

Jeffrey L. Miller
1924 W. Clayton Crest Avenue
Milwaukee, WI 53221
(414) 423-5273

December 10, 2002

Mr. Grant F. Langley
Office of City Attorney
City of Milwaukee
800 City Hall
200 E. Wells Street
Milwaukee, WI 53202-3551

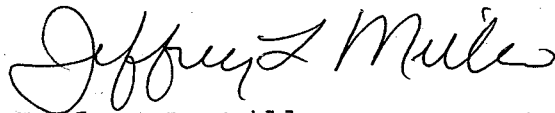
Re: C.I. File No.: 02-S-338
Sewer Damage of Jeffrey & Dotty Miller

Dear Mr. Langley:

We received your letter of November 25, 2002 (copy enclosed) and were very disappointed with the results of your decision.

Per your letter, we would like to exercise our right to appeal this decision and request a hearing. Please let us know when this can be accomplished. We look forward to hearing from you.

Very truly yours,



Jeffrey L. Miller

JLM:dm

cc: Mr. Jeffrey Pawlinski
Mr. Daniel J. Mervin

cc: Mr. Jeffrey Pawlinski

cc: Mr. Daniel J. Mervin

Jeffrey L. Miller
1924 West Clayton Crest Avenue
Milwaukee, WI 53221
(414) 423-5273

CITY OF MILWAUKEE

2002 OCT 11 PM 2:19

RONALD D. LEONHARDT
CITY CLERK

October 9, 2002

CITY CLERK
ATTN: CLAIMS
200 E. Wells Street, Room 205
Milwaukee, WI 53202-3567

Re: Sewer Problems in our Area and at our Property Located
At 1924 W. Clayton Crest Avenue, Milwaukee, WI 53221
Date of Event: Sunday, September 29, 2002

Dear Clerk:

On Sunday, September 29, 2002 at approximately 8:45 a.m. we experienced sewer seepage out of our basement drain. We immediately called the emergency service number for Flat Rate Plumbing. They arrived at 9:45 a.m. that morning. The plumber spent 1½ hours auguring the sewer lateral out to South 20th Street. He told us that he went out 140 feet and could not find any problem at that time. The sewer seepage continued. He informed us that this was a City of Milwaukee Sewer problem and advised us to call the sewer department number. We called that number and were transferred to the City of Milwaukee Emergency number at City Hall. They sent out an emergency crew to check on what was blocking our sewer main. They arrived at about 11:30 a.m. and checked the sewer mains all around our neighborhood. All this time the main was backing up and pumping raw sewage into our basement at an extremely fast rate. My wife and I bailed raw sewage from our basement as fast as we could. Several times we talked to the investigator at the scene and he advised they were working on the problem. Around 1:30 p.m. the seepage was so bad that my wife and I were bailing water into large garbage cans as fast as we could and four other people had to help us. The water also was coming out of the sewer overflow drain and running like a stream through our basement into the drain that was clogged.

All this time my wife and I were having 18 people over for the Packer Game and for lunch because it was her birthday party. We were told not to flush toilets or let water down any drains in the house. At all times we had people checking on the situation and the sewer dept. kept telling us they were working on the problem, which they were.

By the time they remedied the situation it was 9:30 p.m. that evening. My guests were gone by then and my toilets were full, dishes were piled-up and my house was dirty from the constant up and down the stairs with the sewage. This is when the clean up started. We mopped and disinfected the basement 2 times that evening and once again the next day. It still smells of sewage.

02 OCT 11 PM 3:34
OFFICE OF
CITY ATTORNEY
CITY OF MILWAUKEE
RECEIVED

Unfortunately, this is not the first time this has happened to us at this house. The first time was on July 4, 2000. We cut short a vacation we were taking up north when my sister called and informed us that there was flooding and damage on S. 20th Street and W. Klein Avenue. We came home that morning to 1 foot of raw sewage in our basement. When it finally went down (by itself this time) we had to buy a new washer and dryer and because of the flooding we had major repairs to our furnace and water heater and we are not even counting the countless personal items ruined in the mess (i.e. Christmas decorations, personal pictures, bowling bags, shoes, balls, etc.). Although we did not file a written claim with the City at that time, the City was on notice of problems at our house and at other houses in our neighborhood. We had no insurance and all this came out of our pockets.

