

City of Milwaukee Water Main break and subsequent flood into Johnson's Woods on December 28th:

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FEB 17 2020

2:45 AM P.M.

Financial Claim Filed By:

Barry Stapleton: 5915 W Adler St., Milwaukee, WI 53214
Email: staps62@gmail.com
Phone: 414-875-7003
Date: February 11, 2020
Re: Flood damage to personal property

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Total Claim of financial relief sought: \$58138.15

Claim delivered on February 12, 2020

By Barry Stapleton Barry Stapleton

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

CITY CLERK'S OFFICE

2020 FEB 12 PM 12:25

CITY OF MILWAUKEE

Statement of event:

My name is Barry Stapleton and I live at 5915 W. Adler St. I purchased the home as it was in foreclosure and over the years fixed it up quite nicely. I live there with my girlfriend Jennifer Whetter and her dog Zoe.

On Saturday December 28th we woke to our normal routine. Jennifer had taken her dog out into the backyard early in the morning and everything was fine. I got up a little later, I believe it was 9:30 or so, went to brush my teeth and noticed low water pressure. We didn't think much about it then Jennifer looked out our front window and saw the street flooding. Already my car and Jennifer's daughter Nora's car had water above the chasis of the cars. Jennifer went into the flooded street in her pajamas and managed to move both cars to higher ground.

I went into our basement to see about flooding and it had started to trickle in. I had not had any significant water in my basement in over 13 years....after I had installed a sewer backflow valve. Because the basement had remained dry for years I decided to make it into a family room about 7 years ago and it has been a fun place for our family to use.

I do not have a sump pump in the basement as most of the homes built in my neighborhood. But the drain usually worked fine, but was not working this morning. I did have a spare sump pump in my garage and decided to go and get that and hook it up for possible use. Upon opening the back door entrance to go to the garage it was very clear how bad things were. On my walk to my garage, about 70 feet, I waded through ice cold muddy water that was almost waist deep. I was quite shocked at this. Upon opening the garage I saw that Jennifer's car was already taking water into the seating area. There wasn't anything we could do to save her car as the garage opens up to a back alley where large industrial trash containers were floating and bouncing into other cars from the apartment behind us. Her car was totaled but covered by her car insurance.

I got the sump pump and returned to the house. The water in my basement was now about 6 inches high. I got the sump pump working but it could not keep up. Plus I was pumping into my neighbors yard which originally was not under water as he was on higher ground...but now his yard was under water. So now the threat was if I kept the basement window open where I had the sump pump hose going through...that water would just rush in through the window. Plus I was getting shocks from the sump pump in trying to hold it upright. So I decided to abandon the sump pump, turn off the main electric breaker in the basement and move up to the first floor. By this time I'd say the basement had 2 feet of water.

We still did not know what was happening but it was clear water was flowing into our neighborhood like a river flowing south down 60th st. Adler St is lower than 60th St. so the water turned and came down Adler St. and the sewer drains were not working. Neighbors had called friends who waded through the water to carry their children out.

There was little to do but watch and occasionally go out on our front porch and talk to neighbors from their front porches and or newspaper and media folks coming into the area. We were not happy as we didn't see any City workers or trucks in the area for at least the first two hours when all of this was happening. All we heard from the news folks was that a water main had broken. But that didn't explain to us why the sewer drains weren't working.

In the basement the water eventually rose to a level of about 4 feet. By keeping the doors and windows shut I believe we kept more from getting into the house.

The timeline is a little blurry for me but I believe sometime in the early afternoon the sewers finally opened and within an hour the water receded to reveal the mess it had made.

I called my insurance agent to get help and he recommended a company called Emergency Fire & Water Restoration Services in South Milwaukee. They arrived by 4:00 and started to pump the water out of my basement. I signed a contract with them to mitigate the water and damaged material in the basement. That did not include replacing my furnace & water heater and costs associated with that...but they contracted with Action Heating on my behalf. They took all my possessions from the basement back to their warehouse for assessment then removed all the paneling, insulation and other materials below the water line. They had 8 large fans in the basement for 5 days and they then treated for any future mold. I could not have done all of this by myself.

