

N. Hibbler & Associates, LLC  
5464 North Port Washington Road, Suite 141  
Milwaukee, WI 53217  
(414) 587-5124

Letter Sent Via Fax and Regular Mail

February 26, 2016

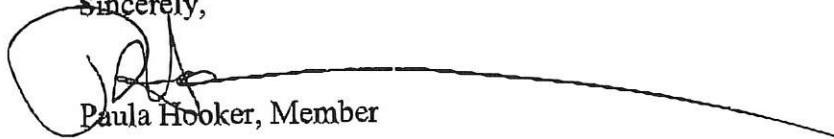
Milwaukee City Clerk  
200 East Wells Street, Room 205  
Milwaukee, WI 53202

RE: C.I File No. 1029-2017-2503  
Communication from N. Hibbler & Associates, LLC

Dear Attorney Langley:

We are in receipt of your letter dated January 29, 2018 (See Attachement). We would like to request hearing at your earliest convenience.

Sincerely,



Paula Hooker, Member

CITY OF MILWAUKEE  
2018 FEB 27 A 8:36  
CITY CLERK'S OFFICE

Doc + MARK ANDERSON + 1/29/18 letter

**GRANT F. LANGLEY**  
City Attorney

**MIRIAM R. HORWITZ**  
**ADAM B. STEPHENS**  
**MARY L. SCHANNING**  
**JAN A. SMOKOWICZ**  
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551  
Telephone: 414.286.2801 • TDD: 414.286.2025 • Fax: 414.286.8550

**STUART S. MUKAMAL**  
**SUSAN E. LAPPEN**  
**PATRICIA A. FRICKER**  
**HEIDI WICK SPOERL**  
**GREGG C. HAGOPIAN**  
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**THOMAS D. MILLER**  
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**TYRONE M. ST. JUNIOR**  
**HANNAH R. JAHN**  
**SAVEON D. GRENNELL**  
**ROSE SIMON-SILVA**  
Assistant City Attorneys

January 29, 2018

N. Hibbler & Associates, LLC  
c/o Paula Nelson  
5464 N. Port Washington Road  
Milwaukee, WI 53217

RE:C.I. File No. 1029-2017-2503  
Communication from N. Hibbler & Associates, LLC

Dear Ms. Nelson:

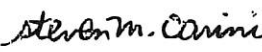
We have received your claim in the amount of \$3,100.00 from a loss on August 31, 2017 at 4264 North 27<sup>th</sup> Street.

The Infrastructure Services Division records indicate that this is a Milwaukee Metropolitan Sewerage District (MMSD) contract, W11030C02. The MMSD Senior Project Manager-Construction Manager is Jeremy Triebenbach 414-870-9517. The MMSD Senior Project Manager is Jerome Flogel 414-336-1214. Since the City of Milwaukee is not involved in this, it cannot accept liability. Therefore, 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,

  
GRANT F. LANGLEY  
City Attorney

  
STEVEN M. CARINI  
Investigator Adjuster

SMC:mal

c: Nader Jaber (Infrastructure)

1029-2017-2503:246612

585



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



N. Hibbler & Associates, LLC  
c/o Paula Nelson  
5464 N. Port Washington Road  
Milwaukee, WI 53217

44X0358 53217



POST OFFICE  
MILWAUKEE, WI 53202



U.S. POSTAGE PERMIT NO. 53202  
MILWAUKEE, WI 53202  
ZIP 53205 \$000.37  
02 AM  
0000337172 FEB 05 2018

*Alvin*

**FAX COVER SHEET**

CITY OF MILWAUKEE

2017 DEC 15 A 6:09

CITY CLERK'S OFFICE

**ROY'S PLUMBING, INC.  
1830 WEST HAMPTON AVENUE  
POST OFFICE BOX 091008  
MILWAUKEE, WI 53209-1008**

**TO:** *Claims  
The city clerk*

**PHONE #:** (414) 286-2221

**FAX #:** (414) 286-3456

**FROM:** **ESSIE ZOLLIFFER**

**PHONE#:** (414) 264-2812

**FAX #:** (414) 264-7444

**DATE:** *Dec. 13, 2017*

**RE:** *Claims*

**NUMBER OF PAGES INCLUDING  
COVER SHEET:**

**MESSAGE: PLEASE CALL TO  
CONFIRM RECEIPT.**

CITY OF MILWAUKEE  
RECEIVED

2017 DEC 18 AM 7:01

CITY ATTORNEY

**N Hibbler & Associates, LLC.  
5464 North Port Washington Road  
Milwaukee, Wisconsin 53217**

November 28, 2017

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

To Whom it may concern:

Re: 4264 North 27<sup>th</sup> Street

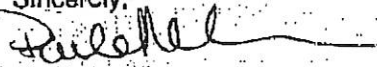
N Hibbler & Associates, LLC is filing a claim against the City of Milwaukee for damage done to the building storm sewer at the above referenced address during August 2017. The sewer at that building is piped from the south downspout to west of the building main sewer North of 27<sup>th</sup> Street.

During the month of June 2017 Roy Nelson, managing member for N Hibbler & Associates, LLC and also a licensed plumber was notified that the city believed that the sewer was broken. Mr. Nelson had hand dug down to the sewer at the east/west connection and utilized a video camera to inspect the sewer. At that time the sewer was operating correctly and was free of obstruction.

Around the middle of August, the City of Milwaukee had a new storm sewer installed in the street which seem to be connected to that 8" storm sewer at 4264 North 27<sup>th</sup> Street. The caretaker of that building says that the city workers had used their machine and dug down in that area in front of the building between the curb and sidewalk which is the same area that is damaged now. On August 31, 2017 when Mr. Nelson had met with the City of Milwaukee Plumbing Inspector to look at the sewer again utilizing a video to do a camera recording of the sewer activity at 4264 North 27<sup>th</sup> Street, the camera was only able to video to only about 50 to 60 feet when the cable of the video ran into mud.

Because of all of the reasons stated above, I believe that the City of Milwaukee sewer workers damaged the sewer at the above named property. Therefore, I am filing this claim for damages in accordance with the written instructions I was provided.

Sincerely,



Paula Nelson, member  
(414) 264-2812

# Proposal

## Roy's Plumbing & Heating Service, LLC Inc

REPAIRS • REMODELING • WATER & DRAIN CONNECTIONS  
24 HOUR EMERGENCY SERVICE  
ALL MAJOR CREDIT CARDS ACCEPTED  
170613 1830 W. Hampton 53217  
P.O. Box 004009 • Milwaukee, WI 53209-1009  
(414) 264-2812 • FAX (414) 264-7444



SUBMITTED TO <i>N Hiebler &amp; associates, LLC</i>	PHONE <i>(414) 264-2812</i>	DATE <i>NOV. 28, 2017</i>
STREET <i>5164 N. Port Washington Rd</i>	JOB NAME <i>Paula Nelson</i>	
CITY, STATE AND ZIP CODE <i>Milwaukee, WI 53217</i>	JOB LOCATION <i>4264 N. 27th St.</i>	
	JOB PHONE <i>(414) 445-2161</i>	DATE OF PLAN

We hereby submit specifications for:

*Roy's Plumbing, Inc. Proposes to complete the following*

*To properly repair the building storm sewer. To dig up the ground between the curb and the building and to repair the storm sewer. To remove the defective area and make sure the sewer is clean and in proper working order.*

*Total labor, material & permit fee \$3100.00*

We propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

*Thirty one hundred dollars* dollars (\$ *3100.00*)

Payment to be made as follows:

*\$1550 down, and the balance of 1550 upon completion of work.*

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent on strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature

Note: This proposal may be withdrawn by us if not accepted within 30 days.

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 \_\_\_\_\_

Date of acceptance: \_\_\_\_\_

Signature \_\_\_\_\_

# CONTRACT

## Rickey's Plumbing & Heating Service, LLC

3808 West Elm Street | Milwaukee, WI 53209

### MAIL PAYMENT TO:

PMB 128 | 3900 W. Brown Deer Rd, Ste A | Brown Deer, WI 53209  
414.397.1345 | srsnelson67@yahoo.com