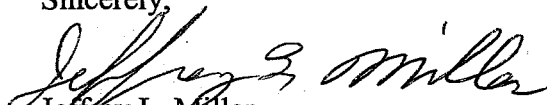
Had we not been home this past Sunday, the damage would have been much worse than it already is. We paid \$603.00 for a plumber to come out on a Sunday and tell us the problem wasn't our house, it was the City's sewer system. We paid \$402.00 for the carpet cleaners to come and disinfect and clean all the dirty carpeting from going up and down the stairs with the buckets of sewage, during the 12 hours my husband and I bailed water and sewage to save our basement.

As a consequence of the above, we ask that the City reimburse us the following expenses (copies of invoices attached):

Flat Rate Plumbing (invoice attached)	\$603.08	9/29/02 Damages
Stanley Steemer (invoice attached)	\$402.34	9/29/02 Damages
Cleaning supplies	\$ 50.00	9/29/02 Damages
Our time and energy saving our basement because if we hadn't done so, the damage would have been substantially higher (i.e. lost washer/dryer again)		
12 hours x 2 = 24 hrs x \$20.00/hr. = \$480.00		9/29/02 Damages
Damage from Flood of July 4, 2000		
No Insurance (we paid out of our own pockets)		
New Washer and Dryer	\$752.84	7/04/00 Damages
Furnace was flooded and we had Iron Fireman at our home 3 times before problem was resolved	\$350.00	7/04/00 Damages

Last but not least, we want to be assured that something like this will NEVER happen to us again. Is something wrong with the configuration of the street or sewer system that makes it so that we get the brunt of this sewage? Please do something to stop this from happening to us again.

Sincerely,


Jeffrey L. Miller

Enclosures

Cc: Mr. Daniel J. Mervin
Sewer Services District Manager Senior



FLAT RATE

24 HOUR SERVICE

PLUMBING • HEATING • COOLING
SEWER & DRAIN CLEANING

Waukesha County, Racine & Kenosha County
 258-7711 789-1830 552-7200
 MAIN OFFICE: 12900 W. NATIONAL AVE., NEW BERLIN, WI 53151
 WISCONSIN MASTER PLUMBER'S LICENSE NO. 224535

Work Order / Invoice 42030

DATE	9/29/02	S.O. #	54782	BILL TABLE	13
NAME	MILLER, JEFF			Pay Code	
ADDRESS	1924 W. CHANTON COURT			Office Use	
CITY, STATE, ZIP	MILWAUKEE, WI 53221				
HOME PHONE	423-5273		WORK PHONE		

Make	Model	OS	Serial #

WARNING - The hot water in your dwelling should not exceed 120 degrees F. Water temperature exceeding 120 degrees F. can cause scald burns. You can measure the temperature of your hot water with a thermometer. To prevent scald burn injuries read the danger label and user manual before adjusting temperature control. At your request, we can provide this service at a nominal fee.

Task #	71003	Premium Rate	509.50	Standard Rate	454.08	Value Rate	380.16
<p>Attempt to clear house sewer RAN LARGE RIDGED MACHINE THRU F.C.O. 130' NO RESISTANCE - ALSO RAN THRU REAR STACK C.O. X75'</p>							

Task #		Premium Rate		Standard Rate		Value Rate	
<p>(RECOMMEND OWNER TO CALL CITY)</p>							

My wife can be reached during business hours at (414) 271-6560. Her name is Doty Mulio.