Most items in our basement was a loss and our furnace and water heater were destroyed. The door to the basement is now swollen so it now does not shut. We had a fenced in yard which has now pushed outward due to the force of the water...so posts holding fencing up is broken. My garage had significant damage. There is a major crack down the middle of the concrete floor that expanded and both the door to get into the garage and the vehicle garage door are in daily need of adjusting to make them work. The garage was drywalled and some parts insulated. Due to it being winter and our focus on repairing the house I have not had time to open these walls but its clear the garage cannot be repaired and needs to be replaced.

After attending the meeting the City held at the Hunger Task Force to address the issues and claims I would have to say that it seemed that the representative from the public water works was somewhat dismissive of the sewers being a problem during this event. I do want to say that she was very informative and professional.

Yes, of course, the main issue was the water main break. I agree with that. But had the sewers worked we feel it would have been a different scenario. On Adler St. the sewer drain is maybe 50 feet from my house. I regularly check it in the winter and especially in the fall that it is not clogged. I am 100% sure that our drain was not clogged on the day of the event as the streets had been plowed and I remember seeing the drain the day before as I parked almost on top of it.

Once again I apologize for not having an accurate timeline...but it seemed like Adler Street was flooded within 30 minutes. I was out on the street with neighbors and at no time did we see any water draining into the sewer drain. My neighbor thought it was clogged and worked for well over an hour to try and unclog it. It simply wasn't clogged...it was not draining. Why it was not accepting any water is what we don't understand. To us it seems like something was turned off in the sewers. Hours later...when they were either turned on or opened again...the whole area drained pretty good and within an hour most of the standing water was gone. The people who live in the apartment complex behind me had the same experience with their drain.

So I believe that something happened during this event with the sewer drains that made the event worse than what it should have been.

I would also like to add that, unfortunately, it's very clear to me now from just a visual walk through the neighborhood that my backyard is probably the lowest point in the whole area. I would say my house and the two houses west of me on Adler St. sit at the lowest point in the area.

Basement Losses: Personal Items

Items of Total Loss in Emergency Fire & Water Restoration Report:

Number	Item	Replacement Cost	Replacement Vendor	Total
1	Picture Frame	\$11.99	Michaels	\$11.99
2	Picture Frames	26 x 11.99	Michaels	\$311.74
3	Décor – Shelving	2 x 12.49	Michaels	\$24.98
5	Dremel tool and mini Saw	\$69 & \$60.47	Home Depot	\$129.47
11	Picture Frames	8 x \$11.99	Michaels	\$95.92
16	Vacuum	119	Home Depot	\$119
22	Blender	29.99	Home Depot	\$29.99
30	Tool Box	138.11	Home Depot	\$138.11
31	Storage Box	19.99	Home Depot	\$19.99
35	6 way power strip	5.94	Home Depot	\$5.94
38	Large Frames	2 x 24.99	Michaels	\$49.98
39	Couch & Chair	699 & 499	Steinhafels	\$1198
40	Ottoman	\$128.68	Home Depot	\$128.68
41	Electric Fireplace	\$149.99	Home Depot	\$149.99
43	Air Conditioner	\$209.00	Home Depot	\$209.00
44	Picture Frames	9 x 11.99	Michaels	107.91
45	Picture Frame	11.99	Michaels	\$11.99
47	Small Rugs	9 x 19.99	Home Depot	\$179.91
50	Mexican oil art print	75	unique	\$75
51	Cooker	36.04	Home Depot	\$36.04
52	Antique Coffee table	75	Unique	\$75
59	Area rugs	8 x 24.59	Home Depot	\$196.72
	Computer	299.99	Walmart	\$299.99
	Bissell Proheat pet Carpet Cleaner	239	Walmart	\$239
Total Personal Loss in Basement:				\$3844.34

Garage Losses:

48	Lawn Mower	229.99	Home Depot	\$229.99
	Golf Clubs & Golf bag,	289.99	Walmart	\$289.99
	Golf Shoes	61.16	Walmart	\$61.16
	Belt Sander	64.97	Home Depot	\$64.97
	Electric screwgun	19.83	Walmart	\$19.83
	Drywall screwgun	99	Home Depot	\$99
	Jigsaw	49.97	Home Depot	\$49.97
	Cut-off tool	24.75	Home Depot	\$24.75
Total Personal Loss in Garage:				\$839.66
Total Personal Losses				\$4684

Attached is a read out from WE electric of usage during the week after the event. My average daily electric during the winter is about \$7 a day. My bill for that week was \$87.62. This was due to the big fans in the basement to dry it out for those days. So in the claim I'm also asking for \$38.62 in extra electric costs.

