

OCTOBER 17, 2016

CITY OF MILWAUKEE
2016 OCT 18 P 3:19
CITY CLERK'S OFFICE

CITY CLERK
ATTN: CLAIMS APPEAL
200 EAST WELLS STREET, ROOM 205
MILWAUKEE, WISCONSIN 53202-3567

RECEIVED

OCT 19 2016

OFFICE OF
CITY ATTORNEY

RE: C.I. FILE NO. 1030-2016-2052

I VANESSA MccOY REQUEST AN APPEAL OF THE CITY ATTORNEY'S DECISION
REGARDING MY DAMAGED DRIVEWAY.

THANKYOU



VANESSA MCCOY
5265 N TEUTONIA AVE.
MILWAUKEE, WI 53909-4818
414/463-2367 HOME
414/795-2465 CELL

To: City Clerk
ATTN: CLAIMS

200 E. Wells St Rm 205
Milwaukee, WI 53202-3547

CITY OF MILWAUKEE

2016 OCT -5 AM 10: 58

CITY CLERK'S OFFICE

From: Vanessa McCoy
5265 N. Teutonia Ave.
Milwaukee, WI 53209
414-463-2367

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OCT 5 - 2016

OFFICE OF
CITY ATTORNEY

On September 12, 2016, between the hours of 12 noon and 1 p.m., a garbage truck pulled into my driveway off the alley and turned around. The truck damaged the concrete by tearing the whole concrete floor up along with the sidewalk next to it. The sidewalk is cracked and pushed up out of its foundation. My neighbor called to let me know what happened to my driveway. I have to park in the gravel and grass next to my driveway. The driver pulled the truck in front of my neighbor's home on 31st Street. The supervisor came and talked to the driver and my neighbor said she would contact me. My neighbor called me at 1:30 pm. When I got home at 1:45 pm, the supervisor and driver was gone. I took pictures of the damage, then Brian D. arrived and gave me a claim form for damages. He is in fleet operations and he told me to get 2 estimates. I finally got the estimates after calling, talking too, waiting on, no call backs, schedules being too full. I went through a lot just to get the estimates. I am asking for monetary damages of \$5,000 based on estimates I have received and the one I believe will do the best job and is accredited with the BBB. Also for my inconvenience and the driver's mistake, he should have known better. I hope to have my driveway repaired as soon as possible. I have talked to every contractor that I've talked to are already booked for several months. So a speedy response would be appreciated. I'm sending 2 estimates with this letter.

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OCT 5 AM 10: 58
CITY CLERK'S OFFICE
MILWAUKEE

Vanessa McCoy
Cell: 414-795-2465

H. FROEBEL & SON, INC.

5686 N. Teutonia Avenue
 Milwaukee, WI 53209
 414-461-0482
 fax 414-461-0486

PROPOSAL

DATE	PROPOSAL#
9/27/2016	14270 K

NAME & ADDRESS
VANESSA MC COY 5265 N. TEUTONIA AVE. MILWAUKEE, WI 53209

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 CITY ATTORNEY

TELEPHONE #	TERMS	RETURN BY	PROJECT LOCATION
795-2465	Payment upon receipt of billing	10/27/2016	SAME

DESCRIPTION OF WORK

WE ARE PLEASED TO QUOTE THE FOLLOWING WORK AT 5265 NORTH TEUTONIA.

REMOVE AND REPLACE 18' X 26' AREA OF DRIVEWAY DAMAGED BY CITY. INSTALL 5" THICK CONCRETE REINFORCED WITH 6 X 6 10-10 MESH. REMOVE ALL DEBRIS FROM SITE. ALL CONCRETE 4000 PSI LOW CHERT MIX. TOTAL COST \$4212.00

AUTHORIZED SIGNATURE



AS REQUIRED BY THE WISCONSIN CONSTRUCTION LIEN LAW, BUILDER HERBY NOTIFIES OWNER THAT PERSONS OR COMPANIES FURNISHING LABOR OR MATERIALS FOR THE CONSTRUCTION ON OWNER'S LAND MAY HAVE LIEN RIGHTS ON OWNER'S LAND AND BUILDING IF NOT PAID. THOSE ENTITLED TO LIEN RIGHTS, IN ADDITION TO THE UNDERSIGNED BUILDER, ARE THOSE WHO CONTRACT DIRECTLY WITH THE OWNER OR WHO GIVE THE OWNER NOTICE WITHIN 60 DAYS AFTER THEY FIRST FURNISH LABOR OR MATERIALS FOR THE CONSTRUCTION. ACCORDINGLY, OWNER PROBABLY WILL RECEIVE NOTICES FROM THOSE WHO FURNISHED LABOR OR MATERIALS FOR THE CONSTRUCTING, AND SHOULD GIVE A COPY OF EACH NOTICE RECEIVED TO HIS MORTGAGE LENDER, IF ANY. BUILDER AGREES TO CO-OPERATE WITH THE OWNER AND HIS LENDER, IF ANY, TO SEE THAT ALL POTENTIAL LIEN CLAIMANTS ARE DULY PAID.

