

CITY OF MILWAUKEE
RECEIVED

'01, MAR 27 PM 4: 06

CITY OF MILWAUKEE

March 26, 2001 MAR 27 PM 3: 33

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

OFFICE OF
CITY ATTORNEY

RONALD D. LEONHARDT
CITY CLERK

RE: C.I. File No: 00-S-458
Your Insureds: James & Pennie Wix
Your Claim No.: 00-601-266138-325

(Damages caused by City of Milwaukee - fallen, Tree limbs to 1997 Buick)

Dear Sir(s) /Ms:

The City of Milwaukee, Forest Division reported it does not have any records regarding our "alleged incident." Their records indicated that the City of Milwaukee experienced a windstorm with winds in excess of 50 mph on May 24, 2000. The City of Milwaukee, Forest Division also Stated that our loss occurred, as a result of high winds and was not in any way related to negligence by the City of Milwaukee and accordingly are denying our claim.

Our Insurance Company passed this information on to us after receiving many referrals by your agency. The City of Milwaukee, Forest Division stated, they would look into our subrogation claim in the amount of \$781.43 arising from damages sustained to our car by a City tree on May 24, 2000 at 3100 South 37th Street.

The reason that the City of Milwaukee, Forest Division does not have any records regarding our "alleged incident" is because my husband made a 911 call to the City of Milwaukee, Police Department that afternoon. Afterwards, two Motorcycle Police Officers arrived on the scene and advised us to contact our insurance company, American Family Insurance and City of Milwaukee. They stated that in a case like this we would not get a report of this incident and this was a City of Milwaukee Claim. Our car was legally parked at the curb on S 37th Street in front of the doctor's office. Witnesses included: Eye Doctor, Dr. Keske, and his receptionist, my husband and I and two police officers. One police officer, my husband noted as, one of the officers from Jeffrey Dahmer's case. He saw the officer's, name tag and remembered his name from this case. Both my husband and I know that if you call a 911 number, it is recorded. There is a record of this call and it is not an alleged claim.

Since when, is the weather grounds for the City of Milwaukee not to take care of their obligation to pay for a claim but another Bill, as usual for the taxpayer? This is just another example the Abuse of the Working Poor.

During this season, we have had numerous windstorms, ice storms, snow storms, rain storms, you name it storms.

Here are more valid reasons why we are appealing this:

a) We were reported by one our neighbors for our tree limb hanging (on our property) after one of the, so-called, "storms" and we were ordered by the City of Greenfield to get it fixed. (Enclosed please find a copy of our bill from last year, totaling (\$316.80) What if this tree limb fell on a neighbor? We are responsible. What if our tree limb falls on a car? We are responsible.

What happens when a tree limbs fall on our car legally parked on the street? Nothing, it's an act of God or just bad weather and you (the taxpayer) must pay for it.

b) My husband has not been employed for 1 year and is still recovering from an operation for kidney cancer. I am the only one working and I'm expected to pay this.


c) Why am I being forced by the City of Milwaukee to pay, \$781.43 in fees? I am completely overwhelmed by bills. (high deductible and car repairs.) I also pay for our car insurance annually and it is now due. I will not even bother to go into the cost for this.

d) The City Milwaukee, Forest Division is notified by Police Officers on the scene whenever there is an accident to trees etc. The information is reported by the Police Officers to them but in the taxpayer(s)'s case, nothing is reported or given to them for evidence. My husband, a former law enforcement officer and I Driver license examiner were uncomfortable with this. We are used to some type of documentation.

If we, as taxpayers take care of our obligations, we feel the City of Milwaukee should likewise take care of their obligations.

To take the time off from work to go to a hearing and lose a day's pay, may still be worth the risk of gaining \$781.43. (More than weeks pay)

Sincerely,


Pennie Wix

(1) ENCLOSURE



AMERICAN FAMILY INSURANCE GROUP

440 S EXECUTIVE DR • BROOKFIELD WI 53005-4280 • PHONE: (262) 784-9100, 784-2933 • FAX: (262) 784-3828

Mailing Address: PO BOX 2927 • MILWAUKEE WI 53201-2927

December 18, 2000

City Hall
200 E. Wells St.
Room 205
Milwaukee, WI 53202

5
CITY OF MILWAUKEE
2000 DEC 20 PM 4: 01
RONALD D. LEONHARDT
CITY CLERK

NOTICE OF CLAIM

RE: Our Claim Number: 00-601-266138-325
Our Policy Number: 07-324767-02
Our Insured: James B & Pennie G Wix
Date of Loss: May 24, 2000

To Whom it May Concern:

I am writing you regarding a loss that occurred on May 24, 2000. Our insured's vehicle was parked on the street on 3100 S. 37th, across from the side door of her optician's office, Dr. Paul Kesker. When Mrs. Wix came out of the office she saw that a tree limb had fallen and caused damage to her vehicle. She did make a 911 call. The police came on their motorcycles, but were unable to write a report due to their findings that the tree was a city tree. Mrs. Wix was directed to contact her insurance, which she did. We are now trying to find for reimbursement for damages. Enclosed you will find a copy of the final bill paid and proof of payment.