The Emergency Fire & water Restoration did lots of work over 5 days on my house. Their total bill is \$18,563.53. Until the bill is paid I will not get any of my items back from them which is in storage.

I got two quotes to repair and rebuild my basement, minor landscaping, build a new portion of my fence in the backyard and to tear down existing garage and build a new one. I went with JJ Construction as they had more experience in building.

Financial Claim against the City of Milwaukee:

Total Personal Losses		\$4684
Electrical Bill		\$38.62
Emergency Fire & Water Restoration	5387.93 H2O C 13175.60 H2O M	\$18,563.53
JJ Construction	13752 Basement 21100 Garage	\$34852
Total Claim		\$58138.15



Emergency Fire and Water Restoration

1919 12th Avenue
South Milwaukee, WI 53127

Client: Barry Stapleton-Contents
Property: 5915 West Adler Street
Milwaukee, WI 53214

Home: (414) 875-7003

Operator: MMITCHEL

Estimator: Megan Mitchell
Business: 1919 12th Avenue
South Milwaukee, WI 53172

Business: (414) 305-6411
E-mail: mmitchell@emergencyrest.
com

Type of Estimate: Water Damage

Date Entered: 1/20/2020

Date Assigned:

Price List: WIMW8X_DEC19
Labor Efficiency: Restoration/Service/Remodel
Estimate: STAPLETON-H2O-C



Emergency Fire and Water Restoration

1919 12th Avenue
South Milwaukee, WI 53127

STAPLETON-H2O-C

Pack Out and Inventory

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
1. Evaluate pack & inventory misc items - per Lg box <i>twenty one total boxes of salvageable contents were packed out and moved to Emergency Fire and Water Restoration's storage facility</i>	21.00 EA	0.00	13.67	24.55	58.40	370.02
2. Moving van (16'-20') and equipment - per day <i>moving van used for two days to move contents to storage facility</i>	2.00 EA	0.00	149.24	20.05	59.70	378.23
3. Inventory, Packing, Boxing, and Moving charge - per hour <i>two member crew worked for two days to pack up and move out Mr. Stapleton's contents</i>	32.00 HR	0.00	42.50	91.39	272.00	1,723.39
Totals: Pack Out and Inventory				135.99	390.10	2,471.64

Content Cleaning

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
4. Clean misc items - per Lg box - Hvy clean <i>twenty one boxes of contents required cleaning</i>	21.00 EA	0.00	61.04	87.91	256.70	1,626.45
5. Clean chair - Heavy clean <i>eight chairs required a heavy clean</i>	8.00 EA	0.00	17.78	10.06	28.54	180.84
6. Clean bar stool - Heavy clean <i>five bar stools required a heavy clean</i>	5.00 EA	0.00	16.14	6.05	16.26	103.01
7. Clean television tray / lap desk - Heavy clean <i>four tray tables required a heavy clean</i>	4.00 EA	0.00	9.19	2.75	7.42	46.93
8. Clean table - end table - Heavy clean <i>end table required a heavy clean</i>	1.00 EA	0.00	12.28	0.93	2.48	15.69
9. Clean china cabinet / hutch top - Heavy clean <i>burgundy hutch required a heavy cleaner</i>	1.00 EA	0.00	51.29	3.66	10.30	65.25
Totals: Content Cleaning				111.36	321.70	2,038.17

Pack Back and Storage

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Emergency Fire and Water Restoration

1919 12th Avenue
South Milwaukee, WI 53127

CONTINUED - Pack Back and Storage

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
10. Off-site storage & insur. - climate controlled - per month	300.00 SF	0.00	1.04	20.96	62.40	395.36
<i>contents will be stored in an off site premise for three months during the build back and contents cleaning portion of the project for Mr. Stapleton</i>						
11. Moving van (16'-20') and equipment - per day	2.00 EA	0.00	149.24	20.05	59.70	378.23
12. Provide box & tape - large size	21.00 EA	0.00	3.72	9.91	16.50	104.53
Totals: Pack Back and Storage				50.92	138.60	878.12
Line Item Totals: STAPLETON-H2O-C				298.27	850.40	5,387.93

Grand Total Areas:

1,341.64 SF Walls	435.89 SF Ceiling	1,777.53 SF Walls and Ceiling
446.76 SF Floor	49.64 SY Flooring	167.20 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	169.00 LF Ceil. Perimeter
446.76 Floor Area	479.61 Total Area	1,228.00 Interior Wall Area
753.00 Exterior Wall Area	83.67 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



Emergency Fire and Water Restoration

1919 12th Avenue
South Milwaukee, WI 53127

Summary

Line Item Total	4,239.26
Services Mat'l Tax	12.58
	<hr/>
Subtotal	4,251.84
Overhead	425.20
Profit	425.20
Service Sales Tax	285.69
	<hr/>
Replacement Cost Value	\$5,387.93
Net Claim	\$5,387.93
	<hr/> <hr/>

Megan Mitchell



Emergency Fire and Water Restoration

1919 12th Avenue
South Milwaukee, WI 53127

Recap of Taxes, Overhead and Profit

	Overhead (10%)	Profit (10%)	Material Sales Tax (5.6%)	Services Mat'l Tax (5.6%)	Service Sales Tax (5.6%)	Manuf. Home Tax (5.6%)	Storage Tax (5.6%)
Line Items	425.20	425.20	0.00	12.58	285.69	0.00	0.00
Total	425.20	425.20	0.00	12.58	285.69	0.00	0.00



