



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda JUDICIARY & LEGISLATION COMMITTEE

ALD. ASHANTI HAMILTON, CHAIR
Ald. Terry Witkowski, Vice-Chair
Ald. James Bohl, Jr., Ald. Joe Davis, Sr., and Ald. Robert
Donovan

Staff Assistant, Linda Elmer, (414) 286-2232
Fax: (414) 286-3456, E-mail: lelmer@milwaukee.gov

Monday, February 22, 2010

1:30 PM

Room 301-B, City Hall

1. [091399](#) Appointment of Audra Brennan to the position of Legislative Liaison Director by the Mayor.

 Sponsors: THE CHAIR

 Attachments: [Appointment Letter](#)
 [Resume](#)
 [Hearing Notice List](#)

2. [091388](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 tax roll, plus interest applicable to date of repayment, if appropriate.

 Sponsors: THE CHAIR

 Attachments: [Cover Letter](#)
 [Fiscal Note](#)
 [Assessment Reduction Table.xls](#)
 [Assessment Reduction Letters.pdf](#)
 [Hearing Notice List](#)

3. [081060](#) Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.
- Sponsors:** THE CHAIR
- Attachments:** [2009 Report and Through 2/16/10](#)
[October 20 Report](#)
[September 9 Report](#)
[September 1 Report Re Retention of Outside Counsel](#)
[Sept 11 Report Re Retention of Outside Counsel](#)
[June 23 Report](#)
[May 15 Report](#)
[April 1 Report](#)
[Jan 29 Report](#)
[Retention of Outside Counsel](#)
[Hearing Notice List](#)
4. [091402](#) Substitute resolution to settle claims of Cermele & Associates for defense of various police officers.
- Sponsors:** THE CHAIR
- Attachments:** [Fiscal Note](#)
[Ferrell.pdf](#)
[Knight.pdf](#)
[Gonzales.pdf](#)
[Duncan.pdf](#)
[Colker.pdf](#)
[Cornejo, Johnson, Knox, Kezeske, Schott and Rajaphoumi.pdf](#)
[Mantay.pdf](#)
- This file includes payment of legal fees for the following police officers: Robert Ferrell, Matthew Knight, Rodney Gonzales, Joseph Duncan, Greg Colker, Javier Cornejo, Todd Johnson, Anthony Knox, Kurt Kezeske, John Schott, Alan Schlieff, Alex Mantay and Sonthana Rajaphoumi.*
5. [091376](#) Resolution relating to an appeal from Kent Hansen for property damage.
- Sponsors:** THE CHAIR
- Attachments:** [City Attorney Letter](#)
[Appeal](#)
[Hearing Notice List](#)
- \$761.26

6. [091375](#) Resolution relating to an appeal from Willie Ellis for property damage. (15th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [City Attorney Letter](#)
[Appeal](#)
[Hearing Notice List](#)
---\$495.00
7. [091334](#) Resolution relating to an appeal from Fannie Sanders for property damage. (2nd Aldermanic District)
Sponsors: THE CHAIR
Attachments: [City Attorney Letter](#)
[Appeal](#)
[Hearing Notice List](#)
---\$590.00
8. [091335](#) Resolution relating to an appeal from Sharon Chaney for property damage. (15th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [City Attorney Letter](#)
[Appeal](#)
[Hearing Notice List](#)
---\$1,592.00
9. [091326](#) Resolution relating to the claim of Mark and Luanne Schimmel for property damage. (11th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)
---\$5,457.14
10. [091327](#) Resolution relating to the claim of Gerald and Patricia Swendrowski for property damage. (11th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)
---\$6,867.00

11. [091332](#) Resolution relating to the claim of Lon and Peggy Couillard for property damage. (11th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)
---\$17,556.79
12. [091333](#) Resolution relating to the claim of Michael and Cheryl Krzewinski for property damage. (11th Aldermanic District)
Sponsors: THE CHAIR
Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)
---\$19,971.26

2:00 P.M.

13. [091390](#) Resolution relative to legislative bills.
Sponsors: THE CHAIR
Attachments: [Agenda](#)
[Senate Bill 442.pdf](#)
[Assembly Bill 654.pdf](#)
[Dept of Public Works Response](#)
[Dept of Administration Response](#)
[Hearing Notice List](#)

---SB-442/AB-654 Requiring local units of government to use the qualifications-based selection process for certain public works consulting contracts.

This meeting will be webcast live at www.milwaukee.gov/channel25.

Members of the Common Council and its standing committees who are not members of this committee may attend this meeting to participate or to gather information. Notice is given that this meeting may constitute a meeting of the Common Council or any of its standing committees, although they will not take any formal action at this meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to the Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.



Legislation Details (With Text)

File #: 091399 **Version:** 0

Type: Appointment **Status:** In Committee

File created: 2/9/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Appointment of Audra Brennan to the position of Legislative Liaison Director by the Mayor.

Sponsors: THE CHAIR

Indexes: APPOINTMENTS, INTERGOVERNMENTAL RELATIONS DIVISION

Attachments: Appointment Letter, Resume, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

091399

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Appointment of Audra Brennan to the position of Legislative Liaison Director by the Mayor.

Drafter

Mayor

TB

2/9/10



Tom Barrett
Mayor, City of Milwaukee

February 9, 2010

To the Honorable, the Common Council
of the City of Milwaukee

Honorable Members of the Common Council:

In accordance with the authority vested in me by Section 62.51 of the Wisconsin State Statutes, I am appointing, subject to confirmation by the Common Council, Audra Brennan to serve in the position of Legislative Liaison Director for the City of Milwaukee.

This appointment will serve at my pleasure for the duration of my term and thereafter until a successor is appointed or confirmed.

Respectfully submitted,

Tom Barrett
Mayor

Audra D. Brennan

QUALIFICATIONS

- Extensive fiscal/public policy experience at local, state and federal levels
- Broad knowledge of Wisconsin fiscal policy issues and aid formulas
- Effective communication with media, legislative and regulatory officials
- 5 yrs. management consulting experience
- Excellent technology and analytical skills

EXPERIENCE

Project Manager, MPS Innovation and Improvement Advisory Council – Milwaukee, WI (June 2009- present)

- Managed the Advisory Council created by the Wisconsin Governor, Milwaukee Mayor, and State Superintendent of Public Instruction to advise the Milwaukee Public Schools (MPS) on fiscal, academic and systemic issues.
- In coordination with the Chair, established agendas, maintained the website and prepared summary reports of the Council and its Committees' meetings, findings, and recommendations.
- Provided research and in-depth analysis of various education reforms or MPS initiatives as requested by Council or Committee members.

WI Department of Health and Family Services – Milwaukee, WI (August 2007 – May 2009) *Southeast Wisconsin Medicaid Policy Liaison*

- Served as liaison between Department and Medicaid stakeholders in Southeast Wisconsin.
- Managed outreach for major expansion of Medicaid in Milwaukee area.
- Advised State Medicaid Director on Medicaid policy initiatives.

WI Department of Revenue – Madison, WI (September 2004 – June 2007)

Executive Assistant to Secretary

- Advised Secretary on tax policy, media, and legislative matters
- Managed the Department's press and legislative teams

Division Administrator, Research and Policy

- Managed 15 person team responsible for fiscal estimates, policy formation, and official State revenue estimates
- Reorganized division to achieve greater efficiency and better outcomes

City of Milwaukee – Milwaukee, WI (July 2002 – August 2004)

Legislative Fiscal Policy Manager

- Analyzed legislation and prepared testimony on issues critical to the City
- Successfully worked with legislators from both parties to enact legislation from the City's agenda
- Helped spearhead regional cooperation efforts with municipal officials from southeast Wisconsin
- Specialized in issues surrounding aids to local governments, taxation, and transportation

Milwaukee Public Schools – Milwaukee, WI (May 2000 – June 2002)

Legislative Policy Manager (October 2001 – April 2002)

Legislative Policy Specialist (January 2001 – September 2001)

- Supervised legislative team comprised of full-time staff and consultants
- Worked with local, state and federal elected officials to advance MPS legislative agenda
- Identified and implemented strategies to maximize federal education funding to MPS
- Tracked and analyzed federal and state legislative activity

Fiscal Policy Analyst (May 2000 – December 2000)

- Assisted in assessment of financial impact of district-wide initiative to end forced busing
- Analyzed budgets for Business Services Department and several individual schools
- Co-author of proposal to significantly change education funding system in Wisconsin

Congressional Budget Office – Washington, DC (July 1999 – April 2000)

Education Analyst, Budget Analysis Division

- Constructed estimates for federal elementary and secondary education budget
- Produced official cost estimates for all proposed federal education legislation

Chicago Public Schools, Department of Charter Schools – Chicago, IL (June 1998 – September 1998)

Consultant

- Assisted Director in development of accountability agreement for Chicago charter schools
- Performed statistical analysis on demographic and test data to set accountability benchmarks

Annenberg Study, Chicago Consortium on School Research – Chicago, IL (October 1997 – June 1999)

Research Analyst

- Gathered data for a multi-school study of efforts to improve student performance
- Completed case summary for one school based on series of interviews and observations

Andersen Consulting – Chicago, IL (September 1992 – August 1997)

Experienced Consultant, Government Division

Cook County Juvenile Courts (January 1997 – August 1997)

- Managed 6-person team that designed a system to improve juvenile court processing. System decreased case backlog, improved tracking of facility residents and improved data accuracy

Nebraska Department of Social Services (December 1994 – December 1996)

Caterpillar/Northern Trust Bank (October 1992 – November 1994)

- Managed team of 20 clients to test integrated human services system prior to implementation. System improved efficiency of Medicaid, AFDC, and Food stamp approval and distribution.

EDUCATION

University of Chicago, Irving B. Harris School of Public Policy

MA in Public Policy, June 1999

Harris Fellow – merit based full tuition and stipend award

Northwestern University – Evanston, IL

BA, Mathematical Methods in the Social Sciences/Economics, June 1992, GPA: 3.68

ADDITIONAL ACTIVITIES

Maryland Avenue Montessori Fund Development Board

Agape Community Center, Board Member (2004- 2008)

Volunteer, Big Brothers/Big Sisters Program, Milwaukee, WI (2000 – 2008)

Tutor, Amidon Elementary School, Washington, DC (1999 – 2000)

President, Harris School of Public Policy Student Association (1998 – 99), Representative (1997 – 98)

Established Harris School Education Policy Group (1997 – 1999)

- Activities included school visits, panel discussions, guest speakers, meetings with legislators

Chicago Marathon (1998), New York Marathon (2001)



Legislation Details (With Text)

File #: 091388 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 2/9/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 tax roll, plus interest applicable to date of repayment, if appropriate.

Sponsors: THE CHAIR

Indexes: TAX CANCELLATIONS

Attachments: Cover Letter, Fiscal Note, Assessment Reduction Table.pdf, Assessment Reduction Letters.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

091388

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 tax roll, plus interest applicable to date of repayment, if appropriate.

Analysis

This resolution requires the cancellation of taxes because of Board of Review reductions in assessments on certain parcels, the issuance of checks to the City Treasurer or taxpayer as applicable, and the proper reductions of State Tax Credits by journal entries.

Body

Whereas, Assessments were made against certain parcels of real estate for the year 2008 as contained in Common Council Resolution File No. 091388; and

Whereas, The Board of Review has decreased these assessments as shown in this file; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers are directed to issue city checks in the amounts as shown in this file, payable to the City Treasurer or taxpayer as applicable, to be refunded to the taxpayer where appropriate, plus interest at the rate applicable pursuant to Section 70.511 of Wisconsin Statutes, for an appeal that was filed as shown in this file, applicable from date of payment to date of repayment, said amounts to be charged to the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and said checks to be delivered to the Customer Services Unit of the Treasurer's Office for disbursement; and, be it

Further Resolved, That the proper city officers are directed to reflect the reduction in State Tax Credits as shown in this file by means of journal entries, charging the Remission of Taxes Fund, 0001 Org 9990 Program 0001 Sub-class S163 Account 006300, and crediting the State Tax Credit Fund; and, be it

Further Resolved, That delinquent interest and penalties on any account covered by this resolution are hereby canceled.

Requestor

Assessor's Office

Drafter

mpr/kat

2/4/10

February 4, 2010

The Honorable, The Common Council
City of Milwaukee

Dear Members of the Common Council:

Attached is a resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 tax rolls, plus interest applicable to date of repayment, if appropriate.

Reductions have been made in the assessments of these properties by the Board of Review under authority of Section 70.511 (2), Wisconsin Statutes. It is now necessary to accomplish the reduction of taxes by means of the attached resolution.

Your favorable approval of the attached resolution is respectfully requested.

Yours very truly,

Mary P. Reavey
Assessment Commissioner

mpr/kat

CITY OF MILWAUKEE FISCAL NOTE

CC-170 (REV. 6/86)

A) DATE: February 4, 2010

FILE NUMBER: _____

Original Fiscal Note **Substitute**

SUBJECT: Resolution to cancel real estate taxes levied against certain parcels bearing various Key Numbers on the 2008 tax rolls, plus interest applicable to date of repayment, if appropriate

B) SUBMITTED BY (name/title/dept./ext.): Mary P. Reavey, Assessment Commissioner, Assessor's Office, Ext. 3101.

C) CHECK ONE: ADOPTION OF THIS FILE AUTHORIZES EXPENDITURES.
 ADOPTION OF THIS FILE DOES NOT AUTHORIZE EXPENDITURES; FURTHER COMMON COUNCIL ACTION NEEDED.
 LIST ANTICIPATED COSTS IN SECTION G BELOW.
 NOT APPLICABLE/NO FISCAL IMPACT.

D) CHARGE TO: DEPARTMENTAL ACCOUNT (DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER 0001 Org 9990	<i>Remission of Taxes Fund</i>		\$31,279.21		
<i>Prog 0001 Sub-cl S163</i>					
<i>Acct 006300</i>					
TOTALS:			\$31,279.21		

F) FOR EXPENDITURES AND REVENUES WHICH WILL OCCUR ON AN ANNUAL BASIS OVER SEVERAL YEARS CHECK THE APPROPRIATE BOX BELOW AND THEN LIST EACH ITEM AND DOLLAR AMOUNT SEPARATELY.