WORK AUTHORITY
 authorized representative to perform. If you could be liable for any damage or court costs, hereby authorize the undersigned to accept any and all responsibility for any damage or destruction to same as a result of conventional repair efforts. I, the undersigned hereby agree that in the event of default in the payment of any amount due, and if this account is placed in the hands of a collection agency or attorney for collection or legal action, to pay and additional charge equal to the cost of collection including agency and attorney fees and court costs included.

SIGNATURE X *Jeffrey E. Miller*

WARRANTY

- All material supplied by Flat Rate are covered by the manufacturer's written warranty.
- Workmanship Warranted For 90 Days Unless Otherwise Marked.

30 Days 1-Year 2-Years

No Warranty

PAID BY:

Cash Check # 4789

VISA MASTERCARD DISCOVER

Card # _____ Exp. _____

Auth. No. _____

Tech Name / Number *LS #11*

ACCEPTANCE OF WORK PERFORMED: I find the service and materials rendered and installed in connection with the above work mentioned to have been completed in a satisfactory manner. I agree that the amount set forth on this contract in the space labeled "TOTAL" to be the total and complete flat rate / minimum charge. I acknowledge that I have read and received a legible copy of this contract.

ACCEPTANCE SIGNATURE: *Jeffrey E. Miller*

Value Rate	
AGREEMENTS	
dered	
Do you want your old parts?	
<input type="checkbox"/> REMOVE SCRAP	<input type="checkbox"/> LEAVE SCRAP
SERVICE CALL INCLUDES TRAVEL FEE	149
DIAGNOSTIC FEE	
PROPOSAL #	454.08
PROPOSAL #	
COUPON / DISCOUNT	
TOTAL JOB	603.08
DEPOSIT	
AMOUNT DUE	603.08



Stanley Steemer of Milwaukee
 5135 S. Emmer Dr.
 New Berlin, WI 53151
 (262) 784-4339

TECHNICAL DIRECTOR: GENTLE ON CARPET®

NAME: Doty Miller

ADDRESS: 1924 W. CLAYTON CREST

Residential

Commercial

CITY/STATE/ZIP: MILWAUKEE, WI 53221

Estimate

PH#: _____ 2nd # _____

Courtesy Call

COMMENTS / INSTRUCTIONS

W/ 1 year R. of finisher in BR & BDR window is broken. Ketcher. Heavy wear on steps had emergency to

PERSONAL HOME ANALYSIS

- What is the approximate age of the carpet/upholstery to be cleaned? 5 yrs
- Have you ever had your carpet/upholstery cleaned professionally? Yes No
- How often do you clean your carpet/upholstery? 6 Mo. 1 Yr. Other: days
- Have you ever had your carpet/upholstery treated with a protector? Yes No
- Have you ever used any type of carpet/upholstery deodorizer? Yes No
- Do you have a product to treat accidental spills? Yes No
- Are there any difficult spots or areas that need special attention on any of your carpet or upholstery? Yes No
- Do you have pets? Yes No

TECHNICIAN'S CARPET ANALYSIS

- Sun fading of carpet or upholstery.
- Stains on baseboards.
- Carpet splitting and separation of seams due to poor installation.
- Excessive soap prior to our cleaning.
- Mildew stains.
- Assorted colored spots permanent discoloration soda orange juice cosmetics
- Excessive carpet wear and fiber breakdown.
- Furniture stains.
- Animal stains/pet odor.
- Carpet smells or ripples due to poor installation.
- Carpet nap runs in opposite direction. May show up as dirty.
- Other: _____

Explained protection.

Raked all cleaned areas.

Protective coasters and blocks put in place.

Leave in place for _____ days.

Customer initials: _____

TRUCK	ENGINE	MILEAGE	METER	GAUGE	GRAB	WATER	WAX	DISINFECTANT	OTHER
4	101010	7570	25143						

Office: _____

ITEMS/AREAS	CLEAN	PROTECT	DEODORIZE	TOTAL
BR & BDR	1600	10800	10800	
Living Room				
Dining Room				
Bedroom				
Staircase				
Other				
TOTAL				28134

Think you'll be happy!