Rickey & Shivonni Nelson, Owners



NAME <i>N Hibbler &amp; Assoc, LLC</i>	PHONE <i>(414) 264-2812</i>	DATE <i>Nov. 28, 2017</i>
ADDRESS <i>5464 N. Fort Washington Rd</i>	JOB NAME/CONTACT <i>Paula Nelson</i>	
CITY, STATE AND ZIP CODE <i>Milw. WI 53217</i>	JOB ADDRESS <i>4264 N. 27th St.</i>	
	JOB PHONE <i>445-2161 - Greg Thomas</i>	

*Rickey's Plumbing & Heating Service, LLC, proposes to complete the following*

*To properly repair the Building Sewer (storm). To dig up a round between curb and building and to repair the storm sewer. To remove the defective area and make sure the sewer is clean and in proper working order.*

*Total labor, material & Permit fee \$ 3500.00*

**NOTE:** Where additional charges can occur: if the storm sewer or sanitary sewer is damaged by the leaking water service or storm sewer is located in excavation and needs to be removed for repair — \$150 per sewer is additional.

**NOTE:** All water service placements and repairs excludes grass replanting and/or shrub replacement.

**NOTE:** Price does not include any plastering, painting, or wall repair, unless specified in specifications.

For the Sum of: \$ *Three thousand five hundred* (\$ *3500.00*)

Payments not made within 15 days of the final payment is subject to a 1% per month interest charge.  
Payment to be made as follows: *one half down and balance upon completion of work*

All material is guaranteed by manufacturers written warranty. All work to be completed in a workman-like manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the contract and based on time and materials. All agreements contingent on strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

**Acceptance of Contract.** The above prices, specifications and conditions are approved and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. I am hereby notified of Rickey's Plumbing & Heating Service, LLC, (in rights if payment in full is not made as agreed. Further, I will be liable for any and all reasonable attorney fees and costs if legal action should arise if I/we do not comply with the terms and payments) of this contract.

Date of acceptance: \_\_\_\_\_

Authorized Signature \_\_\_\_\_

Note: This contract may be withdrawn by us if not accepted within 30 days.

Signature *[Signature]*

*Aloria*  
**FAX COVER SHEET**

**ROY'S PLUMBING, INC.  
1830 WEST HAMPTON AVENUE  
POST OFFICE BOX 091003  
MILWAUKEE, WI 53209-1003**

OFFICE OF  
CITY ATTORNEY

2017 DEC 18 AM 7:01

CITY OF MILWAUKEE  
RECEIVED

**TO:** *Claims  
The city clerk*

**PHONE #:** (414) 286-2221

**FAX #:** (414) 286-3456

**FROM:** **ESSIE ZOLLIFFER**

**PHONE#:** (414) 264-2812

**FAX #:** (414) 264-7444

**DATE:** *Dec. 13, 2017*

**RE:** *Claims*

**NUMBER OF PAGES INCLUDING  
COVER SHEET:**

**MESSAGE: PLEASE CALL TO  
CONFIRM RECEIPT.**

CITY OF MILWAUKEE  
2017 DEC 15 A 10:00  
CITY CLERK'S OFFICE



**N Hibbler & Associates, LLC.**  
**5464 North Port Washington Road**  
**Milwaukee, Wisconsin 53217**

November 28, 2017

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

To Whom it may concern:

Re: 4264 North 27<sup>th</sup> Street

N Hibbler & Associates, LLC is filing a claim against the City of Milwaukee for damage done to the building storm sewer at the above referenced address during August 2017. The sewer at that building is piped from the south downspout to west of the building main sewer North of 27<sup>th</sup> Street.

During the month of June 2017 Roy Nelson, managing member for N Hibbler & Associates, LLC and also a licensed plumber was notified that the city believed that the sewer was broken. Mr. Nelson had hand dug down to the sewer at the east/west connection and utilized a video camera to inspect the sewer. At that time the sewer was operating correctly and was free of obstruction.

Around the middle of August, the City of Milwaukee had a new storm sewer installed in the street which seem to be connected to that 6" storm sewer at 4264 North 27<sup>th</sup> Street. The caretaker of that building says that the city workers had used their machine and dug down in that area in front of the building between the curb and sidewalk which is the same area that is damaged now. On August 31, 2017 when Mr. Nelson had met with the City of Milwaukee Plumbing Inspector to look at the sewer again utilizing a video to do a camera recording of the sewer activity at 4264 North 27<sup>th</sup> Street, the camera was only able to video to only about 50 to 60 feet when the cable of the video ran into mud.