<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS
<input type="checkbox"/> 1-3 YEARS	<input type="checkbox"/> 3-5 YEARS

G) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

H) LIST ANY ANTICIPATED FUTURE COSTS THIS PROJECT WILL REQUIRE FOR COMPLETION:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

Key Number and Address Date of Objection	Name of Taxpayer	Assesment Reduction by B.O.R.	Canceled NET Total Tax	STATE TAX CREDITS SECTION 79.10 (2)		
				City Portion	County Portion	Total Credit
<u>2008</u>						
106-0042-000-9 7550 N. 76th St. May 19, 2008	SBS Partnership	\$ 306,000	\$ 7,353.83	\$ 373.31	\$ 108.03	\$ 481.34
106-0123-000-9 7500 N. 76th St. May 19, 2008	SBS Partnership	\$ 336,000	\$ 8,074.79	\$ 409.91	\$ 118.62	\$ 528.53
266-0001-100-5 5815-21 W. Capitol Dr. May 15, 2008	Joel S. Lee, Lee Durand, Peter Aldrian	\$ 83,600	\$ 2,009.08	\$ 101.99	\$ 29.51	\$ 131.50
355-1723-000-4 1815 N. Farwell Av. May 14, 2008	Royal Sterling LLC	\$ 496,000	\$ 11,919.93	\$ 605.10	\$ 175.11	\$ 780.21
		\$ 1,221,600	\$ 29,357.63	\$ 1,490.31	\$ 431.27	\$ 1,921.58
TOTAL GROSS	\$ 31,279.21					

Assessor's Office
February 4, 2010
mpr/kat

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **106-0042-000-9**
7550 N. 76th St.
SBS Partnership

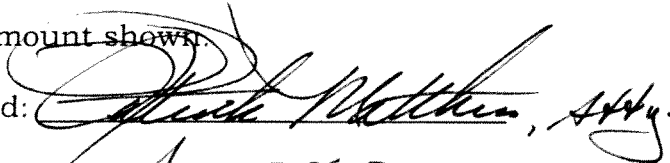
Year: 2008

Amount of Assessment Reduction: \$306,000

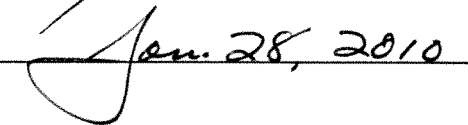
Amount of Tax Reduction: \$7,353.83

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed:



Date:



Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

RECEIVED
2010 JAN 28 PM 3:31
ASSESSOR
CITY OF MILWAUKEE

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **106-0123-000-9**
 7500 N. 76th St.
 SBS Partnership

Year: 2008

Amount of Assessment Reduction: \$336,000

Amount of Tax Reduction: \$8,074.79

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown

Signed: _____

Rich Matthews, Atty.

Date: _____

Jan 28, 2010

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

RECEIVED
2010 JAN 28 PM 3:31
ASSESSMENT
CITY OF MILWAUKEE

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

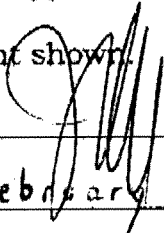
In re: **266-0001-100-5**
5815-21 W. Capitol Dr.
Joel S Lee, Lee Durand, Peter Aldrian

Year: 2008

Amount of Assessment Reduction: \$83,600

Amount of Tax Reduction: \$2,009.08

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed:  _____

Date: February 3, 2010

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

In re: **355-1723-000-4**
1815 N Farwell Av.
Royal Sterling LLC

Year: 2008

Amount of Assessment Reduction: \$496,000

Amount of Tax Reduction: \$11,919.93

As the result of action by the Board of Review, the assessment of my property was reduced as indicated above. Under Section 70.511 (2)(b) of the Wisconsin Statutes, I hereby make application to your Honorable Body for a tax refund/reduction in the amount shown.

Signed: _____

Date: _____


February 3, 2010

Federal laws require that Form 1099 be filed by the City Comptroller's Office at the year-end for payment of earned interest. The Tax Equity and Fiscal Responsibility Act of 1982 has increased the penalties for non-compliance.

Therefore, on the enclosed Form W-9, we request that you furnish us with the **Social Security Number** and the **signature** of the person listed first on the name line **OR** the **Employer I.D. Number** of the business and the appropriate person's **signature**.



Legislation Details (With Text)

File #: 081060 **Version:** 0
Type: Communication **Status:** In Committee
File created: 11/25/2008 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

Sponsors: THE CHAIR

Indexes: CITY ATTORNEY, CONSULTANTS, LITIGATION

Attachments: 2009 Report and Through 2/16/10, October 20 Report, September 9 Report, September 1 Report Re Retention of Outside Counsel, Sept 11 Report Re Retention of Outside Counsel, June 23 Report, May 15 Report, April 1 Report, Jan 29 Report, Retention of Outside Counsel, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/25/2008	0	COMMON COUNCIL	ASSIGNED TO		
1/28/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/2/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
3/31/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
4/6/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
5/18/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
6/23/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
6/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
9/4/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/14/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/26/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
12/8/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
12/14/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

081060

Version

ORIGINAL

Reference

070993

Sponsor

THE CHAIR

Title

Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.

Requestor

Drafter

11/20/08

lme

outside counsel

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

February 17, 2010

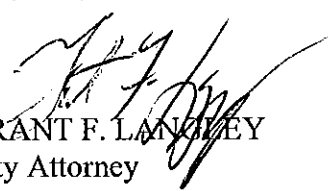
Alderman Ashanti Hamilton, Chair
Judiciary & Legislation Committee
City Hall – Room 205

Re: Expenditures for Outside Counsel and Experts

Dear Alderman Hamilton:

Pursuant to Common Council FN 030083, I am enclosing for your information an itemization of 2009 annual expenditures and 2010 expenditures posted year-to-date from the Outside Counsel/Expert Witness Fund Special Purpose Account. Please contact me if you have any questions.

Very truly yours,


GRANT F. LANGLEY
City Attorney

GFL:bgw
#155178

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

2009 OUTSIDE COUNSEL AND EXPERTS

Account	Dept	Class	Amount	ShortName	Descr	Year
634005	1490	S157	2,169.00	AURORA ADVATAGE	BELL V COM	2009
634005	1490	S157	1,500.00	AURORA ADVATAGE	JAMERSON V COM	2009
634005	1490	S157	1,500.00	AURORA ADVATAGE	EVANS V COM	2009
634005	1490	S157	567.00	AURORA ADVATAGE	MUKISA EVANS V COM	2009
634005	1490	S157	1,769.00	AURORA ADVATAGE	OBERDORF V COM	2009
			7,505.00			
634005	1490	S157	1,104.00	BLOCK PETER	Jude v. City	2009
634005	1490	S157	2,397.00	BLOCK PETER	Jude v. City	2009
634005	1490	S157	1,611.00	BLOCK PETER	Jude v. City	2009
634005	1490	S157	2,220.00	BLOCK PETER	Jude v. City	2009
			7,332.00			
634005	1490	S157	360.00	CERMELE & ASSOCIATES	LEGAL FEES LARRY v. RUTHERFORD	2009
634005	1490	S157	4,400.00	CERMELE & ASSOCIATES	Williams v. Miscichoski (Fees)	2009
			4,760.00			
634005	1490	S157	48.90	CRIVELLO CARLSON	SWANSON V LENA'S FOODS ET AL	2009
			48.90			
634005	1490	S157	4,725.23	ET ENGINEERING	Terra v. City	2009
634005	1490	S157	959.70	ET ENGINEERING	Terra v. City	2009
634005	1490	S157	4,040.30	ET ENGINEERING	Terra v. City	2009
634005	1490	S157	-4,040.30	ET ENGINEERING	Terra v. City	2009
			5,684.93			
634005	1490	S157	3,390.48	FOLEY & LARDNER	Kaye v. City	2009
634005	1490	S157	1,165.25	FOLEY & LARDNER	Kaye v. City	2009
634005	1490	S157	2,204.03	FOLEY & LARDNER	Kaye v. City	2009
634005	1490	S157	26,289.07	FOLEY & LARDNER	Kaye v. City	2009
634005	1490	S157	989.00	FOLEY & LARDNER	Kaye v. City	2009
634005	1490	S157	7.76	FOLEY & LARDNER	Kaye v. City	2009
634005	1490	S157	95.00	FOLEY & LARDNER	Kaye v. City	2009

2009 OUTSIDE COUNSEL AND EXPERTS

Account	Dept	Class	Amount	ShortName	Descr	Year
634005	1490	S157	65.00	FOLEY & LARDNER	Kaye v. City	2009
634005	1490	S157	18,759.80	FOLEY & LARDNER	ERS TAX OPINION	2009
634005	1490	S157	720.00	FOLEY & LARDNER	Kaye v. City	2009
			53,685.39			
634005	1490	S157	32,963.89	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	11,978.73	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	-11,978.73	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	21,082.44	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	5,040.10	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	19,326.89	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	13,885.85	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	13,407.20	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	23,291.51	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	11,057.05	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	3,246.15	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	5,088.55	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	13,942.95	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	1,985.60	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	19,899.34	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	6,854.51	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
634005	1490	S157	14,066.49	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
636501	1490	S157	5,040.10	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
636501	1490	S157	-5,040.10	FRIEBERT, FINERTY & ST. JOHN	MPSO v. City	2009
			205,138.52			
634005	1490	S157	709.50	GONZALEZ SAGGIO	Young v. Ortiz	2009
634005	1490	S157	325.50	GONZALEZ SAGGIO	Young v. Ortiz	2009
634005	1490	S157	1,889.25	GONZALEZ SAGGIO	Young v. Ortiz	2009
634005	1490	S157	745.50	GONZALEZ SAGGIO	Young v. Ortiz	2009

2009 OUTSIDE COUNSEL AND EXPERTS

Account	Dept	Class	Amount	ShortName	Descr	Year
634005	1490	S157	468.20	GONZALEZ SAGGIO	Young v. Ortiz	2009
			4,137.95			
634005	1490	S157	1,458.40	GRZECA LAW GROUP	Knubbar, Manjeet	2009
634005	1490	S157	1,600.00	GRZECA LAW GROUP	Knubbar, Manjeet	2009
634005	1490	S157	94.81	GRZECA LAW GROUP	Knubbar, Manjeet	2009
634005	1490	S157	7.75	GRZECA LAW GROUP	Knubbar, Manjeet	2009
634005	1490	S157	5.50	GRZECA LAW GROUP	Knubbar, Manjeet	2009
634005	1490	S157	35.00	GRZECA LAW GROUP	Knubbar, Manjeet	2009
634005	1490	S157	70.36	GRZECA LAW GROUP	Knubbar, Manjeet	2009
			3,271.82			
634005	1490	S157	95.00	GUNTA & REAK	Jude v. City	2009
634005	1490	S157	9,150.00	GUNTA & REAK	Jude v. City	2009
634005	1490	S157	9,174.00	GUNTA & REAK	Jacoby v. Dudley	2009
634005	1490	S157	5,850.00	GUNTA & REAK	Jude v. City	2009
634005	1490	S157	6,022.75	GUNTA & REAK	Jude v. City	2009
			30,291.75			
634005	1490	S157	3,704.73	HAYES THOMAS	Outside Consultant	2009
634005	1490	S157	2,772.72	HAYES THOMAS	Outside Consultant	2009
634005	1490	S157	4,092.90	HAYES THOMAS	Outside Consultant	2009
634005	1490	S157	1,269.25	HAYES THOMAS	Outside Consultant	2009
634005	1490	S157	2,231.35	HAYES THOMAS	Outside Consultant	2009
			14,070.95			
634005	1490	S157	280.25	LINDNER & MARSACK	Loth v. City	2009
			280.25			
634005	1490	S157	1,919.00	MCDONNELL PATRICK	Outside Consultant North Harbor Tract	2009
634005	1490	S157	1,872.73	MCDONNELL PATRICK	Outside Consultant North Harbor Tract	2009
634005	1490	S157	-1,872.73	MCDONNELL PATRICK	Outside Consultant North Harbor Tract	2009
634005	1490	S157	1,919.00	MCDONNELL PATRICK	Outside Consultant North Harbor Tract	2009

2009 OUTSIDE COUNSEL AND EXPERTS

Account	Dept	Class	Amount	ShortName	Descr	Year
634005	1490	S157	-1,919.00	MCDONNELL PATRICK	Outside Consultant North Harbor Tract	2009
634005	1490	S157	200.00	MCDONNELL PATRICK	Outside Consultant North Harbor Tract	2009
			2,119.00			
634005	1490	S157	8,000.00	OMEARA LAW	assessment appeals	2009
			8,000.00			
634005	1490	S157	1,005.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,072.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	915.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,162.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	915.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	697.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,117.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,102.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,102.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,125.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	870.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	885.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,110.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,110.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	885.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,095.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	892.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	892.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,110.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009

2009 OUTSIDE COUNSEL AND EXPERTS

Account	Dept	Class	Amount	ShortName	Descr	Year
634005	1490	S157	1,057.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,095.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	-997.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	937.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,035.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	660.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,050.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	877.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,050.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,005.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	630.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,050.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	870.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,080.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,050.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,042.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,057.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	652.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,035.00	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	982.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALIST	Temp Services - Jude v. COM	2009
48,247.50						

2009 OUTSIDE COUNSEL AND EXPERTS

Account	Dept	Class	Amount	ShortName	Descr	Year
634005	1490	S157	352.00	PYZY, ROGER	Special Prosecutor	2009
634005	1490	S157	1,001.00	PYZY, ROGER	Special Prosecutor	2009
			1,353.00			
634005	1490	S157	952.50	RENO CAVANAUGH	HACM Opinion for Mayor	2009
634005	1490	S157	310.00	RENO CAVANAUGH	HACM Opinion for Mayor	2009
			1,262.50			
634005	1490	S157	5,000.00	SADDOUGHIAN, ALL, M.D.	Haas v. City	2009
			5,000.00			
634005	1490	S157	79,875.00	SEIBEL LAW OFFICES	U.S. Oil v. City	2009
634005	1490	S157	213.00	SEIBEL LAW OFFICES	U.S. Oil v. City	2009
634005	1490	S157	8,237.50	SEIBEL LAW OFFICES	U.S. Oil v. City	2009
634005	1490	S157	2,345.00	SEIBEL LAW OFFICES	U.S. Oil v. City Appeal	2009
634005	1490	S157	5,302.50	SEIBEL LAW OFFICES	U.S. Oil v. City Appeal	2009
634005	1490	S157	8,872.50	SEIBEL LAW OFFICES	U.S. Oil v. City Appeal	2009
634005	1490	S157	7,420.00	SEIBEL LAW OFFICES	U.S. Oil v. City Appeal	2009
634005	1490	S157	6,060.00	SEIBEL LAW OFFICES	U.S. Oil v. City Appeal	2009
634005	1490	S157	10,425.00	SEIBEL LAW OFFICES	U.S. Oil v. City Appeal	2009
634005	1490	S157	19,575.00	SEIBEL LAW OFFICES	U.S. Oil v. City Appeal	2009
634005	1490	S157	8,915.00	SEIBEL LAW OFFICES	U.S. Oil v. City Appeal	2009
634005	1490	S157	525.00	SEIBEL LAW OFFICES	U.S. Oil v. City Appeal	2009
			157,765.50			
634005	1490	S157	-1,712.50	STEIN HARRY	Mediation 07CV14470	2009
634005	1490	S157	1,712.50	STEIN HARRY	Mediation 07CV14470	2009
			0.00			
634005	1490	S157	1,739.30	TARTER KRINSKY	Tower Automotive	2009
634005	1490	S157	1,498.50	TARTER KRINSKY	Tower Automotive	2009
634005	1490	S157	364.50	TARTER KRINSKY	Tower Automotive	2009
634005	1490	S157	1,903.50	TARTER KRINSKY	Tower Automotive	2009