Emergency Fire and Water Restoration

1919 12th Avenue
South Milwaukee, WI 53127

Recap by Room

Estimate: STAPLETON-H2O-C

Pack Out and Inventory

1,945.55 45.89%

Content Cleaning

1,605.11 37.86%

Pack Back and Storage

688.60 16.24%

Subtotal of Areas

4,239.26 100.00%

Total

4,239.26 100.00%

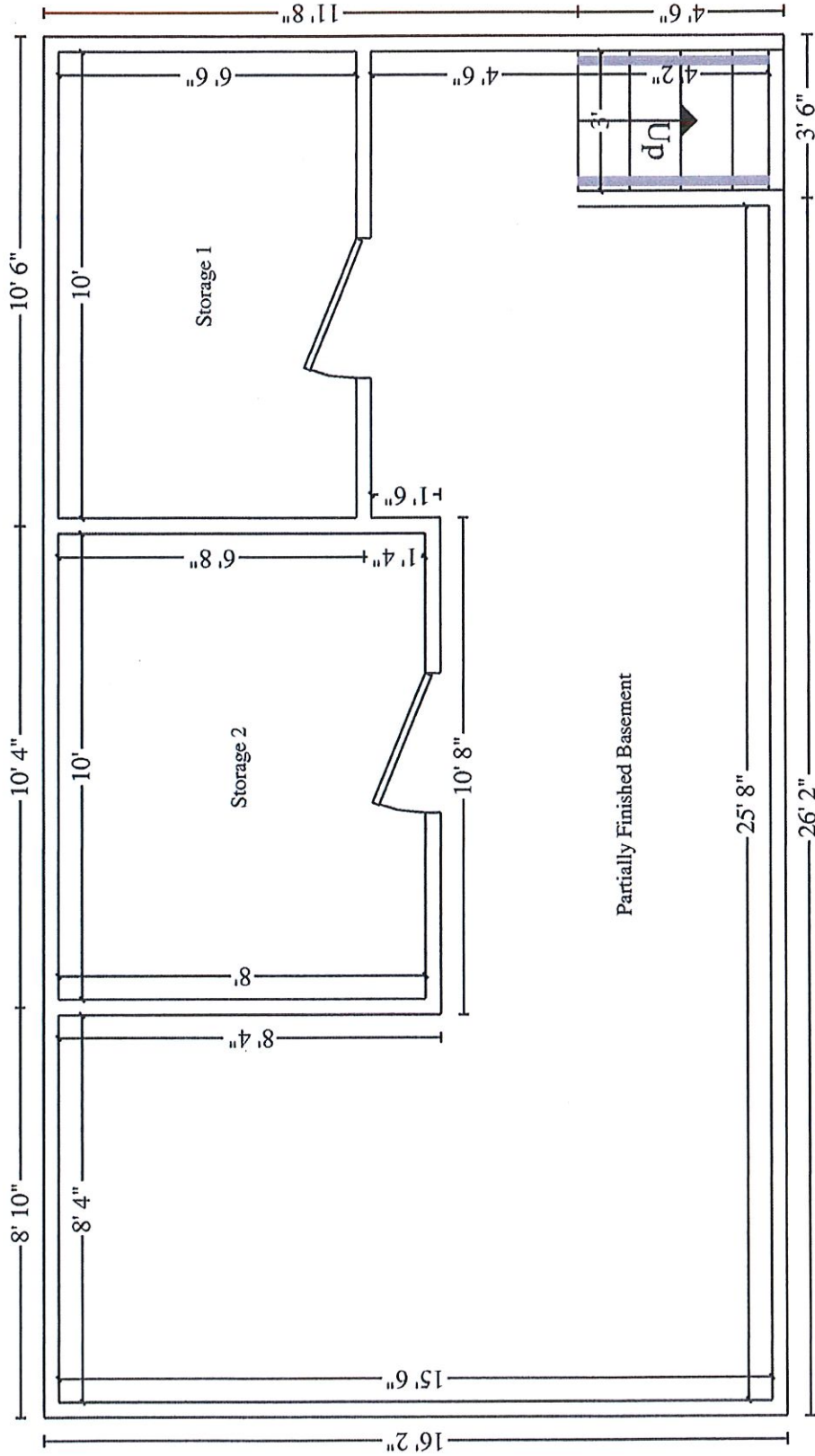


Emergency Fire and Water Restoration

1919 12th Avenue
South Milwaukee, WI 53127

Recap by Category

O&P Items	Total	%
CONT: GARMENT & SOFT GOODS CLN	390.12	7.24%
CONT: CLEAN - GENERAL ITEMS	1,281.84	23.79%
CONT: CLEAN - HARD FURNITURE	323.27	6.00%
CONT: PACKING,HANDLNG,STORAGE	2,244.03	41.65%
O&P Items Subtotal	4,239.26	78.68%
Services Mat'l Tax	12.58	0.23%
Overhead	425.20	7.89%
Profit	425.20	7.89%
Service Sales Tax	285.69	5.30%
Total	5,387.93	100.00%



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Emergency Fire and Water Restoration

1919 12th Avenue
South Milwaukee, WI 53127

Client: Barry Stapleton-Mitigation
Property: 5915 West Adler Street
Milwaukee, WI 53214

Home: (414) 875-7003

Operator: MMITCHEL

Estimator: Megan Mitchell
Business: 1919 12th Avenue
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Business: (414) 305-6411
E-mail: mmitchell@emergencyrest.com

Type of Estimate: Water Damage
Date Entered: 1/20/2020

Date Assigned:

Price List: WIMW8X_DEC19
Labor Efficiency: Restoration/Service/Remodel
Estimate: STAPLETON-H2O-M

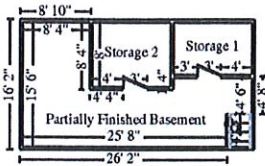


Emergency Fire and Water Restoration

1919 12th Avenue
South Milwaukee, WI 53127

STAPLETON-H2O-M

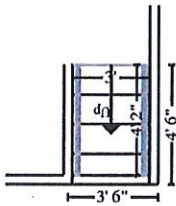
Main Level



Partially Finished Basement

Height: 8'

709.33 SF Walls	278.39 SF Ceiling
987.72 SF Walls & Ceiling	278.39 SF Floor
30.93 SY Flooring	88.67 LF Floor Perimeter
91.67 LF Ceil. Perimeter	



Subroom: Stairs (1)

Height: 11' 1"

80.31 SF Walls	12.50 SF Ceiling
92.81 SF Walls & Ceiling	23.37 SF Floor
2.60 SY Flooring	9.53 LF Floor Perimeter
8.33 LF Ceil. Perimeter	

Missing Wall

3' X 11' 1 1/2"