If you have any questions, feel free to give me a call at (262) 784-2933 ext. 48373.

Thank you for your cooperation.

Respectfully,

Kimberly Cooper
Casualty Claim Representative
Milwaukee South Branch

CITY OF MILWAUKEE
RECEIVED
OFFICE OF
CITY ATTORNEY
00 DEC 21 PM 3: 34

ACCOUNTS RECEIVABLE

Wisconsin Arborist Association
National Arborist Association
International Society of Arboriculture



DORSHAK FAMILY TREE SERVICE, INC.

P.O. BOX 250358 • MILWAUKEE, WI 53225-0610

CENTRAL: (414) 536-8733

FAX: (414) 536-6858

EMAIL: GDorshak@aol.com

*Rock
Call 1/15*

FOR OFFICE USE ONLY	
252	<input type="checkbox"/> PRENTICE <input type="checkbox"/>
702	<input type="checkbox"/> 752 <input type="checkbox"/>
86	<input checked="" type="checkbox"/> 86 GMC <input checked="" type="checkbox"/>
	POWER DROP <input type="checkbox"/> SKIDSTER <input type="checkbox"/>

COMPLETED

*Compa
8/2000
B-11*

Customer Name: WIX

Street Address: 4441 S 68th

City/State/Zip: _____

Home Phone: 604-0892 Work Phone: _____

**CERTIFIED ARBORISTS, FULLY INSURED
BETTER BUSINESS BUREAU MEMBER**

We propose to furnish all the materials and perform all the necessary labor to complete the following job:

*Lg Oak NE corner of yard
- Remove lg dead limb headed NE
+ approx. 4 dead limbs on top center of tree
+ Lg dead limb headed SW*

*Also, snip front spruce (East side of house)
from roof approx 7' clearance*

Prices include hauling wood, chipping brush & raking up unless otherwise specified.

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 estimates. All agreements contingent upon strikes, accidents or delays beyond our control. Dorshak Family Tree Service (DFTS) understands that situations and conditions change therefore allows customer and DFTS to cancel contract if needed. DFTS is responsible for coordinating with Diggers Hotline and overhead utilities, but is not responsible for anything buried that Diggers Hotline will not locate. Customer grants permission for company vehicles and equipment to drive on property when necessary to complete contract work. DFTS is not responsible for lawn damage due to tree work or snowplowing. If stump is removed, stump grindings remain on property. During emergency storm work, DFTS cannot be responsible for further damage to property. Our workers are fully covered by Workman's Compensation Insurance. A finance charge of 1 1/2% per month, which is an annual percentage rate of 18% will be added to delinquent balances.

Payment for the above mentioned work will be as follows:

Sub Total: \$ 300 -
Tax: \$ 16.80
Total: \$ 316.80

Respectfully submitted, Myron Dorshak 9/22/00
APPROVAL OF PROPOSED WORK

I accept the terms of this estimate and as the owner of this property wish the work to be done as soon as possible.
Signed James Wix Date _____

Payment to be made upon completion of work unless otherwise arranged.

WHITE - Customer Copy YELLOW - Customer Bill PINK - Office Copy

MASTERCARD, VISA, DISCOVER ACCEPTED

REFLECTIONS AUTO BODY, INC.
1804 EAST LAYTON AVENUE
ST. FRANCIS WI 53235

OFFICE: (414) 482-2110 FAX: (414) 482-0025

THE OUTSTANDING SERVICE PEOPLE - WE GUARANTEE OUR WORK IN WRITING
CD LOG NO 0009390 DATE 06/15/00

SHOP CONTACT: MIKE

INSP DATE 05/25/00

OWNER PENNIE WIX
ADDRESS 4441 S 68TH ST
CITY STATE GREENFIELD WI
ZIP 53220

HOME PHONE (414) 604-0892
WORK PHONE

CLAIM# 601-266138
INSURED PENNIE WIX
POINT OF IMPACT 16

POLICY#
CLAIM REP
TYPE OF LOSS COMP/DRP
SUPPLEMENT

INS CO AMERICAN FAMILY INSURANCE
ADDRESS 440 S EXECUTIVE DRIVE
CITY STATE BROOKFIELD WI
ZIP 53008-0988

CONTACT
DEDUCTIBLE 500.00
PHONE (414) 784-9100

LIC# CN487T
BODY COLOR SILVER
CONDITION GOOD

VIN 1G4HP52K9VH608209
MILEAGE 40789
ACCT'NG CTL#

E=NEW PART EC=QUALITY REPLACEMENT PART EU=SALVAGE PART
EP=SEE PX REPORT P=CHECK I=REPAIR/ALIGN/SUBLET
L=REFINISH N=ADDN'L LABOR OPERATION TE=PART/PARTIAL REPLACE
ET=LABOR/PARTIAL REPLACE IT=LABOR/PARTIAL REPAIR AA=APPEARANCE ALLOWANCE
RP=RELATED PRIOR DAMAGE UP=UNRELATED PRIOR DAMAGE *=USER ENTERED VALUE