2009 OUTSIDE COUNSEL AND EXPERTS

Account	Dept	Class	Amount	ShortName	Descr	Year
634005	1490	S157	2,488.90	TARTER KRINSKY	Tower Automotive	2009
634005	1490	S157	486.00	TARTER KRINSKY	Tower Automotive	2009
634005	1490	S157	2,626.88	TARTER KRINSKY	Chrysler LLC Bankruptcy	2009
634005	1490	S157	10.19	TARTER KRINSKY	Chrysler LLC Bankruptcy	2009
634005	1490	S157	1,319.00	TARTER KRINSKY	Chrysler LLC Bankruptcy	2009
634005	1490	S157	3,446.20	TARTER KRINSKY	Chrysler LLC Bankruptcy	2009
634005	1490	S157	399.67	TARTER KRINSKY	Chrysler LLC Bankruptcy	2009
634005	1490	S157	372.50	TARTER KRINSKY	Chrysler LLC Bankruptcy	2009
			16,655.14			
634005	1490	S157	2,000.00	WALL ASSOCIATES	HAAS V COM ET AL	2009
			2,000.00			
			578,610.10	Grand Total		

2010 OUTSIDE COUNSEL AND EXPERT EXPENDITURES

February 17, 2010

Account	Dept	Class	Amount	ShortName	Descr	Year
634005	1490	S157	1,578.00	BLOCK, PETER	Jude v. COM	2010
634005	1490	S157	2,172.00	BLOCK, PETER	Jude v. COM	2010
			3,750.00			
634005	1490	S157	4,103.11	FRIEBERT & FINERTY	MPSO v. City	2010
			4,103.11			
634005	1490	S157	616.00	PYZYCK, ROGER	SPECIAL PROSECUTOR	2010
			616.00			
634005	1490	S157	688.50	TARTER, KRINSKY	CHRYSLER LLC BANKRUPTCY	2010
			688.50			
634005	1490	S157	396.00	VONBRIESEN & ROPER	NUISANCE ABATEMENT	2010
			396.00			
			9,553.61	Grand Total		



Legislation Details (With Text)

File #: 091402 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 2/9/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution to settle claims of Cermele & Associates for defense of various police officers.

Sponsors: THE CHAIR

Indexes: CLAIMS PAYMENT

Attachments: Fiscal Note, Ferrell.pdf, Knight.pdf, Gonzales.pdf, Duncan.pdf, Colker.pdf, Cornejo, Johnson, Knox, Kezeske, Schott and Rajaphoumi.pdf, Mantay.pdf

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/17/2010	1	CITY CLERK	DRAFT SUBMITTED		

Number

091402

Version

Substitute 1

Reference

Title

Substitute resolution to settle claims of Cermele & Associates for defense of various police officers.

Body

Resolved, By the Common Council of the City of Milwaukee, that the proper city officers be and they hereby are authorized and directed to issue a city check in the sum of \$5,690.53 payable to Cermele & Associates, 6310 West Bluemound Rd., Suite 200, Milwaukee, WI 53213 to reimburse him for legal fees for defense of the following police officers:

POLICE OFFICERS	AMOUNT
Robert Ferrell	\$664.50
Matthew Knight	\$1,225.25
Rodney Gonzales	\$529.92
Joseph Duncan	\$781.00
Greg Colker	\$242.00
Javier Cornejo, Todd Johnson, Anthony Knox, Kurt Kezeske, John Schott, Alan Schlief, Sonthana Rajaphoumi	\$1,895.86
Alex Mantay	\$352.00
TOTAL	\$5,690.53

; and, be it

Further Resolved, that the check for \$5,690.53 is to be delivered upon presentation of a proper release, approved by the City Attorney; said amount to be charged to the Damages and Claims Account -636506- Fund No. 0001 - Organization 1490- Program 2631 - Sub Class S118.

Drafter

City Attorney

enm

02/16/10

1032-2009-2832/155114

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



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BRUCE D. SCHRIMPF
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STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 28, 2010

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Jon Cermele, Cermele & Associates, S.C.
for legal fees for Police Officer Robert Ferrell
EC 2757


Dear Council Members:


Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officer Robert Ferrell. The claim is in the amount of \$664.50 including \$4.50 in disbursements for 6.00 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by the filing of a citizen's complaint against the officer with the Fire and Police Commission. The complaint was dismissed by the Commission.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Wis. Stat. § 895.35, *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:amp
Enc.

1032-2009-2832.001:124771v1

CL-C-2009-0067

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
SCOTT J. JESS

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

September 22, 2009

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

**RE: Citizen Complaint of Mr. Matt Nelson
Against PO Robert Ferrell
Complaint No.: 08-30
Date of Incident: March 10, 2008**

Dear Mr. Leonhardt:

Pursuant to Article 58 of the 2007-2009 Collective Bargaining Agreement between the City and the Milwaukee Police Association, the City should request that this claim be placed on the Common Council Committee agenda within 180 days of its receipt.

The above-named police officer has retained us to represent him in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent him and, as he was performing the duties of his office at the time of the events giving rise to the incident, this claim is hereby made on his behalf for the indicated legal fees. This incident involved a field interview.

The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
SCOTT J. JESS

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

September 22, 2009

Mr. Ronald Leonhardt
Milwaukee City Clerk
City Hall, Room 205
200 East Wells Street
Milwaukee WI 53202

RE: Citizen Complaint of Mr. Matt Nelson
Against PO Robert Ferrell
FPC No: 08-30
Date of Incident: March 10, 2008
Professional services

		<u>Hours</u>	<u>Amount</u>
6/6/2008	MG Office conference with PO Ferrell regarding new citizen complaint; review documents; open file; Open Records request.	1.20	132.00
6/9/2008	CA Office conference with PO Ferrell.	0.50	55.00
6/16/2008	MG Receive and review correspondence from FPC.	0.10	11.00
7/7/2008	MG Receive and review correspondence from FPC concerning mediation; telephone call to FPC regarding same.	0.20	22.00
7/23/2008	MG Telephone call to client; memo to file.	0.20	22.00
7/24/2008	MG Telephone call to client regarding mediation; e-mail to Mediation Center; memo to file.	0.30	33.00
8/6/2008	MG Receive and review records from MPD.	0.40	44.00
10/14/2008	MG Receive and review correspondence from Milwaukee Mediation Center.	0.10	11.00

Mr. Ronald Leonhardt

Page 2

		<u>Hours</u>	<u>Amount</u>
10/15/2008	CA	Correspondence from Mediator; telephone call from FPC; e-mail from Mediator.	0.30 33.00
1/27/2009	MG	Review file in preparation for Mediation.	1.60 176.00
2/10/2009	MG	Review file.	0.20 22.00
8/17/2009	SJJ	Review file; correspondence to client regarding same.	0.30 33.00
9/9/2009	SJJ	Receive and review correspondence from FPC regarding dismissal of complaint; correspondence to client regarding same; close file.	0.60 66.00
		For professional services rendered	✓ 6.00 ✓ \$660.00
		Additional charges:	
8/8/2008	MG	MPD Open Records request	4.50
		Total costs	✓ \$4.50
		Total amount of this bill	\$664.50
		Balance due	✓ \$664.50

(Rate: \$110.00 per hour)



RECEIVED

SEP 09 2009

PERMELE & ASSOCIATES, S.C.

Richard C. Cox
Chair

Carolina M. Stark
Vice-Chair

Ernesto A. Baca
Kathryn A. Hein
Paoi X. Lor
Sarah W. Morgan
Commissioners

Fire and Police Commission

Michael G. Tobin
Executive Director

September 3, 2009

Mr. Matt D. Nelson
2008 North Farwell Avenue
Milwaukee, WI 53202

RE: Complaint No. 08-30
Matt D. Nelson v. Police Officer Robert L. Ferrell

Dear Mr. Nelson:

As a result of the Fire and Police Commission's investigation of your complaint, the Milwaukee Police Department is revising their policy on requesting social security numbers. I have enclosed a copy of our memorandum regarding our research. This memorandum is an agenda item which will be presented at the Fire and Police Commission's regular meeting this evening. We are closing your complaint at this time.

Thank you for bringing this matter to our attention.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

Enclosure

cc: Scott J. Jess, Esq. (w/enclosure)

FPC Informational Memorandum: Social Security Numbers

Issue:

During traffic stops and field interviews, some Milwaukee Police Department (MPD) members may ask citizens for their social security numbers. Requesting a social security number can lead to an adverse confrontation. Citizens are often within their legal rights to refuse to provide the number. In a case brought to the attention of the FPC, an MPD officer is alleged to have insisted that a citizen provide his number. When the citizen in question refused to provide their social security number, they claim they were threatened with a citation and/or arrest¹. Such encounters may damage police-community relations. This memorandum examines the policy, procedure and customs of the MPD pertaining to the circumstances in which a social security number should be requested by a member.

Findings:

MPD Standard Operating Procedure (SOP) 710 – Field Interview/Traffic Warning Cards (February 15, 2000) states that members who initiate contact with suspicious persons, or persons involved in faulty driving habits or minor traffic violations are to submit a Field Interview/ Traffic Warning Card (FI card). It denotes the fields to be entered, which include: Officer's Payroll Number, Date and Time of Stop, Name of Person Stopped, Associates of Person Stopped, Date Of Birth, Age, Sex, Race, Division of Interest (such as Gang, Vice, Homicide, etc.) and Vehicle Information. The information requested for the FI cards include space for a social security number. Although not explicitly stated, there is no requirement to record a social security number. The SOP is silent concerning the circumstances in which the social security number should be requested. The FI card is to be turned in to the member's supervisor as soon as practicable after the contact occurred. The completed FI cards are forwarded to clerical staff on a daily basis for entry into the department's database. The FI cards are kept on file for seven (7) days at the work location after entry into the database, and then destroyed.

The majority of members carry FI cards on their person. Some members may write the information in their memo book and either transfer the information to a FI card at a later time, or enter it directly into the database when they return to their work location.

If a citizen is arrested, he/she is transported to the district station and booked. During the booking process, the member enters the citizen's personal information into the arrest report database. The database includes a field for the social security number.

¹ In one instance, as a member was investigating a burglary of a business, he came across a citizen in a business in the vicinity of the burglary. As the member motioned to the citizen to come out of the business, the citizen waved the member off and continued closing his business for the day. When the member saw the citizen standing outside the business and watching the investigation, the member spoke with the citizen and allegedly demanded his social security number. The citizen refused to give his social security number and as a result was allegedly threatened with arrest.

law enforcement officer. No state law prior to January 1975 was located that requires disclosure to a law enforcement officer.

Congress enacted the 1998 Identity Theft and Assumption and Deterrence Act³ and made identity theft a felony. The U.S. Government Accountability Office reported the increased potential for identity theft using social security numbers in a 2006 report. As a result, the President's Task Force on Identity Theft by Executive Order 13402 was established on May 10, 2006. This Task Force subsequently issued its report on identity theft and this influenced many states to limit the inclusion of social security numbers in public records and to explore alternatives to using the numbers as identifiers. Identity theft can occur from police records, through open records requests for police document files, by inadvertent release of records, and by failure to properly redact government records.

Technology Alternatives:

Since the Field Interview/Traffic Warning Card SOP was last revised in 2000, technological innovations have been developed or improved. These innovations provide members with improved means to confirm the identity of persons that provide correct information and also recognize when persons are likely providing false identification information. None of the technology alternatives rely upon the social security number as an identifier.

MPD has been using the Morpho RapID mobile fingerprint scanner for just over a year. MPD purchased 130 scanners with grant funding and is in the process of deploying them throughout the department. With the citizen's consent, the citizen places his/her index finger onto the scanner screen for the device to read the fingerprint. If the citizen has been fingerprinted by MPD in the past, their name, date of birth, race, gender and Bureau of Identification number appear in approximately 20 seconds.

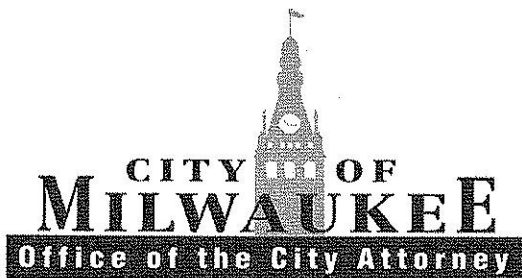
MPD Standard Operating Procedure 370 – Field Identification (April 13, 2007) states that during a field interview and the citizen's identity is in question, the citizen may consent to use the fingerprint scanner as part of the identification process. If a person does not consent, the member does not have authority to demand fingerprint identification. The scanner provides a quick and accurate confirmation of the citizen's identification, which allows the citizen to be released on the street instead of from a district station or the prisoner processing section. It is an effective method of deterring false identification.

In addition, the Wisconsin Department of Motor Vehicles maintains a database of driver's records and motor vehicle registrations. The database is accessible during any traffic stop or field interview via police radio or Mobile Data Computer in police vehicles. A properly trained member can query a citizen and corroborate the information provided with the Department of Motor Vehicle records to confirm a person's identification. The database also allows an experienced member to establish that false identification is being provided to a reasonable certainty in many instances.

³ 18 U.S.C. § 1028.

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
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HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 28, 2010

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Jon Cermele, Cermele & Associates, S.C.
for legal fees for Police Officer Matthew Knight
EC 2742

Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officer Matthew Knight. The claim is in the amount of \$1225.25 including \$4.25 in disbursements for 11.10 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by the filing of a citizen's complaint against the officer with the Fire and Police Commission. The complaint was dismissed by the Commission.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Wis. Stat. § 895.35, *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:amp
Enc.

1032-2009-2189.003:124771v1

1032-2009-2189-003
CLC-2009-0072

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
SCOTT J. JESS

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

July 28, 2009

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

**RE: Citizen Complaint of Ms. Barbara Rogers
Against PO Matthew Knight
Complaint No.: 07-13
Date of Incident: March 3, 2006**

Dear Mr. Leonhardt:

Pursuant to Article 58 of the 2007-2009 Collective Bargaining Agreement between the City and the Milwaukee Police Association, the City should request that this claim be placed on the Common Council Committee agenda within 180 days of its receipt.

The above-named police officer has retained us to represent him in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent him and, as he was performing the duties of his office at the time of the events giving rise to the incident, this claim is hereby made on his behalf for the indicated legal fees. This incident involved the execution of a search warrant.