Opens into PARTIALLY_FI

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
WALLS					
1. Tear out trim	98.20 LF	0.62	0.00	0.00	60.88
2. Tear out wet paneling, bag for disposal	1,579.28 SF	0.52	0.00	9.73	830.96
<i>two layers of paneling removed</i>					
3. Tear out and bag wet insulation	224.00 SF	0.66	0.00	0.88	148.72
<i>insulation removed from exterior walls</i>					
4. Apply plant-based anti-microbial agent to the walls	789.64 SF	0.00	0.22	11.60	185.32
<i>antimicrobial applied to all surface areas</i>					
FLOOR					
5. Water extraction from hard surface floor - Cat 3 water	1,508.79 SF	0.00	0.68	57.45	1,083.43
<i>five feet of standing water extracted from basement rooms</i>					
6. Apply plant-based anti-microbial agent to the floor	301.76 SF	0.00	0.22	4.44	70.83
<i>antimicrobial applied to all surface areas</i>					
EQUIPMENT					
7. Air mover (per 24 hour period) - No monitoring	20.00 EA	0.00	25.56	28.63	539.83
<i>five air movers over a four day period</i>					

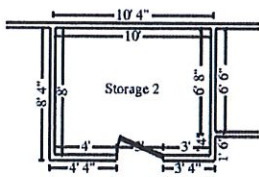


Emergency Fire and Water Restoration

1919 12th Avenue
South Milwaukee, WI 53127

CONTINUED - Partially Finished Basement

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
8. Dehumidifier (per 24 hour period) - No monitoring <i>one dehu utilized for a four day period</i>	4.00 EA	0.00	54.57	12.22	230.50
9. Content Manipulation charge - per hour <i>contents moved from space to space to make room for the demolition</i>	12.00 HR	0.00	42.50	0.00	510.00
Totals: Partially Finished Basement				124.95	3,660.47



Storage 2

Height: 8'

288.00 SF Walls	80.00 SF Ceiling
368.00 SF Walls & Ceiling	80.00 SF Floor
8.89 SY Flooring	36.00 LF Floor Perimeter
36.00 LF Ceil. Perimeter	

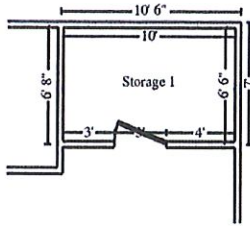
Partially Finished Basement

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
WALLS					
10. Tear out wet paneling, bag for disposal <i>two layers of paneling removed</i>	576.00 SF	0.52	0.00	3.55	303.07
11. Apply plant-based anti-microbial agent to the walls <i>antimicrobial applied to all surface areas</i>	288.00 SF	0.00	0.22	4.23	67.59
FLOOR					
12. Water extraction from hard surface floor - Cat 3 water <i>five feet of standing water extracted from basement rooms</i>	400.00 SF	0.00	0.68	15.23	287.23
13. Apply plant-based anti-microbial agent to the floor <i>antimicrobial applied to all surface areas</i>	80.00 SF	0.00	0.22	1.18	18.78
Totals: Storage 2				24.19	676.67



Emergency Fire and Water Restoration

1919 12th Avenue
South Milwaukee, WI 53127



Storage 1

Height: 8'

264.00 SF Walls	65.00 SF Ceiling
329.00 SF Walls & Ceiling	65.00 SF Floor
7.22 SY Flooring	33.00 LF Floor Perimeter
33.00 LF Ceil. Perimeter	

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
WALLS					
14. Tear out wet paneling, bag for disposal <i>two layers of paneling removed</i>	528.00 SF	0.52	0.00	3.25	277.81
15. Apply plant-based anti-microbial agent to the walls <i>antimicrobial applied to all surface areas</i>	264.00 SF	0.00	0.22	3.88	61.96
FLOOR					
16. Water extraction from hard surface floor - Cat 3 water <i>five feet of standing water extracted from basement rooms</i>	325.00 SF	0.00	0.68	12.38	233.38
17. Apply plant-based anti-microbial agent to the floor <i>antimicrobial applied to all surface areas</i>	65.00 SF	0.00	0.22	0.96	15.26
EQUIPMENT					
18. Air mover (per 24 hour period) - No monitoring <i>two air movers over a four day period</i>	8.00 EA	0.00	25.56	11.45	215.93
19. Dehumidifier (per 24 hour period) - No monitoring <i>one dehu utilized for a four day period</i>	4.00 EA	0.00	54.57	12.22	230.50
Totals: Storage 1				44.14	1,034.84
Total: Main Level				193.28	5,371.98

General

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
20. Heat, Vent, & Air Conditioning (Bid Item) <i>Furnace and water heater were both sitting in standing water and were required to be removed and replaced. Bid is for the replacement of these two items.</i>	1.20 EA	0.00	5,500.00	0.00	6,600.00

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