Carpetts loose at seams by along walls or concrete floors or that have been incorrectly or defectively installed, are cleaned at customer's risk. Carpetts that have been exposed to pets may sometimes not be able to deodorize effectively. Any questions concerning our workmanship must be reported within 10 days after completion of work or will be subject to a service charge at our option.

WARNING: Customer acknowledges being informed and understands that carpetts may be damaged during and after cleaning and that care should be taken in stepping onto non-carpetted surfaces to avoid slipping and hereby releases Stanley Steemer from any and all liability for injuries which might be sustained as a result thereof. I HAVE READ AND FULLY UNDERSTAND THE ABOVE.

Customer's Signature: Doty Miller

Tenant Payment due upon completion of work.

Your next cleaning is due on: _____ That date has been: Scheduled Not Scheduled

76446

9025796



CUSTOMER NAME		
ADDRESS		
CITY, STATE, ZIP		
HOME PHONE		WORK PHONE
QTY	PRICE	MODEL NO.

SPECIAL INSTRUCTIONS _____

MANAGER _____

WELCOME TO BEST BUY #25
 GREENFIELD, WI 53220
 (414)281-3434

0025 063 4550 07/04/00 11:20 0175657

SALE

	DELIVERY	29.95
ORDER #	25299524	
2633038	14146	14.99
3580459	HAUL AWAY	10.00
3580459	HAUL AWAY	10.00
3882944	LSR8233J0	332.99
3884748	LGR4634J0	314.99

SUBTOTAL 712.92
 SALES TAX 5.60 % 39.92

 TOTAL 752.84

372815503863012 AMEX 752.84
 D MILLER
 EXP 03/02 APPROVAL 908467

KEEP YOUR RECEIPT!
 I HAVE READ AND AGREED TO ALL RETURN AND REFUND POLICIES PRINTED ON THE BACK OF THIS RECEIPT AND POSTED IN THE STORE. I HAVE RECEIVED GOODS AND/OR SERVICES IN THE AMOUNT SHOWN ABOVE

BESTBUY.COM RETURN AND EXCHANGE INFORMATION AND PRICE MATCH POLICY MAY VARY SLIGHTLY FROM IN-STORE POLICY. PLEASE LOG ONTO WWW.BESTBUY.COM FOR COMPLETE DETAILS.

<<<< FORM COPY >>>>

CUSTOMER SIGNATURE J. Miller

CUSTOMER



IRON FIREMAN

UNIQUE INDOOR COMFORT

3707 NORTH RICHARDS STREET
 MILWAUKEE, WI 53212-1669
 PHONE (414) 963-2200 • FAX (414) 963-2214
 Boilers • Furnaces • Humidifiers • Space-Pak
 Electric Heat • Air Conditioners • Electronic Filters
SALES • INSTALLATIONS • SERVICE

DATE 10/27/00
 WORK ORDER NUMBER
SC YES NO

NAME MILLER
 ADDRESS 1924 W CLAYTON CREST
 CITY MILWAUKEE ST WI ZIP 53214
 PHONE 423-5273 ALT. PHONE

BILL TO
 ADDRESS
 CITY ST ZIP
 JOB COMPLETED JOB NOT COMPLETED

INSTALLATION START-UP SHOP
 WARRANTY C/B - N/C 1 2 3 4 5 SERVICE POLICY

CHARGES **EQUIPMENT DESCRIPTION**

DATE	SRV. REP.	START TIME	STOP TIME	WORK CODE	HOURS	LABOR CHARGE
10/27/00	MATT	8:42	9:00		1.4	
		2042	2106			

MATERIAL	EQUIPMENT DESCRIPTION
350.00	MAKE <u>TRIAD</u>
	MODEL <u>GW-1553R</u>
	SERIAL <u>21216</u>
LABOR	MAKE
	MODEL
	SERIAL
MISC.	MAKE
	MODEL
	SERIAL
SUB TOTAL	MAKE
350.00	MODEL
	SERIAL
TAX	MAKE
	MODEL
	SERIAL
TOTAL DUE	MAKE
\$ 350.00	MODEL
	SERIAL
AMOUNT PAID	MAKE
350.00	MODEL
	SERIAL
CREDIT	MAKE
	MODEL
	SERIAL
BALANCE DUE	MAKE
\$ 0	MODEL
	SERIAL