The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Thank you.

Sincerely,


CERMELE & ASSOCIATES, S.C.

Jon Cermele

/kjs
Attachments
KNIGHT

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

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SCOTT J. JESS

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MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

July 28, 2009

Mr. Ronald Leonhardt
Milwaukee City Clerk
City Hall, Room 205
200 East Wells Street
Milwaukee WI 53202

RE: Citizen Complaint of Ms. Barbara Rogers
Against PO Matthew Knight
FPC No: 07-13
Date of Incident: March 3, 2006
Professional services

		<u>Hours</u>	<u>Amount</u>
3/17/2008 MG	Receive and review new citizen complaint; review CCAP and Muni. Court for case information; telephone call to PO Knight; open file.	0.40	44.00
3/18/2008 MG	Office conference with PO Knight; review documents; correspondence to client; memo to file.	1.20	132.00
3/24/2008 MG	Open records request; review file.	0.50	55.00
3/25/2008 MG	Telephone call from FPC indicating receipt of client's vacation dates; receive and review correspondence from FPC.	0.20	22.00
4/22/2008 MG	Telephone call from MPD.	0.10	11.00
4/23/2008 MG	Telephone call from MPD.	0.10	11.00
7/21/2008 MG	Review file.	0.20	22.00

		<u>Hours</u>	<u>Amount</u>
9/10/2008	MG Receive and review correspondence from FPC regarding mediation.	0.10	11.00
12/8/2008	MG Review file.	0.20	22.00
1/8/2009	MG Telephone call to FPC; memo to file.	0.20	22.00
1/9/2009	MG Review file; telephone call to FPC; memo to file; calendar follow-up; CCAP research regarding complainant and witnesses.	0.50	55.00
1/12/2009	MG E-mail from FPC; fax to Professional Performance Division requesting internal affairs file; e-mail to FPC; several e-mails to FPC regarding open complaints of citizen witnesses; meeting with MPA regarding closed internal affairs file.	0.70	77.00
1/14/2009	MG Receive and review Professional Performance Division records.	0.70	77.00
2/10/2009	MG Review file.	0.10	11.00
2/12/2009	SJJ Office conference with Granitz regarding case background, status, etc.	0.50	55.00
5/21/2009	SJJ Receive and review correspondence from FPC; intra-office conference with Cermele regarding same; e-mail to Tobin regarding same; telephone call to client regarding same.	0.40	44.00
5/22/2009	SJJ Correspondence to client; e-mail to FPC.	0.50	55.00
5/26/2009	SJJ Telephone call from FPC regarding scheduling.	0.10	11.00
6/12/2009	SJJ Review file; determine documents and witnesses necessary for trial.	0.90	99.00

Mr. Ronald Leonhardt

Page 3

		<u>Hours</u>	<u>Amount</u>
6/15/2009	SJJ Telephone call to client regarding scheduling; telephone call from Mediation center regarding scheduling.	0.40	44.00
6/19/2009	SJJ Receive and review mediation documents; correspondence to client regarding same.	0.30	33.00
6/25/2009	SJJ Review file for mediation; telephone call from FPC; travel; meeting with client; meeting with Mediator; return travel.	2.20	242.00
6/26/2009	SJJ Memo to file regarding mediation session.	0.20	22.00
7/9/2009	SJJ Receive and review correspondence from FPC dismissing citizen complaint.	0.10	11.00
7/10/2009	SJJ Correspondence to client regarding dismissal; close file.	0.30	33.00
	For professional services rendered	<u>11.10</u>	<u>\$1,221.00</u>
	Additional charges:		
5/16/2008	MG MPD Open Records request		4.25
	Total costs		<u>\$4.25</u>
	Total amount of this bill		<u>\$1,225.25</u>
	Balance due		<u>\$1,225.25</u>

(Rate: \$110.00 per hour)



RECEIVED

JUL 08 2009

CERMELE & ASSOCIATES, S.C.

Fire and Police Commission

Michael G. Tobin
Executive Director

Richard C. Cox
Chair

Carolina M. Stark
Vice-Chair

Ernesto A. Baca
Kathryn A. Hein
Paoi X. Lor
Sarah W. Morgan
Commissioners

July 7, 2009

Ms. Barbara D. Rogers
8537 West Hampton Avenue
Milwaukee, WI 53225

RE: Barbara D. Rogers v. Police Officer Matthew J. Knight
FPC Complaint No. 07-13

Dear Ms. Rogers:

We have been informed by the Milwaukee Mediation Center that mediation which was to be held on June 25, 2009, with Police Officer Matthew Knight, did not occur because you failed to appear.

Due to your unwillingness to attend mediation, or to notify either the Milwaukee Mediation Center or Cindy Janusz, of our office, of your inability to attend, your complaint has been dismissed.

If you have any questions, please contact Cindy Janusz at (414) 286-5055.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

cc: Chief Edward A. Flynn
Scott J. Jess, Esq.
Police Officer Matthew J. Knight

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
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ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 28, 2010

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Jon Cermele, Cermele & Associates, S.C.
for legal fees for Police Officer Rodney Gonzales
EC 2728

Dear Council Members:

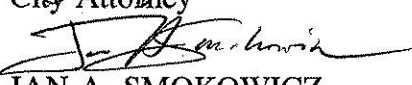
Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officer Rodney Gonzales. The claim is in the amount of \$529.92 including \$1.92 in disbursements for 4.80 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by the filing of a citizen's complaint against the officer with the Fire and Police Commission. The complaint was dismissed by the Commission.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Wis. Stat. § 895.35, *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:amp
Enc.

1032-2009-2189.001:124771v1

COPY

CERMELE & ASSOCIATES, S.C.

C.C. 2009.0069

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
SCOTT J. JESS

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

July 28, 2009

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

**RE: Citizen Complaint of Ms. Jamie Wynn, Ms. Jennifer Wynn and
Ms. Gina Percifield
Against Det. Rodney Gonzales
Complaint No.: 08-31
Date of Incident: March 10, 2008**

Dear Mr. Leonhardt:

Pursuant to Article 58 of the 2007-2009 Collective Bargaining Agreement between the City and the Milwaukee Police Association, the City should request that this claim be placed on the Common Council Committee agenda within 180 days of its receipt.

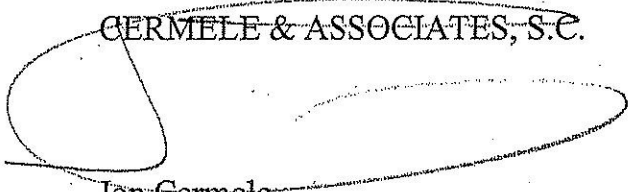
The above-named police detective has retained us to represent him in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent him and, as he was performing the duties of his office at the time of the events giving rise to the incident, this claim is hereby made on his behalf for the indicated legal fees. This incident involved a police investigation.

The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Thank you.

Sincerely,


GERMELE & ASSOCIATES, S.C.

Jon Germele

/kjs
Attachments
GONZALES

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -

WWW.CERMELELAW.COM

JONATHAN CERMELE
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(414) 276-8750
FAX (414) 276-8906

July 28, 2009

Mr. Ronald Leonhardt
Milwaukee City Clerk
City Hall, Room 205
200 East Wells Street
Milwaukee WI 53202

RE: Citizen Complaint of Ms. Jamie Wynn, Jennifer Wynn and Gina Percifield
Against Det. Rodney Gonzales
FPC No: 08-31
Date of Incident: March 10, 2008
Professional services

		<u>Hours</u>	<u>Amount</u>
11/12/2008	CA Office conference with PO Gonzales regarding new citizen complaint; open file; telephone call to FPC; Open Records request.	0.80	88.00
11/14/2008	CA Telephone call from witness; research regarding complainants on CCAP.	0.40	44.00
12/3/2008	CA Telephone call from MPD regarding Open Records request; memo to file.	0.20	22.00
12/15/2008	CA Receive and review Open Records request.	0.30	33.00
1/7/2009	CA Telephone call from Mediation Center.	0.20	22.00
1/8/2009	CA Telephone call to client.	0.10	11.00
1/9/2009	CA Review file; prepare for mediation; outline issues to address with client regarding mediation; telephone call from client regarding mediation date; e-mail to Warmington regarding mediation date.	1.00	110.00

		<u>Hours</u>	<u>Amount</u>
1/26/2009	JC Review file; direction to Granitz.	0.10	11.00
	MG Review file; CCAP research regarding complainant.	0.70	77.00
2/3/2009	MG Telephone call from Mediation Center regarding scheduling; calendar possible mediation date/time; review file; meeting with MPA representative regarding sensitive crimes procedure; telephone call to and from FPC; memo to file.	0.10	11.00
2/10/2009	MG Receive and review e-mail correspondence from Mediation Center.	0.10	11.00
	MG Telephone call from FPC; memo to file; e-mail to Mediation Center.	0.30	33.00
2/16/2009	MG Telephone call from client.	0.10	11.00
5/20/2009	SJJ Receive and review correspondence from FPC confirming dismissal of citizen complaint for failure to prosecute.	0.10	11.00
6/26/2009	JC Correspondence to client; close file.	0.30	33.00
	For professional services rendered	4.80	\$528.00
	Additional charges:		
12/26/2008	CA MPD Open Records request		.192
	Total costs		<u>\$1.92</u>
	Total amount of this bill		<u>\$529.92</u>

Mr. Ronald Leonhardt

Page 3

Amount

Balance due

\$529.92

(Rate: \$110.00 per hour)



RECEIVED

MAY 20 2009

CERMELE & ASSOCIATES, S.C

Richard C. Cox
Chair

Carolina M. Stark
Vice-Chair

Ernesto A. Baca
Kathryn A. Hein
Paol X. Lor
Commissioners

Fire and Police Commission

Michael G. Tobin
Executive Director

May 18, 2009

Ms. Jamie A. Wynn
4218 West Congress Street
Milwaukee, WI 53209

Ms. Gina M. Percifield
900 Scott Avenue, Apt. 102
Waukesha, WI 53186

Ms. Jennifer L. Wynn
900 Scott Avenue, Apt. 102
Waukesha, WI 53186

RE: Complaint of Jamie A. Wynn, Gina M. Percifield and Jennifer L. Wynn v.
Detective Rodney P. Gonzales and Detective Matthew R. Quist
FPC Complaint No. 08-31

Dear Jamie, Gina and Jennifer:

Your complaint was forwarded to the Milwaukee Mediation Center for mediation with the above detectives. The Milwaukee Mediation Center sent you a letter with available dates for mediation and asked you to respond by May 5, 2009. Cindy Janusz of our office has attempted telephone contact with you to determine if you still wish to participate in mediation, but there was either no answer at the telephone numbers we have, or the telephone numbers were disconnected.

Due to no contact by you, we are closing your file and dismissing the complaint against the detectives.

Sincerely,

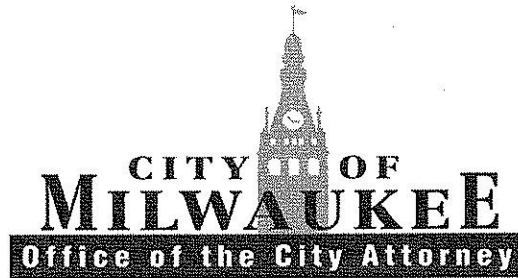
Michael G. Tobin
Executive Director

MGT:cj

cc: Chief Edward A. Flynn
Scott J. Jess, Esq.
Detective Rodney Gonzales
Detective Matthew Quist

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



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ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 28, 2010

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Jon Cermele, Cermele & Associates, S.C.
for legal fees for Police Officer Joseph Duncan
EC 2741

Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing for Police Officer Joseph Duncan. The claim is in the amount of \$781.00 for 7.10 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by the filing of a citizen's complaint against the officer with the Fire and Police Commission. The complaint was dismissed by the Commission.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Wis. Stat. § 895.35, *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:amp
Enc.

1032-2009-2189.002:124764v1

1032-2009-2189.002

CLL 2009.0071

COPY

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
SCOTT J. JESS

6310 WEST BLUEMOUND ROAD
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MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

July 28, 2009

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

**RE: Citizen Complaint of Ms. LaTonya Jackson
Against PO Joseph Duncan
Complaint No.: 08-120
Date of Incident: August 5, 2008**

Dear Mr. Leonhardt:

Pursuant to Article 58 of the 2007-2009 Collective Bargaining Agreement between the City and the Milwaukee Police Association, the City should request that this claim be placed on the Common Council Committee agenda within 180 days of its receipt.

The above-named police officer has retained us to represent him in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent him and, as he was performing the duties of his office at the time of the events giving rise to the incident, this claim is hereby made on his behalf for the indicated legal fees. This incident involved the investigation of improper disposal of animal waste.

The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
SCOTT J. JESS

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

July 28, 2009

Mr. Ronald Leonhardt
Milwaukee City Clerk
City Hall, Room 205
200 East Wells Street
Milwaukee WI 53202

RE: Citizen Complaint of Ms. LaTonya Jackson
Against PO Joseph Duncan
FPC No: 08-120
Date of Incident: August 5, 2008
Professional services

		<u>Hours</u>	<u>Amount</u>
5/22/2009	SJJ Lengthy office conference with PO Duncan regarding new citizen complaint; open file; review FPC documents.	1.70	187.00
5/27/2009	SJJ Receive and review court and MPD documents related to citizen complaint.	0.60	66.00
6/9/2009	SJJ Telephone call from Mediation Center regarding scheduling.	0.10	11.00
6/10/2009	JC Telephone call to client scheduling mediation; e-mail to Mediation Center.	0.20	22.00
6/11/2009	SJJ Telephone call from Mediation Center regarding scheduling.	0.10	11.00
6/12/2009	SJJ Telephone call to client regarding mediation.	0.20	22.00
6/17/2009	SJJ Receive and review mediation documents.	0.30	33.00

Mr. Ronald Leonhardt

Page 2

		<u>Hours</u>	<u>Amount</u>
6/23/2009	SJJ	3.10	341.00
7/10/2009	SJJ	0.10	11.00
7/13/2009	SJJ	0.30	33.00
7/14/2009	SJJ	0.40	44.00
	For professional services rendered	<u>7.10</u>	<u>\$781.00</u>
	Balance due		<u>\$781.00</u>

(Rate: \$110.00 per hour)

RECEIVED

JUL 14 2009

CERMELE & ASSOCIATES, S.C.

Richard C. Cox
Chair
Carolina M. Stark
Vice-Chair
Ernesto A. Baca
Kathryn A. Hein
Paoi X. Lor
Sarah W. Morgan
Commissioners



Fire and Police Commission

Michael G. Tobin
Executive Director

July 10, 2009

Ms. LaTonya Jackson
3700 North 73rd Street
Milwaukee, WI 53216

RE: Complaint of LaTonya Jackson v. Police Officers Joseph A. Duncan
and James E. Malone (retired)
FPC Complaint No. 08-120

Dear Ms. Jackson:

Pursuant to notification we received from the Milwaukee Mediation Center, you had a successful mediation with Police Officer Joseph Duncan on Tuesday, June 23, 2009. The police officer will not receive any formal discipline as it relates to your complaint. The complaint does remain on file with the Fire and Police Commission for future reference.

