

February 24, 2003

Honorable Common Council  
City Hall, Room 205

**Re: Resolution authorizing cancellation of Department of Public Works Invoice  
No.  
80093 in the amount of \$5,775.30 billed to William J. Olbrantz and  
Sanfellippo  
Cab, Inc.**

Dear Committee Members:

Attached is the resolution authorizing cancellation of a portion of Invoice No. 80093 in the amount of \$5,775.30 billed to William J. Olbrantz and Sanfellippo Cab, Inc. A motor vehicle accident occurred on March 11, 2000 at the intersection of West Greenfield Avenue and South 5<sup>th</sup> Street causing damage to a traffic control cabinet. The City of Milwaukee, Department of Public Works replaced the ten-year old damaged traffic control cabinet with a "state of the art" computer upgraded control cabinet.

Invoice No. 80093 was billed in the amount of \$8,325.30 for the new cabinet. The matter was referred to the Kohn Law Firm for collection, after which it was determined that the City's witness against the alleged tortfeasor, William J. Olbrantz, was the driver for Sanfellippo Cab, Inc. The driver has returned to his home country and now resides outside the United States.

The Kohn Law Firm has settled the matter with Joe Sanfellippo Cab, Inc. for \$1,750.00 and William J. Olbrantz for \$800.00, for a total of \$2,550.00. The City is not entitled to receive the entire cost of the "state of the art" replacement traffic control cabinet, but only the cost of replacing traffic the 10-year old damaged cabinet.

In view of the facts, it is deemed the settlement of this matter is expeditious to the City of Milwaukee and we therefore recommend passage of this resolution.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

BEVERLY A. TEMPLE  
Assistant City Attorney

GFL:BAT:wt:64207  
Enclosure