QTY.	PART NO.	DESCRIPTION	UNIT PRC	TOTAL PRC
		3x CALL BACK DIA N/A		
		HWC OA1088 GAS VALVE	350.00	
		CTRO17 GAS VALVE		

ALL SERVICE WORK C.O.D.
 1 1/2 % charge per month on unpaid balance after 30 days.
 I have checked and found material and labor correct.
30 DAY LABOR WARRANTY / 90 DAY PARTS WARRANTY
 CUSTOMER SIGNATURE: [Signature]

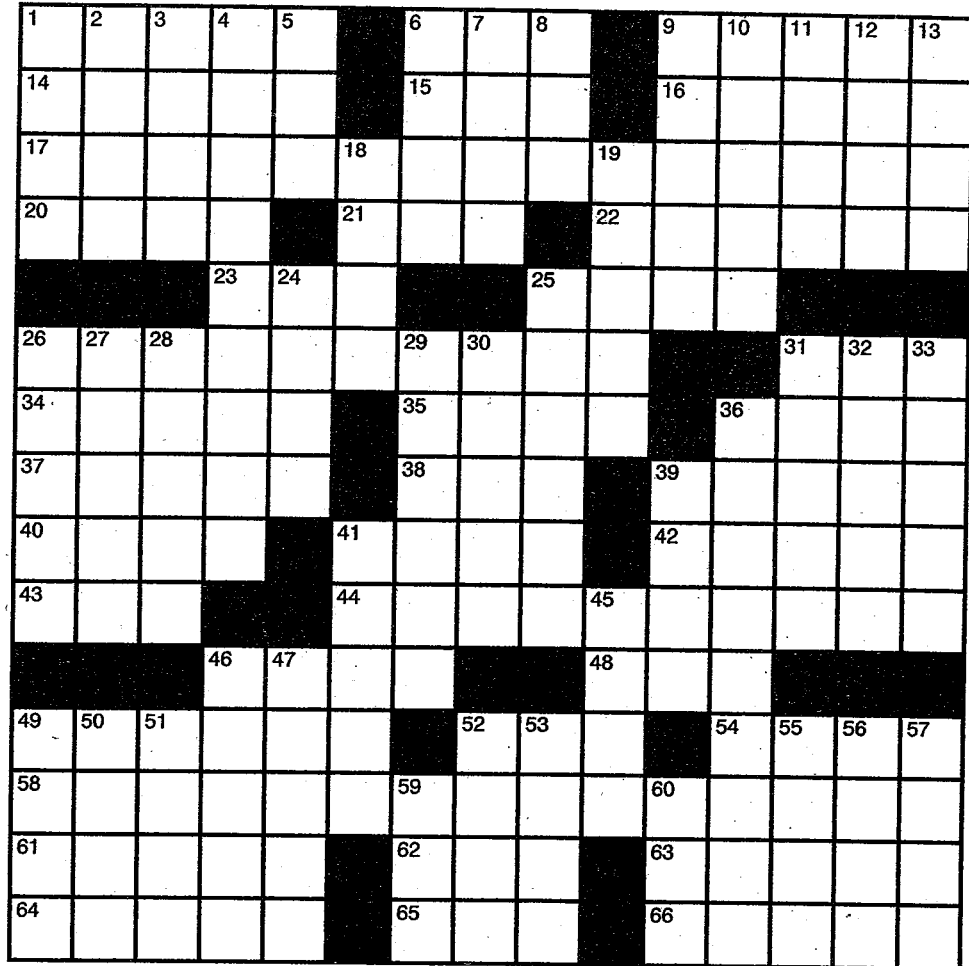
TOTAL MATERIAL ▶ \$

CALL DESCRIPTION: fire
 WORK PERFORMED: checking gas valve burning at burner front. replaced gas valve