Your input at the mediation is very helpful to us in revising the procedures police officers follow while performing their job. Police officers participate in yearly updates to their training where changes to procedures are incorporated.

Thank you for giving us the opportunity to assist you with your complaint. Feel free to contact us in the future, should the need arise. We are closing our file on your complaint.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

cc: Chief Edward A. Flynn
Scott J. Jess, Esq.
Police Officer Joseph A. Duncan

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

February 2, 2010

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Jon Cermele, Cermele & Associates, S.C.
for legal fees for Police Officer Greg Colker
EC 2756

Dear Council Members:

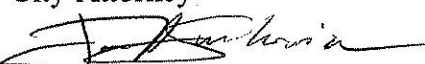
Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing for Police Officer Greg Colker. The claim is in the amount of \$242.00 for 2.2 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by the filing of a citizen's complaint against the officer with the Fire and Police Commission. The complaint was dismissed by the Commission.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Wis. Stat. § 895.35, *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:amp
Enc.

1060-2009-2832:124764v1

CL-C-2009-0068
COPY

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
SCOTT J. JESS

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

September 22, 2009

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

**RE: Citizen Complaint of Ms. Carinda Lisiak
Against PO Greg Colker
Complaint No.: 09-147
Date of Incident: April 29, 2009**

Dear Mr. Leonhardt:

Pursuant to Article 58 of the 2007-2009 Collective Bargaining Agreement between the City and the Milwaukee Police Association, the City should request that this claim be placed on the Common Council Committee agenda within 180 days of its receipt.

The above-named police officer has retained us to represent him in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent him and, as he was performing the duties of his office at the time of the events giving rise to the incident, this claim is hereby made on his behalf for the indicated legal fees. This incident involved an animal ordinance violation.

The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
SCOTT J. JESS

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

September 22, 2009

Mr. Ronald Leonhardt
Milwaukee City Clerk
City Hall, Room 205
200 East Wells Street
Milwaukee WI 53202

RE: Citizen Complaint of Ms. Carinda Lisiak
Against PO Greg Colker
FPC No: 09-0147
Date of Incident: April 29, 2009
Professional services

		<u>Hours</u>	<u>Amount</u>
7/21/2009	SJJ Telephone call to and from PO Colker regarding new citizen complaint; telephone call from Mediator regarding scheduling; open file.	0.50	55.00
8/5/2009	SJJ Telephone call to PO Colker regarding scheduling mediation; e-mail to Mediation Center regarding same.	0.20	22.00
8/19/2009	SJJ Receive and review e-mail from Mediation Center; correspondence to client regarding same; telephone call from FPC regarding complaint; receive and review citizen complaint.	0.70	77.00
8/28/2009	SJJ Office conference with client.	0.50	55.00
9/1/2009	SJJ Receive and review correspondence from FPC dismissing complaint; correspondence to client regarding same; close file.	0.30	33.00

Mr. Ronald Leonhardt

Page 2

For professional services rendered

<u>Hours</u>	<u>Amount</u>
✓ 2.20	✓ \$242.00

Balance due

\$242.00

OK

(Rate: \$110.00 per hour)



RECEIVED

AUG 31 2009

CERMELE & ASSOCIATES, S.C.

Richard C. Cox
Chair
Carolina M. Stark
Vice-Chair

Ernesto A. Baca
Kathryn A. Hein
Paul X. Lor
Sarah W. Morgan
Commissioners

Fire and Police Commission

Michael G. Tobin
Executive Director

August 27, 2009

Ms. Carinda S. Lisiak
327 West Mineral Street
Milwaukee, WI 53204

RE: Complaint of Carinda S. Lisiak v. Police Officer Gregory T. Colker
FPC Complaint No. 09-147.

Dear Ms. Lisiak:

Pursuant to your telephone conversation with Cathy Warmington of the Milwaukee Mediation Center and Cindy Janusz of our office, this correspondence confirms that you do not wish to proceed with your complaint. We are closing our file at this time and will take no further action concerning this incident. If you need further assistance with this matter, or have any questions regarding it, please do not hesitate to contact us.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

cc: Chief Edward A. Flynn
Police Officer Gregory T. Colker
Scott J. Jess, Esq.

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
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STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
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MELANIE R. SWANK
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DONALD L. SCHRIEFER
EDWARD M. EHRLICH
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

February 2, 2010

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Jon Cermele, Cermele & Associates, S.C.
for legal fees for Police Officers Javier Cornejo, Todd Johnson, Anthony
Knox, Kurt Kezeske, John Schott, Alan Schlieff, Sonthana Rajaphoumi
EC 2758

Dear Council Members:


Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officers Javier Cornejo, Todd Johnson, Anthony Knox, Kurt Kezeske, John Schott, Alan Schlieff, Sonthana Rajaphoumi. The claim is in the amount of \$1,895.86 including \$25.86 in disbursements for 17.00 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by the filing of a citizen's complaint against the officers with the Fire and Police Commission. The complaint was dismissed by the Commission.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Wis. Stat. § 895.35, *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:amp
Enc.

1032-2009-2832.002:124771v1

OFFICE OF THE CITY ATTORNEY

06-0-2009-0070

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
SCOTT J. JESS

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

September 22, 2009

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

RE: Citizen Complaint of Mr. Karl Edwards ^{Anthony}
Against PO's Javier Cornejo, Tony Knox, Sam Rajaphoumi, Alan Schleif, ^{scott}
Todd Johnson, Kurt Kezeske and John Schott
Complaint No.: 07-18
Date of Incident: March 15, 2007

Dear Mr. Leonhardt:

Pursuant to Article 58 of the 2007-2009 Collective Bargaining Agreement between the City and the Milwaukee Police Association, the City should request that this claim be placed on the Common Council Committee agenda within 180 days of its receipt.

The above-named police officers have retained us to represent them in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent them and, as they were performing the duties of their office at the time of the events giving rise to the incident, this claim is hereby made on their behalf for the indicated legal fees. This incident involved a narcotics-related search warrant.

The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Thank you.

Sincerely,

CERMELE & ASSOCIATES, S.C.

Jon Cermele

/kjs

Attachments

CORNEJO, et al

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -

WWW.CERMELELAW.COM

JONATHAN CERMELE
SCOTT J. JESS

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

September 22, 2009

Mr. Ronald Leonhardt
Milwaukee City Clerk
City Hall, Room 205
200 East Wells Street
Milwaukee WI 53202

RE: Citizen Complaint of Mr. Karl Edwards
Against PO's Javier Cornejo, Tony Knox, Sam Rajaphoumi, Alan Schleif,
Todd Johnson, Kurt Kezeske and John Schott
FPC No: 07-18
Date of Incident: March 15, 2007
Professional services

		<u>Hours</u>	<u>Amount</u>
7/12/2007	RLP Office conference with PO Cornejo regarding new citizen complaint; open file; review complaint; Open Records request.	0.90	99.00
7/13/2007	MG Conference with PO Rajaphoumi; review documents from same; conference with PO Knox; review documents from same; Open Records request for PO's Rajaphoumi and Knox.	1.50	165.00
7/18/2007	MG Conference with PO Alan Schleif; Open Records request; CCAP research.	0.80	88.00
7/19/2007	RLP Conference with PO Todd Johnson; memo to file; review and sign correspondence to FPC advising of representation, vacation dates and requesting other complaints by citizen.	0.50	55.00
7/26/2007	RLP Receive and review correspondence from FPC regarding other complaints filed by citizen.	0.10	11.00

		<u>Hours</u>	<u>Amount</u>
7/30/2007	RLP Telephone call from PO Cornejo.	0.20	22.00
8/10/2007	RLP Receive and review Open Records request response.	0.50	55.00
8/24/2007	MG Review records from MPD.	0.50	55.00
8/27/2007	MG Review file for officers who have not yet sought representation.	0.10	11.00
8/29/2007	MG Office conference with PO Kezeske.	0.60	66.00
3/7/2008	MG Telephone call from PO Johnson regarding conciliation and vacation dates for 2008; telephone call to PO Cornejo regarding same; telephone call to PO Knox regarding same; telephone call to PO Rajaphoumi regarding same; telephone call from PO Schleif regarding same; telephone call from PO Kezeske regarding same; memo to file; telephone calls from and to FPC regarding dates for conciliation.	0.60	66.00
3/10/2008	RLP Prepare paperwork for PO Schott to join file.	0.20	22.00
3/11/2008	MG Telephone call from PO Rajaphoumi regarding conciliation scheduling; telephone call to FPC regarding same; telephone call to and from PO Knox regarding same; memo to file.	0.50	55.00
3/13/2008	MG Telephone call to FPC.	0.10	11.00
4/14/2008	MG Telephone call from FPC; memo to file.	0.20	22.00
7/21/2008	MG Receive and review correspondence from FPC dismissing all officers other than PO Schott from complaint; office conference with Balcerzak regarding same; review file;	1.00	110.00

		<u>Hours</u>	<u>Amount</u>
	correspondence to PO's Cornejo, Knox, Rajaphoumi, Schleif, Johnson and Kezeske indicating their removal from FPC complaint.		
7/23/2008 MG	Receive and review correspondence from FPC.	0.20	22.00
9/25/2008 MG	Telephone call to FPC.	0.10	11.00
10/21/2008 MG	Several telephone calls to and from FPC regarding mediation; review file; memo to file.	0.50	55.00
10/22/2008 MG	Receive and review correspondence from FPC reinstating PO's Smölen, Schleif, Johnson and Kezeske and dismissing PO's Cornejo, Knox, Rajaphoumi and Schott; telephone call to FPC; intra-office conference with Cermele; review file; correspondence to FPC.	1.10	121.00
11/25/2008 MG	E-mail from Mediator; review file; correspondence to FPC.	0.40	44.00
12/8/2008 MG	Receive and review correspondence from FPC explaining dismissal and reinstatement of officers; intra-office conference with Cermele; memo to file.	0.60	66.00
1/5/2009 MG	Telephone call from Mediation Center.	0.10	11.00
1/12/2009 MG	Review file; instruction to KS regarding mediation.	0.30	33.00
1/13/2009 MG	Telephone call and e-mail from Mediation Center; e-mail in response.	0.30	33.00
1/15/2009 MG	E-mail regarding mediation status.	0.10	11.00

		<u>Hours</u>	<u>Amount</u>
1/20/2009	MG E-mails regarding clients' availability for mediation.	0.10	11.00
1/21/2009	MG Telephone call from Mediation Center.	0.10	11.00
1/23/2009	MG Telephone call from PO Johnson regarding mediation availability; e-mail regarding same; correspondence to clients confirming mediation date; calendar same; review file in preparation for Mediation.	1.50	165.00
1/26/2009	MG E-mail to Milwaukee Mediation center seeking confirmation that 01/29/09 mediation is still going; telephone call from Mediation Center.	0.20	22.00
1/27/2009	MG Telephone call from PO Kezeske.	0.20	22.00
1/28/2009	MG Prepare for mediation; receive and review correspondence from Mediation Center; receive and review message from FPC; telephone call to FPC; meeting with MPA regarding case status; telephone call from and to Mediation Center; instruction to KS regarding notifying clients that mediation has been cancelled.	1.50	165.00
1/29/2009	MG Meeting with MPA regarding FPC authority concerning citizen complaint investigations.	0.20	22.00
1/30/2009	MG Telephone call to FPC.	0.10	11.00
2/10/2009	MG Review file.	0.10	11.00
8/17/2009	SJJ Review file; correspondence to clients regarding same.	0.30	33.00

Mr. Ronald Leonhardt

Page 5

	<u>Hours</u>	<u>Amount</u>
9/16/2009 SJJ Telephone call to FPC regarding status; receive and review correspondence from FPC regarding dismissal of complaint in its entirety and against all officers / clients.	0.30	33.00
9/20/2009 SJJ Correspondence to clients regarding dismissal of complaint and closure of file; close file.	0.40	44.00
For professional services rendered	<u>✓ 17.00</u>	<u>\$1,870.00</u>
Additional charges:		
8/17/2007 RLP MPD Open Records request		<u>✓ 25.86</u>
Total costs		<u>\$25.86</u>
Total amount of this bill		<u>✓ \$1,895.86</u>
Balance due		<u><u>\$1,895.86</u></u>

(Rate: \$110.00 per hour)



RECEIVED

JUL 22 2008

Fire and Police Commission

Michael G. Tobin
Executive Director

Leonard J. Sobczak
Chairman
Ernesto A. Baca
Vice-Chairman
Earl A. Buford
Richard C. Cox
Kathryn A. Hein
Commissioners

July 18, 2008

Matthew L. Granitz, Esq.
Cermele & Associates, S.C.
6310 West Bluemound Road
Suite 200
Milwaukee, WI 53213

RE: Complaint of Karl Edwards
FPC Complaint No. 07-18

Dear Mr. Granitz:

Upon further investigation of the police officers involved with this complaint, I have been able to eliminate the following from their involvement:

1. Police Officer Javier Comejo.
2. Police Officer Torrey Lea.
3. Police Officer Sonthana Rajaphoumi.
4. Police Officer Anthony Knox.
5. Police Officer Todd Smolen.
6. Police Officer Alan Schleif.
7. Police Officer Todd Johnson.
8. Police Officer Kurt Kezeske.
9. Sergeant Daniel Wesolowski.

Police Officer John Schott, who was the arresting officer and Sergeant Joel Kujawa are the only officers being requested to participate in mediation with Mr. Edwards. If you have any questions, please contact me at (414) 286-5055.

Sincerely,

Cynthia M. Janusz
Paralegal

cc: Chief Edward A. Flynn
Lt. Alan Johnson
Karl Edwards
All police officers involved



RECEIVED

OCT 22 2008

CERMELE & ASSOCIATES, S.C.

Fire and Police Commission

Michael G. Tobin
Executive Director

Richard C. Cox
Chair

Carolina M. Stark
Vice-Chair

Leonard J. Sobczak

Ernesto A. Baca

Earl A. Buford

Kathryn A. Hein

Carolina M. Stark

Paol X. Lor

Commissioners

October 21, 2008

Matthew L. Granitz, Esq.
Cermele & Associates, S.C.
6310 West Bluemound Road, Suite 200
Milwaukee, WI 53213

RE: Complaint of Karl Edwards
FPC Complaint No. 07-18

Dear Mr. Granitz:

The complainant, Karl Edwards, came into our office today to view photos of the 12 officers involved in his complaint to determine which officers were the ones he is complaining of. Upon his viewing of the photos, the following officers will be requested to participate in mediation:

1. Police Officer Todd Smolen.
2. Police Officer Alan Schleif.
3. Police Officer Todd Johnson.
4. Police Officer Kurt Kezeske.