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 _____



CONSTRUCTION

No. C6029

CONCRETE CONTRACT AND AGREEMENT

N140 W18726 Cedar Lane
Richfield, WI 53076
(262) 677-2500
Fax (262) 677-2507
www.jbsconstruction.net

Purchaser: Wanda McCarty Date: _____

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Work Site Address: 5219 N Dubuque Ave, Dubuque, WI 53009
Number and Street, City, State, Zip

OCT 5 - 2016

Cell Phone Number _____ Work or Home Phone Number _____ E-mail address _____
OFFICE OF CITY ATTORNEY

The undersigned hereby requests JBS CONSTRUCTION, LLC, hereafter called the "Contractor", to furnish all labor and material necessary to install, construct, and place the improvements described and checked herein.

Regular Concrete: Installation includes stone base and rebar for sidewalks and wire mesh for all other applications. Low chert, 4500 psi concrete poured five inches thick.

Decorative (colored) Concrete: Installation includes stone and 0.5 inch rebar base with 4500 psi integral color, low chert concrete poured five inches thick.

FIRST AREA: Concrete: Regular or Decorative - Color: _____ Stamp: _____ Release: _____
Form: Driveway Sidewalk Patio Garage Floor Approach Stoop(s)-Quantity: _____ Step(s)-Quantity: _____
Finish: Hand tooled joints Checker board broom finish Stamped finish Sealer
Borders (if any): 18X26 Shadow box

Removal of existing area - type: Concrete Asphalt Gravel Grass Other _____
NOTES: _____ PRICE: \$ 21680.00

SECOND AREA: Concrete: Regular or Decorative - Color: _____ Stamp: _____ Release: _____
Form: Driveway Sidewalk Patio Garage Floor Approach Stoop(s)-Quantity: _____ Step(s)-Quantity: _____
Finish: Hand tooled joints Checker board broom finish Stamped finish Sealer
Borders (if any): _____ Shadow box

Removal of existing area - type: Concrete Asphalt Gravel Grass Other _____
NOTES: _____ PRICE: \$ _____

Amount of down payment received: \$ _____ Total balance due at completion: \$ _____

- Contractor will do said work in a good and workmanlike manner. The Purchaser agrees to pay for the above work, complete, as specified above, on Completion.
- (A) Contractor shall not be responsible for damages or delay due to strikes, fires, accidents or other causes beyond his reasonable control. Contractor is not responsible for concrete color variations due to weather conditions or batch material variance.
- (B) Purchaser is dealing with the Contractor as principal and that the Contractor is not acting hereunder as the agent or representative of any person, firm, or corporation.
- (C) Contractor is not responsible for hairline cracks or for repairing lawn areas by installed concrete.
- (D) Contractor is not responsible for peeling beyond contractors control or scaling caused by salt.
- (E) Purchaser agrees that the equity in this property is secured for this contract that property will not be sold or title transferred until full payment of this contract has been made.
- (F) Forfeiture of 10% of Contract price is agreed upon in event of cancellation by Purchaser.
- (G) Contract is void if not signed by customer and returned to JBS Construction with the requested down payment within 30 days of date quoted.

ACCEPTED (Date) _____

JBS CONSTRUCTION, LLC

(PURCHASER)

9-15-16 Wanda McCarty
(CONTRACTOR)

If Purchaser accepts contract, Purchaser should sign and date above. Purchaser keeps copy labeled PURCHASER'S COPY. Purchaser should mail Contractor rest of copies along with the down payment check.

WHITE: CONTRACTOR'S COPY • YELLOW: CONTRACTOR'S COPY • PINK: PURCHASER'S COPY

RECEIVED

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OFFICE OF
CITY ATTORNEY

893.80 Claims against governmental bodies or officers, agents or employees; notice of injury; limitation of damages and suits. (1) Except as provided in subs. (1g), (1m), (1p) and (8), no action may be brought or maintained against any volunteer fire company organized under ch. 213, political corporation, governmental subdivision or agency thereof nor against any officer, official, agent or employe of the corporation, subdivision or agency for acts done in their official capacity or in the course of their agency or employment upon a claim or cause of action unless:

(a) Within 120 days after the happening of the event giving rise to the claim, written notice of the circumstances of the claim signed by the party, agent or attorney is served on the volunteer fire company, political corporation, governmental subdivision or agency and on the officer, official, agent or employe under s. 801.11. Failure to give the requisite notice shall not bar action on the claim if the fire company, corporation, subdivision or agency had actual notice of the claim and the claimant shows to the satisfaction of the court that the delay or failure to give the requisite notice has not been prejudicial to the defendant fire company, corporation, subdivision or agency or to the defendant officer, official, agent or employe; and

(b) A claim containing the address of the claimant and an itemized statement of the relief sought is presented to the appropriate clerk or person who performs the duties of a clerk or secretary for the defendant fire company, corporation, subdivision or agency and the claim is disallowed.

To File A CLAIM with The CITY OF MILWAUKEE:

Brian D. 414 286-5561
Danzhue
Driver Instructor

You will need the following information

DATE of Incident 9-9-2016 per Brian D

"City" Vehicle Number 32533