Because of all of the reasons stated above, I believe that the City of Milwaukee sewer workers damaged the sewer at the above named property. Therefore, I am filing this claim for damages in accordance with the written instructions I was provided.

Sincerely,



Paula Nelson, member  
(414) 264-2812

# Proposal

## Roy's Plumbing & Heating Service, LLC Inc.

REPAIRS • REMODELING • WATER & DRAIN CONNECTIONS  
 24 HOUR EMERGENCY SERVICE  
 ALL MAJOR CREDIT CARDS ACCEPTED  
 175613 1830 W. Hampton 53217  
 P.O. Box 891888 • Milwaukee, WI 53209-1003  
 (414) 264-2812 • FAX (414) 264-7444



SUBMITTED TO

N Hebler's associates, LLC

PHONE

(414) 264-2812

DATE

Nov, 28, 2017

STREET

5464 N. Port Washington Rd

JOB NAME

Paula Nelson

CITY, STATE AND ZIP CODE

Milwaukee, WI 53217

JOB LOCATION

4264 N. 27th St.

JOB PHONE

(414) 445-2161

DATE OF PLAN

We hereby submit specifications for:

Roy's Plumbing, Inc. Proposes to complete the following

To properly repair the building storm sewer. To dig up the ground between the curb and the building and to repair the storm sewer. To remove the defective area and make sure the sewer is clean and in proper working order.

Total labor, material & permit fee

#3100.00

We propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

Thirty one hundred dollars

dollars (\$ 3100.00 )

Payment to be made as follows:

#1550 down, and the balance of 1550 upon completion of work.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent on strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature

Note: This proposal may be withdrawn by us if not accepted within 90 days.

**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 \_\_\_\_\_

Date of acceptance: \_\_\_\_\_

Signature \_\_\_\_\_

# CONTRACT



## Rickey's Plumbing & Heating Service, LLC

3808 West Elm Street | Milwaukee, WI 53209

**MAIL PAYMENT TO:**PMB 128 | 3900 W. Brown Deer Rd, Ste A | Brown Deer, WI 53209  
414.397.1345 | srsnelson67@yahoo.com

Rickey &amp; Shivronni Nelson, Owners



NAME

N. Hibbler & Assoc., LLC

PHONE

(414) 264-2812

DATE

Nov. 28, 2017

ADDRESS

5464 N. Port Washington Rd

JOB NAME/CONTACT

Paula Nelson

CITY, STATE AND ZIP CODE

Milw. WI 53217

JOB ADDRESS

4264 N. 27th St.

JOB PHONE

445-2161 - Greg Thomas

Rickey's Plumbing & Heating Service, LLC. Proposes to complete the following:

To properly repair the Building Sewer (storm). To dig up a round between curb and building and to repair the storm sewer. To remove the defective area and make sure the sewer is clean and in proper working order.

Total labor, material & Permit fee \$ 3500.00

**NOTE:** Where additional charges can occur: If the storm sewer or sanitary sewer is damaged by the leaking water service or storm sewer is located in excavation and needs to be removed for repair — \$150 per sewer is additional.

**NOTE:** All water service placements and repairs excludes grass replanting and/or shrub replacement.

**NOTE:** Price does not include any plastering, painting, or wall repair, unless specified in specifications.

For the Sum of: \$ Three thousand five hundred (\$ 3500.00)

Payments not made within 15 days of the final payment is subject to a 1% per month interest charge.

Payment to be made as follows: one half down and balance upon completion of work

All material is guaranteed by manufacturers written warranty. All work to be completed in a workman-like manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the contract and based on time and materials. All agreements contingent on strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Date of acceptance: \_\_\_\_\_

Authorized Signature \_\_\_\_\_

Note: This contract may be withdrawn by us if not accepted within 30 days.

Signature [Signature]

Acceptance of Contract. The above prices, specifications and conditions are approved and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. I am hereby notified of Rickey's Plumbing & Heating Service, LLC, left rights if payment in full is not made as agreed. Further, I will be liable for any and all reasonable attorney fees and costs if legal action should arise if I do not comply with the terms and payments) of this contract.