The following officers are being dismissed from the complaint:

1. Sergeant Daniel Wesolowski.
2. Sergeant Joel Kujawa.
3. Police Officer Javier Cornejo.
4. Police Officer Torrey Lea.
5. Police Officer Sonthana Rajaphoumi.
6. Police Officer Anthony Knox.
7. Police Officer John Schott.
8. Police Officer Jason Kane (resigned).

If you have any questions, please contact me at (414) 286-5055.

Sincerely,

Cynthia M. Janusz
Paralegal

cc: Chief Edward A. Flynn
Lt. Alan Johnson
Karl Edwards
All police officers involved



RECEIVED
DEC 09 2008
CERMELE & ASSOCIATES, S.C.

Fire and Police Commission

Michael G. Tobin
Executive Director

Richard C. Cox
Chair
Carolina M. Stark
Vice-Chair
Leonard J. Sobczak
Ernesto A. Baca
Earl A. Buford
Kathryn A. Hein
Paol X. Lor
Commissioners

December 3, 2008

Matthew L. Granitz, Esq.
Cermele & Associates, S.C.
6310 West Bluemound Road, Suite 200
Milwaukee, WI 53213

RE: Complaint of Karl Edwards
FPC Complaint No. 07-18

Dear Mr. Granitz:

In response to your recent inquiries as to the above-referenced complaint, the Fire and Police Commission does maintain jurisdiction over the officers involved in the incident that occurred on March 15, 2007. In an effort to save the taxpayers from having to pay twelve officers overtime and the expense that it would take to mediate with all twelve officers, only to determine which two officers were involved, it made sense to eliminate the uninvolved officers from the process.

As you will recall, Cindy Janusz informed you on April 15, 2008 that Mr. Edwards described the officers over the telephone to her as both being white males, with the main officer being 6'6" tall, 230 lbs. and in his mid forties. The other officer involved was described as being 5'9" tall, 170 lbs. and in his mid twenties. From those descriptions and information she received from you, or officers she spoke with, she eliminated all officers that were not white males, and those that were not in the area of Mr. Edwards' arrest. Upon eliminating those officers, Ms. Janusz sent a letter to you and copied Mr. Edwards. Upon Mr. Edwards' receipt of the letter, he contacted Ms. Janusz and informed her that he knows Officer John Schott and Sgt. Joel Kujawa, and neither one was involved. With that information, it was decided that it would be best to get photographs of all of the officers that were involved in the incident for Mr. Edwards to view and pick out the correct officers.

On October 21, 2008, Mr. Edwards came to the Fire and Police Commission to view the photographs. Mr. Edwards narrowed down the officers to four—Officer Kurt Kezeske, Officer Todd Smolen, Officer Alan Schlieff and Officer Todd Johnson. Mr. Edwards advised her that because they were in their tactical uniforms, which included their heads being somewhat covered, he could not make a positive identification from photographs which only included their faces. At this point, it was determined that it would be best if these four officers were requested to participate in mediation and the two that were not involved to be eliminated at that time.

If you have any questions regarding this decision, please contact me.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj



RECEIVED

SEP 17 2009

CERMELE & ASSOCIATES, S.C.

Fire and Police Commission

Michael G. Tobin
Executive Director

Richard C. Cox
Chair

Carolina M. Stark
Vice-Chair

Ernesto A. Baca
Kathryn A. Hein
Paol X. Lor
Sarah W. Morgan
Commissioners

September 15, 2009

Mr. Karl Edwards
3626 North 40th Street
Milwaukee, WI 53216

RE: Fire and Police Commission Complaint No. 07-18
Karl Edwards v. Milwaukee Police Department Police Officers

Dear Mr. Edwards:

You filed a complaint dated March 23, 2007 with the Fire and Police Commission. You indicated that two police officers injured you while taking you into custody, but that you did not know who they were. Our initial investigation determined that there were twelve officers present during the incident in your complaint. Upon Cindy Janusz of our office speaking with you and you viewing photos of the 12 officers, you were able to pick out two officers that you believed were involved, but were not positive. Due to your inability to positively identify the police officers, we are dismissing your complaint.

If you have any questions regarding our decision, please call Cindy Janusz at (414) 286-5055.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

cc: Police Chief Edward A. Flynn
Professional Performance Division
Scott J. Jess, Esq.
Lt. Alan Johnson
All involved police officers

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
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HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 28, 2010

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Jon Cermele, Cermele & Associates, S.C.
for legal fees for Police Officer Alex Mantay
EC 2727

Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing for Police Officer Alex Mantay. The claim is in the amount of \$352.00 for 3.20 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by the filing of a citizen's complaint against the officer with the Fire and Police Commission. The complaint was dismissed by the Commission.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Wis. Stat. § 895.35, *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:amp
Enc.
1060-2009-2189:124764v1

1032-2009.2189

COPY

CERMELE & ASSOCIATES, S.C. CL-C-2009-0026

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
SCOTT J. JESS

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

July 28, 2009

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

**RE: Citizen Complaint of Mr. Mark C. Carter
Against PO Alex Mantay
Complaint No.: 08-95
Date of Incident: October 2008**

Dear Mr. Leonhardt:

Pursuant to Article 58 of the 2007-2009 Collective Bargaining Agreement between the City and the Milwaukee Police Association, the City should request that this claim be placed on the Common Council Committee agenda within 180 days of its receipt.

The above-named police officer has retained us to represent him in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent him and, as he was performing the duties of his office at the time of the events giving rise to the incident, this claim is hereby made on his behalf for the indicated legal fees. This incident involved an investigation into the shooting of a vehicle.

The Fire and Police Commission have dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Thank you.

Sincerely,

CERMELE & ASSOCIATES, S.C.

Jon Cermele

/kjs
Attachments
MANTAY

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
SCOTT J. JESS

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

July 28, 2009

Mr. Ronald Leonhardt
Milwaukee City Clerk
City Hall, Room 205
200 East Wells Street
Milwaukee WI 53202

RE: Citizen Complaint of Mr. Mark C. Carter
Against PO Alex Mantay
FPC No: 08-95
Date of Incident: October 2008
Professional services

		<u>Hours</u>	<u>Amount</u>
5/27/2009	SJJ Telephone call from Milwaukee Mediation Center; telephone call to PO Mantay; telephone call to FPC; receive and review correspondence from FPC; open file.	0.80	88.00
6/4/2009	SJJ E-mail to Mediator regarding scheduling.	0.10	11.00
6/8/2009	SJJ E-mail to Mediation Center; telephone call to client regarding scheduling; office conference with client; telephone call to FPC.	1.00	110.00
6/9/2009	SJJ Telephone call from FPC regarding mediation; correspondence to client regarding same; receive and review correspondence from FPC regarding complainant's history.	0.70	77.00
6/10/2009	SJJ Receive and review correspondence from FPC dismissing PO Mantay from complaint; correspondence to client regarding same.	0.30	33.00

Mr. Ronald Leonhardt

Page 2

	<u>Hours</u>	<u>Amount</u>
6/30/2009 SJJ Receive and review correspondence from FPC regarding dismissal of entire complaint; close file.	0.30	33.00
For professional services rendered	<u>3.20</u>	<u>\$352.00</u>
Balance due		<u>\$352.00</u>

(Rate: \$110.00 per hour)



RECEIVED

JUN 12 2009

CERMELE & ASSOCIATES, S.C.

Richard C. Cox
Chair
Carolina M. Stark
Vice-Chair
Ernesto A. Baca
Kathryn A. Hein
Paoi X. Lor
Sarah W. Morgan
Commissioners

Fire and Police Commission

Michael G. Tobin
Executive Director

June 10, 2009

Police Officer Alexander W. Mantay
District 7 - Early

RE: Fire and Police Commission Complaint No. 08-95
Complaint of Mark C. Carter v. Police Officer Alexander W. Mantay

Dear Officer Mantay:

Upon further contact with the complainant, it has been determined that you were misidentified in the above-referenced complaint as an accused member. Therefore, we are removing your name from the complaint and you do not have to participate in mediation.

If you have any questions regarding this decision, please contact us.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

cc: Chief Edward A. Flynn
Scott J. Jess, Esq.

2003 Statistics

GENERAL INFORMATION ABOUT MILWAUKEE

Altitude (City datum)	.....	581.2 feet
City Area	.....	96.1 square miles
Geographic Center	.....	North 42nd Street and West North Avenue
Shoreline of Lake Michigan in City	.....	10.2 miles
Incorporated by Wisconsin Charter	.....	January 31, 1846

GENERAL INFORMATION ABOUT MILWAUKEE'S INFRASTRUCTURE

Alleys, total	.....	414.6 miles
Freeways	.....	40.1 miles
Paved City Streets	.....	1,417 miles
Unpaved City Streets	.....	15 miles
Total city streets	.....	1,432 miles
Miles of lighted streets	.....	1,288.54 miles
City maintained bridges	.....	220
Movable bridges	.....	20
Total bridge openings	.....	18,119
Total sewer mileage in operation (sanitary, storm and combined)	.....	2,437
Main line sewers in the City	.....	120 miles
Streets with interim lighting	.....	81.84 miles
Unlit streets	.....	43.69 miles
Street lighting units	.....	66,871
Alley lighting units	.....	8,790
Traffic control signals	.....	728 intersections
Traffic control signs	.....	102,058
Underground conduit	.....	546.3 miles
Bus stops, signage maintained	.....	4,267

MILWAUKEE WATER WORKS

Howard Avenue plant capacity	.....	105 million gallons/day (MGD)
Linnwood plant capacity	.....	275 million gallons/day (MGD)
Total annual pumpage (gallons)	.....	46.1 billion
Consumption per capita per day (gallons)	.....	65
Meters in service	.....	160,966
Water hydrants	.....	19,726
Water mains in service (miles)	.....	1,954
Revenue	.....	\$74.5 million
Milwaukee Water Works' purification process is comprised of ozone disinfection, alum coagulation, dual media filtration, fluoridation, corrosion control, and chloramine post-disinfection.		
<u>Retail customers:</u> Franklin, Greenfield, Hales Corners, St. Francis, West Milwaukee		
<u>Wholesale customers:</u> Brown Deer, Butler, Greendale, Menomonee Falls, Milwaukee County Grounds, New Berlin, Shorewood, Wauwatosa, West Allis, WE Energies Water Services		

SANITATION

Residential Waste collected	.....	179,784 Tons
Recyclables collected	.....	26,100 Tons
Leaves and Yard Waste collected & composted	.....	25,285 Tons
Snowfall (January - December)	.....	32.6 Inches
General snow plowings	.....	2
Ice control operations	.....	23

FORESTRY DIVISION

Trees on city streets	.....	200,000
Shade trees planted	.....	2,731
Trees pruned	.....	50,258
Trees removed (all causes)	.....	3,529
Stumps removed	.....	4,143
Boulevard medians & greenspaces maintained	.....	476 acres
Flowers produced, annuals	.....	371,546
Flowers planted, annuals	.....	185,448
Flowers planted, perennials & bulbs	.....	7,455
Shrubs planted	.....	1,497
Evergreens planted	.....	107
Landscaped boulevard medians	.....	121.8 miles
Greenspaces maintained	.....	59
Totlots maintained	.....	57
City properties maintained	.....	20
Service requests	.....	9,620

INFRASTRUCTURE SERVICES -

SEWER DESIGN AND MAINTENANCE

Sewers examined	.....	84 miles
Sewers cleaned	.....	422.2 miles
New sewers	.....	81 miles
Replacement sewers	.....	13.11 miles
Sewer lining	.....	2.0 miles
Service calls answered	.....	7,937

FLEET SERVICES

Work Orders	.....	31,415
Preventive Maintenance Inspections Performed	.....	7,359
Tires Mounted	.....	3,933
Field Service Calls, Tires	.....	4,392
Field Service Calls, Other	.....	7,212
Stockroom Activity	.....	\$4,710,704
Vehicles Serviced		
Passenger Vehicles	.....	1,047
Packers, Rear Load	.....	144
Packers, Front Load and Roll-off	.....	22
Packers, Recycling	.....	51
Tractors	.....	65
Street Sweepers	.....	29
Sewer cleaners, flushers, etc.	.....	7
Construction equipment	.....	487
Trucks, all other	.....	842

<u>Compressors</u>	.....	96
Vehicle Total	.....	2,790
<u>Non-automotive equipment</u>	.....	1,395
Total Serviced	.....	4,185

STREET AND BRIDGE MAINTENANCE

Bridges, inspected	.....	180
Bridges, number of openings	.....	14,119
Pavement seal coating (square yards)	.....	261,288
Asphalt surface by contract (tons)	.....	3,057
Production of asphalt mixes (tons)	.....	15,012

Average Total DPW Employees, 2003 2,400

Rec'd 2/24/2005



Legislation Details (With Text)

File #: 091376 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 2/9/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution relating to an appeal from Kent Hansen for property damage.
Sponsors: THE CHAIR
Indexes: CLAIMS APPEAL
Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
091376
Version
ORIGINAL
Reference

Sponsor
THE CHAIR

Title
Resolution relating to an appeal from Kent Hansen for property damage.

Drafter
CC-CC
dkf
2/4/10

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
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HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 19, 2010

Kent Hansen
2065 Edgewater Drive
Grafton, WI 53024

RE: Kent Hansen
C.I. File No.: 09-S-355

Dear Mr. Hansen:

We have received your claim in the amount of \$761.26, relating to alleged damage to your vehicle's doors that occurred during the towing of the vehicle.

Our investigation reveals that your 2009 Mazda was towed to the City of Milwaukee Tow Lot for being parked in A Tow-Away Zone. The PT-27 Form, which was completed prior to the vehicle's towing, and the tow lot Intake Form make no mention of this alleged damage. The forms also note that the doors were locked throughout the towing process. Our office also spoke with the tow truck driver that completed this tow and he had no recollection of the alleged damage. Since there is no evidence to support your claim of damage during the tow process, the City cannot accept liability and we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,


GRANT F. LANGLEY
City Attorney


ROBERT OVERHOLT
Investigator Adjuster

RMO:ms
c: Dave Lawrence
1044-2009-2645:154035

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

Kent Hansen
2065 Edgewater Drive
Grafton, WI 53024

CITY OF MILWAUKEE
2010 FEB -1 AM 9:24
January 29, 2010
RONALD D. LEONHARDT
CITY CLERK

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

C.I. File No.: 09-S-355

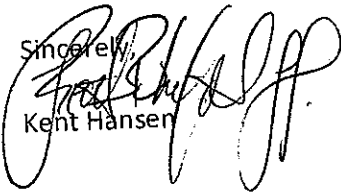
Dear City of Milwaukee – Office of the City Attorney:

This letter is appeal the decision reached on C.I. File No.: 09-S-355 and to request a hearing on the City of Milwaukee denied claim and denied acceptance of liability of damage sustained to my vehicle as result of overturned tow on July 24, 2009.

