  
200 E Wells St, Room 205  
Milwaukee, WI 53202

RE: Communications from Eric and Marcia Hagmayer  
C.I. File No. 1048-2022-118

CITY OF MILWAUKEE  
2022 MAR 28 PM 12:13  
CITY CLERK'S OFF

Dear Tearman and Patricia:

Thank you for your acknowledgement that City of Milwaukee 1) completed the repair of the fire hydrant which straddles my and my neighbor's front yard, and 2) used my driveway for driving their equipment and dropping machine parts from that equipment.

While we respect we had hairline cracks at the bottom of our drive in 2011, those hairline cracks have remained as such since then. The key to this matter is that the workers caused those hairline cracks to further fracture and this is damage requiring replacement.

This driveway situation is like having a door ding in a car door. Is the ding frustrating? Absolutely! Does it warrant a fix? No! Do people see the car as undamaged? For the most part yes because it's small damage. Does it remain in there for the life of the car? Yes! Does it get bigger because of using the door? Nope! Now, if someone runs a red light and slams into that door, is the door now further damaged and requires repair? You bet it does! Is the person who slammed into the door not at fault for the damage or because there was a door dent there from 11 years ago? No. We both know the other driver is at fault and warrants that driver paying for repairs despite the door ding having already been there. Should the entire car be fixed? Likely no.

Our driveway is very similar to the door ding. Yes there were hairline cracks that remained hairline cracks all of these years. Did we get them fixed? No. They were frustrating but they were hairline cracks and didn't warrant pulling up concrete to fix. Did having the City of Milwaukee drive large equipment and drop big and heavy parts on it and create big cracks despite having a huge street where they could have done that? Yes. you confirmed the City of Milwaukee did what they did. In addition, we have eye witnesses of the City of Milwaukee using our driveway to drive their equipment on and drop machine parts. Do we need to fix them now? Yes. According to the two companies we reached out to the driveway needs to be fixed.

We are not looking to replace the entire drive. We are asking to fix the areas which the City of Milwaukee took from hairline cracks into visible cracks and in some instances took pieces out of our drive. As such we are seeking to have our drive fixed at 4250 S 81<sup>st</sup> St; Greenfield, WI 53220 at cost of \$7500 to ensure we have the quality drive we had prior to the city damaging our drive.

OFFICE OF CITY ATTORNEY  
30 MAR '22 PM 02:53

Eric J. and Marcia J. Hagmayer

[ehagmayer@yahoo.com](mailto:ehagmayer@yahoo.com)  
4250 S 81<sup>st</sup> St  
Greenfield, WI 53220  
414.329.7353

Per your letter, we are requesting a hearing to address this. We appreciate your review and your support of resolving this as soon as possible because contractors are booking out quickly and prices are going up. You can reach Eric at 414.550.7604 or Marcia at 414.329.7353 with any questions. Thank you!

Sincerely,

A handwritten signature in black ink, appearing to read "Eric J. Hagmayer + Marcia J. Hagmayer". The signature is written in a cursive, flowing style.

Eric J. and Marcia J. Hagmayer

Enclosures: Copy of the City of Milwaukee letter dated March 9, 2022 (2 pages)  
Copy of the envelope in which the letter was sent (1 page)



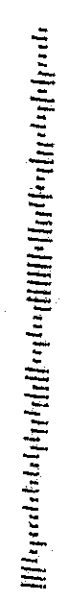
Ms. Marcia Hegmayer  
4250 S 81st St  
Greenfield, WI 53220-2859

CITY OF MILWAUKEE  
2022 MAR 28 PM 12:19  
CITY CLERK'S OFFICE

OFFICE OF CITY ATTORNEY  
30 MAR 22 PM 02:57

Milwaukee City Clerk  
Attn: Teerman Spencer and Patricia Kosciewski  
200 E Wells St, Room 205  
Milwaukee, WI 53202

53202-357059



MILWAUKEE  
24 MAR 2022



**TEARMAN SPENCER**  
City Attorney

**CELIA M. JACKSON**  
Special Deputy City Attorney

**ODALO J. OHIKU**  
**ROBIN A. PEDERSON**  
**YOLANDA Y. MCGOWAN**  
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Assistant City Attorneys

March 9, 2022

*mailed  
3-15-2022*

Eric and Marcia Hagmayer  
4250 South 81<sup>st</sup> Street  
Greenfield, WI 53220

RE: Communication from Eric and Marcia Hagmayer  
C.I. File No. 1048-2022-118

Dear Eric and Marcia Hagmayer:

We have received your claim in the amount of \$7,500.00 relating to damage sustained to your driveway on October 21, 2021, when the Milwaukee Water Works (MWW) repaired a fire hydrant located in front of the property at 4272 South 81<sup>st</sup> Street.

Our investigation reveals that the City of Greenfield notified MWW that a fire hydrant located in front of 4272 North 81<sup>st</sup> Street had been damaged. MWW dispatched an investigator on the same day and he confirmed the hydrant had been damaged. On October 26 and 27<sup>th</sup>, 2021, a MWW crew made the necessary repairs. MWW vehicles remained in the street throughout the repair work, and did not use claimant's driveway at 4250 South 81<sup>st</sup> Street to access the hydrant or surrounding work area.

It is our view that MWW is not responsible for either causing the hydrant damage or causing any damages related to the repair of the hydrant. Our investigation also revealed that an image captured in 2011, and available through Google Maps, shows evidence of cracks in the driveway similar to those in the photographs submitted as documentation for this claim.

A logo consisting of a square with the letters "C" and "O" inside, followed by the word "COPY" in a bold, sans-serif font.



Eric and Marcia Hagmayer  
March 9, 2022  
Page Two

For the reasons stated above, we are denying your claim. If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,

A handwritten signature in black ink, appearing to read "Tearman Spencer", written over a circular stamp or seal.

TEARMAN SPENCER  
City Attorney

A handwritten signature in black ink, appearing to read "Patricia Klosiewski", written in a cursive style.

PATRICIA KLOSIEWSKI  
Investigator Adjuster

PK/cdr

1048-2022-118/279244

**CITY OF MILWAUKEE**  
**Office of the City Attorney**  
**OFFICE OF THE CITY ATTORNEY**  
800 City Hall  
200 East Wells Street  
Milwaukee, Wisconsin 53202-3551

Eric and Marcia Hagmayer  
4250 South 81<sup>st</sup> Street  
Greenfield, WI 53220



820-888 53220