METHOD OF PAYMENT	
CASH	
CHECK	4326
CHRG	
NO.	
CODE	
TT	0.0
LBT	1.4
PC	

IN THE BREAD BASKET

By Jonathan Schmalzbach



ACROSS

- 1 City destroyed by Saladin
- 6 Harley, to a Hell's Angel
- 9 Eliot's cruel month
- 14 Chief tributary of the Lena
- 15 Next to nothing
- 16 Flora and fauna
- 17 Happy hour move
- 20 Dates
- 21 Where Carnival is celebrated
- 22 Raffles, et al.
- 23 Fruit of the coop
- 25 Pervasive atmosphere
- 26 Visceral intuition
- 31 Summer clock initials
- 34 Type of elephant
- 35 Nuptial vows
- 36 Let ___ sigh of relief
- 37 Respond
- 38 Majolica metal
- 39 Father of Aaron and Moses
- 40 NHL superstar Pavel
- 41 Chinese island
- 42 Chophouse offering
- 43 Bath, e.g.
- 44 Cosmetic surgeon's jobs
- 46 Uraeus adornments
- 48 Sturm ___ Drang
- 49 ___ by Starlight
- 52 Big ___
- 54 RR stops
- 58 Gastronomic asset
- 61 Pretended
- 62 The late wealthy Walton
- 63 Bushmaster?
- 64 Double this for comfort
- 65 Product stripes: abbr.
- 66 PC do it key

DOWN

- 1 Montreal skaters
- 2 No-wind location
- 3 At a standstill
- 4 Mask
- 5 Whichever
- 6 Southwest tribe
- 7 Unfooled by
- 8 Chevy model
- 9 Abominate
- 10 1964 World's Fair attraction

- 11 Scalia's wear
- 12 Type type: abbr.
- 13 ___ Porsena: Etruscan king
- 18 Yen
- 19 Goons
- 24 Classy chap
- 25 False name
- 26 Costume shop offering
- 27 Deplete
- 28 Glittery headpiece
- 29 Acid test?
- 30 Bit of local lingo
- 31 Large swine
- 32 Reeked
- 33 Subdues
- 36 University complaint investigator, e.g.
- 39 Memo abbreviation
- 41 For face value
- 45 Mongolian tent
- 46 Take up, e.g.
- 47 Chute
- 49 Amscray!
- 50 Item on a Porsche dash, informally
- 51 Punta del ___

- 52 Piece of cake
- 53 Parris Island letters
- 55 Stretched tight
- 56 Parcel unit
- 57 ___-Pei: wrinkly pooch
- 59 Buckeyes' sch.
- 60 Greco shout

12/12

Wednesday's Puzzle Answer

L	I	M	A		E	L	A	N		A	S	P	I	C
O	V	A	L		M	E	R	E		S	P	A	D	E
F	A	L	L	R	I	V	E	R		T	R	I	L	L
T	N	T		A	G	E		D	R	E	I	D	E	L
				S	T	R	E	W		E	R	N		
B	E	M	U	S	E		A	V	E	N	G	E	R	S
A	L	A	M	O		B	R	E	D		F	L	A	T
S	L	I	M		T	A	R	T	S		I	O	T	A
E	I	N	E		A	L	A	S		R	E	P	O	T
D	E	E	R	S	K	I	N		S	E	L	E	N	E
				V	E	E		T	R	E	N	D		
D	E	F	I	A	N	T		U	T	E		E	T	S
E	V	I	L	S		W	I	N	T	E	R	S	E	T
C	E	L	L	O		I	D	O	L		O	P	R	Y
A	R	L	E	N		N	O	N	E		D	Y	N	E

12/11