There was no damage to the vehicle prior to the tow and there is no other explanation for the location of the damage other than the need for or attempt to, create forced entry into the car to facilitate the tow.

I would like the opportunity to present my perspective and prove why the conclusion reached for the investigation should not be denied claim and denied acceptance of liability.

Sincerely,



Kent Hansen

Contact Information:
Kent Hansen
2065 Edgewater Drive
Grafton, WI 53024

Home: 262-387-0307
Mobile: 262-388-3558

OFFICE OF THE
CITY ATTORNEY

2010 FEB -1 PM 2:40

CITY OF MILWAUKEE
RECEIVED

C.I. File No.: 09-S-355
Citation: 440167663

Kent Hansen
2065 Edgewater Drive
Grafton, WI 53024

CITY OF MILWAUKEE
RECEIVED

September 25, 2009

2009 SEP 29 PM 3: 05

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

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
2009 SEP 29 AM 8: 23
RONALD D. LEONHART
CITY CLERK

Dear City Clerk:

This letter is to seek relief for the damages caused to my vehicle as a result of MPD towing the car based on citation No.: 440167663. Please note the citation and towing of the car has been overturned in my favor.

On July 24, 2009 my vehicle was ticketed and subsequently towed from 1312 N Marshall Street in Milwaukee due to a movie/film shoot taking place. The original ticket stated Code 750 Tow-Away Zone however no signs were posted.

Damages were sustained to the front drives side door and drives side passenger sliding door as well as to the frame of the car. The damages are clear signs of the forced entry into my car to release parking brake and place transmission in neutral. The damages could have been avoided by towing the car on a flatbed (as required for a 4x4).

The tow lot did take pictures of the damage when I collected my car on 7/25 and I have included the written form from the tow lot. The form, as you can imagine, was filled out in a state of great frustration as I just had my first ever brand new car (2 months old at the time) unfairly towed. The damages however are accurately described on the form.

Relief sought:

Repair of vehicle:	\$ 554.30
<small>(Lowest of the two estimates -- see attachment)</small>	
Rental car:	\$206.96
<small>(car needed for 3 days that can seat two adults, two car seats and two booster seats, see attachment)</small>	
Total:	\$761.26

I hope your review and investigation will result in fair and just action, and I hope that this situation will be appropriately corrected and help restore my faith in MPD and the City Of Milwaukee.

Sincerely,



Kent Hansen

Phone: 262-388-3558

OFFICER USE ONLY

CUSTOMER INFORMATION

TOW #: 1413795
DATE: 7-25-09
CLERK ID: 75

NAME: KENT HANSEN
ADDRESS: 2065 EDGEWATER DRIVE
PHONE #: 262 388 3558

PHOTOS TAKEN YES NO

DATE FILED: 7/25/09

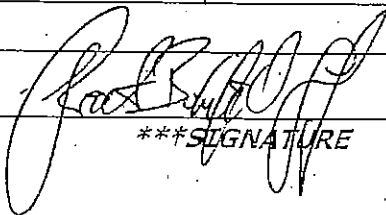
PHOTOS ATTACHED YES NO

ALL FORMS COMPLETED YES NO

***Complaint must be signed by citizen completing form.

CITIZEN'S STATEMENT

There are damages to the driver side door jam
and driverside sliding door jam - as well as
on the car body where door connect with frame.
They appear to be clear signs on breaking the
doors open to get the car brake released and
shifted to neutral (Car is manual transmission.)
The car is only 2 months old and had no
damage at all before this tow.


***SIGNATURE

7/25/09
DATE

-OVER-

AMATO COLLISION CENTER
 8301 NORTH 76TH STREET
 MILWAUKEE, WI 53223
 OFFICE: (414)357-8500 FAX: (414)357-8161

CD LOG NO 13666-1 DATE 08/12/09

SHOP: AMATO COLLISION CENTER NORTH INSP DATE: 08/10/09
 ADDRESS: 8301 N 76TH STREET CONTACT: JASON BRAATZ
 CITY STATE: MILWAUKEE, WI PHONE 1: (414)357-7800
 ZIP: 53223- FAX: (414)357-8161

OWNER: HANSEN, KENT WORK PHONE: (262)388-3558
 ADDRESS: 2065 EDGEWATER DR
 CITY STATE: GRAFTON, WI
 ZIP: 53024

POINT OF IMPACT: 0

LIC#: STATE: VIN: JM1CR293X90349756
 BODY COLOR: MILEAGE:
 CONDITION: ACCTNG CTL#:

*=USER-ENTERED VALUE	E=REPLACE OEM	NG=REPLACE NAGS
EC=REPLACE ECONOMY	UE=REPLACE OE SURPLUS	UC=RECONDITIONED PRT
UM=REMAN/REBUILT PRT	EU=REPLACE SALVAGE	EP=REPLACE PXN
OE=REPLACE PXN OE SRPLS	PC=PXN RECONDITIONED	PM=PXN REMAN/REBUILT
TE=PARTL REPL PRICE	ET=PARTL REPL LABOR	IT=PARTIAL REPAIR
I=REPAIR	L=REFINISH	BR=BLEND REFINISH
TT=TWO-TONE	CG=CHIPGUARD	SB=SUBLET
N=ADDITIONAL LABOR	RI=R&I ASSEMBLY	P=CHECK
AA=APPEAR ALLOWANCE	RP=RELATED PRIOR	UP=UNRELATED PRIOR

2009 MAZDA MAZDA5 GRAND TOURING 4DOOR PASSENGER VAN 4CYL GASOLINE 2.3
 CODE: D6203D/D OPTNS A/24AFLE RHIMPSV

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES	TWO-STAGE - INTERIOR SURFACES
BUMPER COVER MOUNTED FOG LAMPS	XENON HEADLAMPS
MOISTURE SENSING WIPERS	HEATED FRONT SEATS
HEATED REMOTE CONTROL MIRRORS	MOONROOF
REAR SPOILER	CLIMATE CONTROLLED A/C
ROOF MOUNTED AIRBAGS	FRONT SIDE IMPACT AIRBAGS
ALARM SYSTEM	

OP	GDE	MC	DESCRIPTION	MFG.	PART NO.	PRICE	AJ%	B%	HOURS	R
RI0219			PNL,CENTER PLR TRIM LT	R&I	ASSEMBLY				0.7	1
RI1333			W/STRIP,CENTER PILL LT	R&I	ASSEMBLY				0.2	1
RI0237			W/STRIP,FRONT DOOR LT	R&I	ASSEMBLY				0.5	1
E 0452			APPLIQUE,FRNT DOOR F LT	C235508W3B		15.48			1.0*	1
RI1153			STRIKER,FRONT LOCK LT	R&I	ASSEMBLY				0.2	1

RI0311	W/STRIP, REAR DOOR	LT R&I ASSEMBLY		0.5	1
E 0454	APPLIQUE ASSY, REAR	LT C235508W2B	15.43	1.0	*1
RI1110	STRIKER, REAR LOCK	LT R&I ASSEMBLY		0.2	1
I 0580 07	PANEL, BODYSIDE REAR	LT REPAIR		1.0	*1
L 0580 #	PANEL, BODYSIDE REAR	LT REFINISH		2.6	*4
	# = 13, 10				

10 ITEMS

MC MESSAGE(S)

- 07 STRUCTURAL PART AS IDENTIFIED BY I-CAR
- 10 INCLUDES AUDATEX TIME TO CLEAR ENTIRE PANEL
- 13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS					30.91
PAINT MATERIAL					83.20
PARTS & MATERIAL TOTAL					114.11
TAX ON PARTS & MATERIAL @			5.600%		6.39
LABOR	RATE	REPLACE HRS	REPAIR HRS		
1-SHEET METAL	52.00	4.3	1.0		275.60
2-MECH/ELEC	95.00				
3-FRAME	52.00				
4-REFINISH	52.00	2.6			135.20
5-PAINT MATERIAL	32.00				
LABOR TOTAL					410.80
TAX ON LABOR		@	5.600%		23.00
SUBLET REPAIRS					
TOWING					
STORAGE					
GROSS TOTAL					554.30
NET TOTAL					554.30

SHOPLINK U1246 ES CD LOG 13666-1 DATE 08/12/09 12:35:38AM R6.37 CD 06/09
 PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53223
 HOST LOG

(C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

1.6 HRS WERE ADDED TO THIS EST. BASED ON AUDATEX TWO-STAGE REFINISH FORMULA.

 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.

BODYWORKS

BY
CONCOURS

COLLISION REPAIR & REFINISHING

1711 West Florist Avenue • Milwaukee, WI 53209 • Phone (414) 290-4360 • Fax (414) 290-4359
Tax ID: 39.087.3125

Date: 8/28/2009 07:51 AM
Estimate ID: 9506
Estimate Version: 0
Preliminary
Profile ID: Mazda

Damage Assessed By: DAVID GASSNER

Deductible: UNKNOWN

Owner: KENT HANSEN
Address: 2065 EDGEWATER DR., GRAFTON, WI 53024
Telephone: Home Phone: (262) 388-3558

Mitchell Service: 910545

Description: 2009 Mazda 5 Sport
Body Style: 4D Van
VIN: JM1CR293X90349756
Mileage: 3,963
Color: SILVER
Options: VEHICLE ANTI-THEFT, PASSENGER AIRBAG, DRIVER SIDE AIRBAG, POWER LOCK
POWER WINDOW, REAR WINDOW DEFOGGER, CRUISE CONTROL, TILT STEERING COLUMN
ANTI-LOCK BRAKE SYS., ALUM/ALLOY WHEELS, TIRE INFLATION/PRESSURE MONITOR
AUXILIARY INPUT, REMOTE FUELDOOR RELEASE, CD PLAYER
POWER ADJUSTABLE EXTERIOR MIRROR, FRONT AIR DAM, REAR AIR DAM, TINTED GLASS
AUTO AIR CONDITION, FIRST ROW BUCKET SEAT, SECOND ROW BUCKET SEAT, KEYLESS ENTRY
SLIDING VAN DOOR, REAR SEAT HVAC CONTROLS, SECOND ROW FOLDING SEAT
THEATER STYLE SEATING, THIRD ROW SEAT
REAR HEATING, VENTILATION & AIR CONDITIONING, OUTSIDE TEMPERATURE GAUGE
CLOTH SEAT, DRIVER SIDE SLIDING VAN DOOR, EXTERIOR RAILS
VARIABLE ASSISTED STEERING, TACHOMETER, SIDE AIRBAGS
PASSENGER AIRBAG CUTOFF SWITCH/SENSOR, SIDE HEAD CURTAIN AIRBAGS
REMOTE DECKLID OR TAILGATE RELEASE

Drive Train: 2.3L Inj 4 Cyl 5M FWD
License: 211EHE WI

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/ Part Number	Dollar Amount	Labor Units
1	001158	BDY	REMOVE/INSTALL	L Frt Door Opening Welt	Existing		0.3 r
2	001160	BDY	REMOVE/INSTALL	L Rear Door Opening Welt	Existing		0.3 r
3	000960	BDY	REPAIR	L Frt Door Shell	Existing		1.5*#
4	AUTO	REF	REFINISH	L Frt Door Outside			C 2.1
5	001954	BDY	REMOVE/INSTALL	L Frt Otr Belt Moulding			0.5 #
6	001199	BDY	REMOVE/REPLACE	L Frt Door Rear Sash Moulding	C235-50-8W3B	15.48	1.0*
7	001968	BDY	REMOVE/INSTALL	L Frt Door Trim Panel			INC
8	002768	GLS	REMOVE/INSTALL	L Frt Door Moveable Glass	Existing		1.0 r

ESTIMATE RECALL NUMBER: 08/28/2009 07:51:15 9506

Mitchell Data Version: OEM: JUN_09_V

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UltraMate Version: 7.0.009

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Page 1 of 3

BODYWORKS

BODYWORKS

BY
CONCOURS

COLLISION REPAIR & REFINISHING

1711 West Florist Avenue • Milwaukee, WI 53209 • Phone (414) 290-4360 • Fax (414) 290-4359
Tax ID: 39.087.3125

Date: 8/28/2009 07:51 AM
Estimate ID: 9506
Estimate Version: 0
Preliminary
Profile ID: Mazda

9	001966	BDY	REMOVE/INSTALL	L Otr Belt Moulding				0.2
10	001201	BDY	REMOVE/REPLACE	L Upr Side Door Sash Moulding	C235-50-8W4A	10.94	1.0*	
11	001203	BDY	REMOVE/REPLACE	L Side Door Front Sash Moulding	C235-50-8W2B	15.43	1.0*	
12	001475	BDY	REPAIR	L Van Slide Panel	Existing		3.0*#	
13	AUTO	REF	REFINISH	L Van Side Panel Complete			C 4.0	
14	AUTO	REF	ADD'L OPR	Clear Coat			1.6*	
15	AUTO		ADD'L COST	PAINT/MATERIALS		291.20	*	
16	AUTO		ADD'L COST	Hazardous Waste Disposal		9.10	*	
17	900500	BDY *	ADD'L LABOR OP	RUST COATING	New	4.00	* 0.4*	
18	900500	REF *	ADD'L LABOR OP	CORROSION PROTECTIVE PRIMER	New	0.00	* 0.3*	
19	900500	REF *	ADD'L LABOR OP	MASK FOR OVERSPRAY	New	5.50	* 0.2*	
20	900500	REF *	ADD'L LABOR OP	COLOR TINT	Existing		0.5*	
21	900500	REF *	ADD'L LABOR OP	TAPE & MASK OFF JAMBS TO PREVENT OVERSPR	Existing		0.4*	

* - Judgment Item

- Labor Note Applies

C - Included in Clear Coat Calc

r - CEG R&R Time Used For This Labor Operation

Estimate Totals

I. Labor Subtotals	Units	Rate	Add'l Labor Amount	Sublet Amount	Totals	II. Part Replacement Summary	Amount
Body	9.2	52.00	0.00	0.00	478.40 T	Taxable Parts	51.35
Refinish	9.1	52.00	0.00	0.00	473.20 T	Sales Tax @ 5.600%	2.88
Glass	1.0	52.00	0.00	0.00	52.00 T	Total Replacement Parts Amount	54.23
					Taxable Labor		
					Labor Tax @ 5.600 %		
					1,003.60		
					56.20		
Labor Summary	19.3				1,059.80		

ESTIMATE RECALL NUMBER: 08/28/2009 07:51:15 9506

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Page 2 of 3

BODYWORKS

BODYWORKS

BY
CONCOURS

COLLISION REPAIR & REFINISHING

1711 West Florist Avenue • Milwaukee, WI 53209 • Phone (414) 290-4360 • Fax (414) 290-4359
Tax ID: 39.087.3125

Date: 8/28/2009 07:51 AM
Estimate ID: 9506
Estimate Version: 0
Preliminary
Profile ID: Mazda

III. Additional Costs	Amount	IV. Adjustments	Amount
Taxable Costs	300.30	Customer Responsibility	0.00
Sales Tax @ 5.600%	16.82		
Total Additional Costs	317.12		
Paint Material Method: Rates = 32.00			
		I. Total Labor:	1,059.80
		II. Total Replacement Parts:	54.23
		III. Total Additional Costs:	317.12
		Gross Total:	1,431.15
		IV. Total Adjustments:	0.00
		Net Total:	1,431.15

This is a preliminary estimate.
Additional changes to the estimate may be required for the actual repair.