TREE LIMB FELL ON CAR
3/4 DAY REPAIR BUFF IS TRUNK/ R QT/ FRT COVER LSIDE BLACK
APPT SET 6/5 DONE 6/8
FINAL BILL PICTURES MAILED

1997 BUICK LESABRE CUSTOM 4 DR SEDAN S4333A/B OPTNS A/2BCJDE

OPTIONS: TWO-STAGE - EXTERIOR SURFACES POWER FRONT SEATS
ELEC REMOTE CONTROL MIRRORS CRUISE CONTROL
POWER DOOR LOCKS ANTI-LOCK BRAKE SYSTEM

OP	GDE	MC	DESCRIPTION	MFG. PART NO.	PRICE	AJ%	HOURS	R
E	174		APPLIQUE, DOOR FRAME	RT 25638234 GM PART	58.20			
AA	277		VENT GLS ASSEMBLY, FRT	RT APPEARANCE ALLOWANCE	100.00*			
I	341		PANEL, ROOF	REPAIR/ALIGN				

PAID
ad/s...
6-19
HG

FINAL BILL

Handwritten initials and date: K 6/23

OP-GDE	MC	DESCRIPTION	MFG. PART NO.	PRICE	AJ%	HOURS	R
L 341	09	PANEL, ROOF	REFINISH			4.8	4
E 346		MLDG, ROOF DRIP	LT R & I	*		.3	1
AA 347		MLDG, ROOF DRIP	RT APPEARANCE ALLOWANCE	40.00*			1
E 347		MLDG, ROOF DRIP	RT R & I	*		.3	1
E 883	01	HEADLINER, ROOF	R & I	*		1.6	1
E G369		BACK GLASS, HEATED	R & I	*		3.0	1
E 371		MLDG ASSY, BACK GLASS	25612939 GM PART	46.70	S1		1
L M16		COLOR BLEND	REFINISH			1.5	*4
EC M17		COVER CAR EXTERIOR	QUALITY REPL PART	6.00*			4
EC M29		GLASS INSTALLATION KIT	QUALITY REPL PART	12.00*	S1		1
N		BUFF SCRATCHES	ADDNL LABOR			2.0	*1

14 ITEMS

MC MESSAGE

- 01 CALL DEALER FOR EXACT PART NUMBER / PRICE
- 09 INCLUDES 0.6 HOURS MAJOR PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS					104.90
OTHER PARTS					18.00
PAINT MATERIAL					126.00
PARTS TOTAL					248.90
TAX ON PARTS & MATERIAL			@ 5.600%		13.94
LABOR	RATE	REPLACE HRS	REPAIR HRS		
1-SHEET METAL	40.00	5.5	9.0		580.00
2-MECH/ELEC	40.00				
3-FRAME	40.00				
4-REFINISH	40.00	6.3			252.00
5-PAINT MATERIAL	20.00				
LABOR TOTAL					832.00
TAX ON LABOR			@ 5.600%		46.59
SUBLET REPAIRS					
TOWING					
STORAGE					
GROSS TOTAL					1,141.43
LESS: NET DEDUCTIBLE AFTER APPEARANCE ALLOWANCE					360.00
NET TOTAL					781.43
LESS: ORIGINAL NET TOTAL					719.44
NET SUPPLEMENT TOTAL					61.99

ADP SHOPLINK U1805 S1 LOG 0009390 DATE 06/15/00 18:06:42 R4.2 CD 05/00
 PXN:NN/00/00/00/00 CUM:00/00/00/00
 COPYRIGHT, 2000 AUTOMATIC DATA PROCESSING

1.3 HOURS WERE ADDED TO THIS ESTIMATE BASED ON ADP'S TWO-STAGE REFINISH
 FORMULA: 20% OF REFINISH HOURS, AFTER OVERLAP, PLUS 0.6 HOURS FOR THE FIRST

BUICK LESABRE CUSTOM 4 DR SEDAN
CD LOG NO 0009390

PAGE 3
DATE 06/15/00

MAJOR PANEL, WHERE NOTED.

NOTICE

AFTERMARKET OR REPLACEMENT PARTS OTHER THEN OEM ARE IDENTIFIED BY THE WORDS "QUALITY REPLACEMENT PART" OR "ECONOMY PART". YOUR INSURANCE COMPANY REPRESENTATIVE CAN EXPLAIN FURTHER.
USED PARTS ARE IDENTIFIED BY THE WORDS "SALVAGE PART"
YOU, AS THE OWNER OF THE VEHICLE, ARE REPOSIBLE FOR THE COST OF REPAIRS.
FINANCIAL ARRANGEMENTS MUST BE COMPLETED BEFORE THE VEHICLE CAN BE RELEASED.

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE REPLACEMENT PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THE REPLACEMENT PARTS RATHER THAN BY THE MANUFACTURER OF YOUR MOTOR VEHICLE.