ESTIMATE RECALL NUMBER: 08/28/2009 07:51:15 9506

Mitchell Data Version: OEM: JUN_09_V

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UltraMate Version: 7.0.009

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Page 3 of 3

BODYWORKS



60% Complete

Vehicle Details

Your selections :

Enterprise Location [change](#)
 8205 W BROWN DEER RD
 MILWAUKEE, WI 53223-1705

Tel.: (414) 365-0800
[We'll Pick You Up.™](#)

Dates/Times: [change](#)
 Start: Nov 16, 2009 @ Noon
 End: Nov 19, 2009 @ Noon

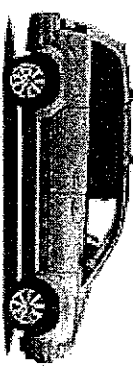
Vehicle Class: [change](#)
 Minivan

Renter's Age: [change](#)
 25 and Up

Renter's Information:
 (not yet entered)

[Start over](#)

Selected Vehicle



Minivan

Chrysler Town and Country, Dodge Grand Caravan or similar

- Room to seat 7 passengers
- Automatic Transmission
- Air Conditioning
- AM/FM CD Player
- 6-Cylinder Performance
- Tilt/cruise Control

View other Vehicle Classes:
[<<](#) | [All Classes](#) | [>>](#)

Need a One Way rental?

[Learn more](#)

Mileage Restrictions
 MILEAGE IS UNLIMITED WHEN VEHICLE REMAINS IN THE RENTING STATE OR BORDERING STATES. IF TRAVELING OUTSIDE OF THOSE STATES, MILEAGE IS CHARGED AT 150 FREE MILES PER DAY AND .20 FOR EACH ADDITIONAL MILE, FOR THE ENTIRE RENTAL.

Our Pick-Up Policy:

Need a ride from your place to our place? We'll Pick You Up.™ Book online now, then call your rental office at Tel.: (414) 365-0800 for details about our pick-up service. (Geographic restrictions apply)
[Back To Top](#)



[Login or Learn More](#)

Your Dates and Times

Start: Nov 16, 2009, Noon
 End: Nov 19, 2009, Noon

Price Quote

3 Days @	\$ 178.17 USD
TRANSIT	
AUTHORITY FEE	\$ 2.00 USD
TITLE/REG	
RECOVERY FEE	\$ 2.01 USD
Subtotal	\$ 182.18 USD
VEHICLE RENTAL	\$ 9.11 USD
EXPO TAX	\$ 5.47 USD
SALES TAX	\$ 10.20 USD
* Total Estimated Charges	\$ 206.96 USD

Additional surcharges, local taxes, etc. may apply.



STEP 1 2 3 4 : PRODUCTS & SERVICES

RENTAL OPTIONS

GPS Navigation

9.99 USD/Day

Fuel Service Option (FSO) (Price not included in Estimated Total)
Purchase a full tank of gas in advance with no need for refuel on return.

Child Safety Seats
Information / Availability

Quantity

Infant

Safety

Booster

PROTECTIONS / COVERAGES

Optional insurances are subject to tax in certain locations. This tax is not reflected in the Estimated Total.

Loss Damage Waiver (LDW)

(29.99 USD Per Day)

Personal Accident Insurance (PAI)

(4.00 USD Per Day)

Personal Effects Protection (PEP)

(2.95 USD Per Day)

Additional Liability Insurance (ALI)

(14.15 USD Per Day)

Cancel

CONTINUE



Help?

Estimated Total

Base Rate: 3 day(s)

262.17 USD

Taxes & Surcharges:

39.65 USD

Surcharge

11.48 USD

- \$0.47 per day (Energy Recovery Fee)

- \$0.72 per day (Vehicle License Fee)

- 3.0% (Local Expo Tax)

- Tax INCLUDES 5% (Car Rental Tax)

Tax (10.600%)

28.17 USD

Mileage:

Unlimited

Approximate Total

301.82 USD

Estimated Total

301.82 USD

Notes:

- Your rate was calculated based on the information provided. Some modifications may change this rate.

About This Reservation

RENTAL INFORMATION

Modify

Pick-up Information

Location: Avis in Milwaukee, Milwaukee, MJ1
Date & Time: Monday, November 16, 2009 @ 09:00 AM

Return Information

Location: Avis in Milwaukee, Milwaukee, MJ1
Date & Time: Thursday, November 19, 2009 @ 09:00 AM

Additional Information

AWD: N/A
Rate Type: Lowest
Rate Code: 2B

[@ 2009 Avis Rent A Car System, LLC](#) | [Terms of Use](#) | [Privacy Policy](#)

Car Class: Standard SUV Jeep Commander or similar





Legislation Details (With Text)

File #: 091375 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 2/9/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution relating to an appeal from Willie Ellis for property damage. (15th Aldermanic District)
Sponsors: THE CHAIR
Indexes: CLAIMS APPEAL
Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

File #: 091375 **Version:** 0

Number

091375

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to an appeal from Willie Ellis for property damage. (15th Aldermanic District)

Drafter

CC-CC

dkf

2/4/10

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
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THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 21, 2010

Willie Ellis
2245 West Walnut Street
Milwaukee, WI 53205

RE: Willie Ellis
C.I. File No.: 09-S-383

Dear Mr. Ellis:


We have received your claim in the amount of \$495.00, relating to damage sustained to your fence when a City tree fell on it on or about October 7, 2009 at 2245 West Walnut Street.

Our investigation reveals that the Forestry Section responded to a request for service on October 7, 2009 involving a City tree branch down at this location. The branch came from a tree that was alive and showed no external signs of decay. The records also noted the trees in the area were last pruned in April, 2004 pursuant to the City's programmed pruning schedule. They also searched their records for the last 5 years and found no requests for service for this tree prior to this incident. The Section followed its standard procedures and this loss occurred during windy conditions, as such, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,


GRANT F. LANGLEY
City Attorney


ROBERT OVERHOLT
Investigator Adjuster

RMO:ms
1068-2009-2822:154154

2010 FEB -2 PM 3: 09
OFFICE OF
CITY ATTORNEY
CITY OF MILWAUKEE
RECEIVED

Dear City of Milwaukee,
I Willie J. Ellis at 2245 W. Walnut.
I am appealing to you on getting
my fence fix.

My fence was damaged on
Oct. 7th between 12:00 A.M. and
5:30 A.M.

I am seeking two panels 4" high
for \$495.00. There were two brackets
that fell on it. I have a picture
of it.

Maybe the pruning date was
off.

Phone (414) 344-5934 Cell 520-3536

I Willie J. Ellis of 2245 W. Abbott St 53205

Phone (414) 348-5934 Cell 520-3536

One Decking Damages that was cause by
a City falling tree on two panels of a
New porch of two months old.

Height 4" Style Montage Black 5/8"
Picket Classic.

Replace 2 panels \$495.00

Willie J. Ellis

10-15-09

CITY OF MILWAUKEE
09 OCT 15 PM 2:50
RONALD D. LEONHARDT
CITY CLERK

CITY OF MILWAUKEE
RECEIVED
2009 OCT 16 PM 2:32
OFFICE OF
CITY ATTORNEY



1630 SOUTH 38th STREET
MILWAUKEE, WISCONSIN 53215
414.483.5522 • FAX: 414.483.3823

PROPOSAL / CONTRACT

Work to be performed at:

SAME

Date: 10-13-09

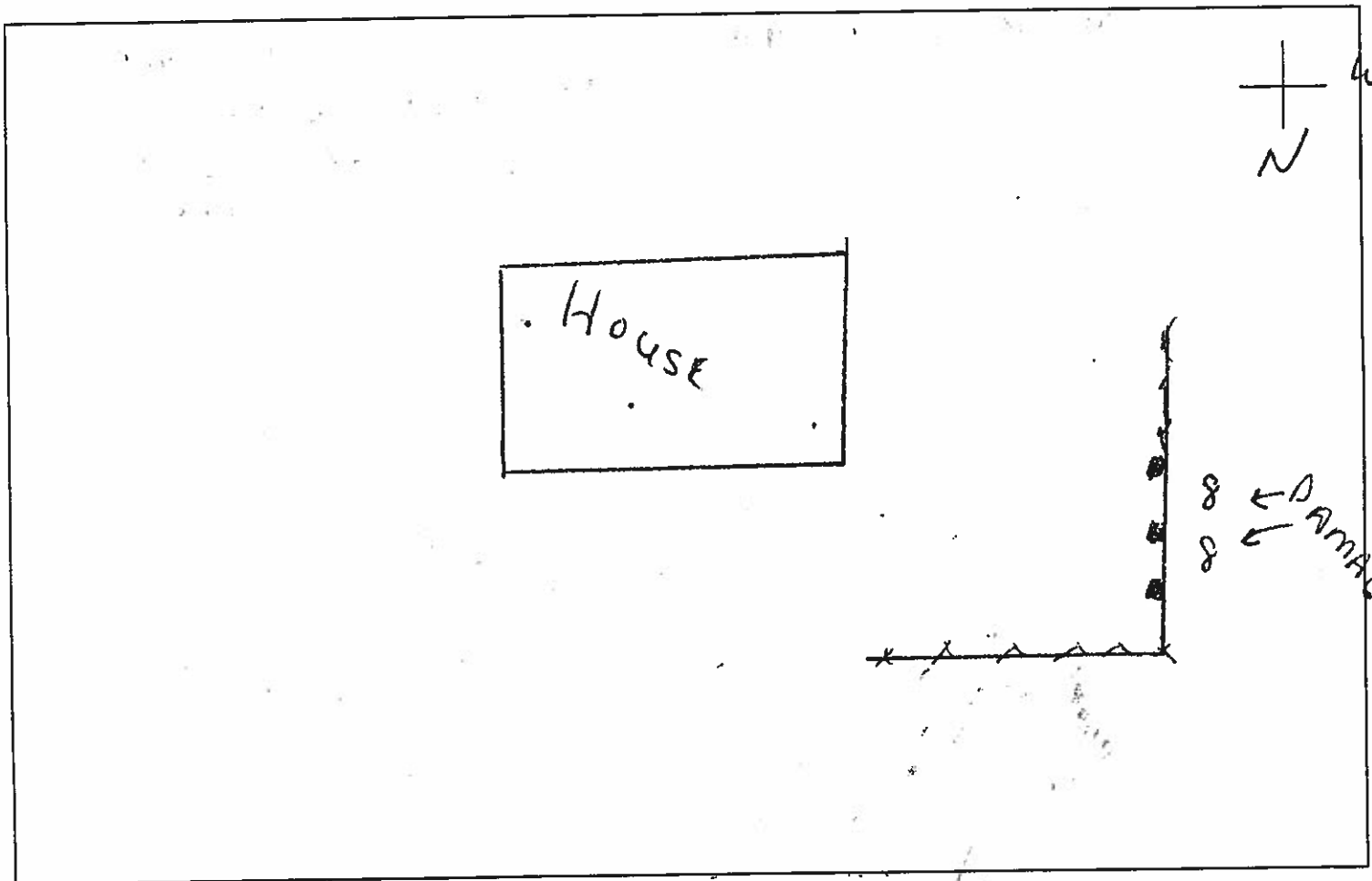
PROPOSAL DESCRIPTION / DETAILS / SPECIFICATIONS

HEIGHT 4' STYLE
MONTAGE BLACK
5/8" PICKET CLASSIC
3 RAIL

HAUL DAMAGE AWAY

REPLACE 2 PANELS

WILLIE ELLIS
2045 W. WALNUT STREET
MILW, WISC
53205



Contract Amount: \$ 495.00
Add Permit Fee: \$ N/A
~~Add 2% Credit Card Fee: \$~~
Total Contract Amount: \$ 495.00
Down Payment: \$ _____
Balance Due: \$ _____

Approved & Accepted Customer Date: 10-15-09
Willie J. Ellis
Customers Signature
X _____ Have Received and Accept Terms
Customers Initials And Conditions Attachment
Accepted For Milwaukee Fence Inc.: Date: 10-13-09
RICK MICALE
Salesperson Signature Proposal Good for _____ Days

OFFICE OF THE CITY CLERK
Milwaukee Wisconsin

INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

To file a claim against the City a claimant must comply with Section 893.80(1), Wis. Stats., a copy of which is printed on the reverse side of this instruction sheet. Generally the statute requires the claimant to submit to the City Clerk:

1. A document stating the circumstances of the claim which must be signed by the claimant, or his/her agent or attorney. This document should be filed within 120 days of the event.
2. A document stating the address of the claimant and a statement of the relief sought. If money damages are sought, a specific sum must be stated.

(The above information may be combined in a single document.)

The following information should also be submitted to allow the City to promptly act on your claim:

1. Proof of the amount of the claim by means of either itemized receipts or two itemized estimates.
2. A phone number where the claimant can be reached during business hours as well as the claimant's e-mail address, if any.
3. As detailed a description of the incident as possible, including the date, time and place.

All information should be submitted to:

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

~~10-7-09~~
BETWEEN
12:00 AM 5:30 AM

10-7-09

ADDITIONAL INFORMATION

Before you can file a lawsuit against the City of Milwaukee for reimbursement, State law requires that you first follow the claim procedures established by the City Clerk.

Filing a claim against the City does not automatically guarantee reimbursement from the City. However, the City examines each claim on an individual basis in determining if reimbursement is legally required.

In order to obtain reimbursement for a claim against the City, you must prove that the City or its employees acted unlawfully or negligently.

Only the City Attorney or the Common Council and the Mayor can authorize payment of a claim against the City. Any other representations made by City employees are not legally binding on the City.



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. (1 g), (1 in), (1 p) 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 employee 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 employee 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 employee; 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.







Legislation Details (With Text)

File #: 091334 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 2/9/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution relating to an appeal from Fannie Sanders for property damage. (2nd Aldermanic District)
Sponsors: THE CHAIR
Indexes: CLAIMS APPEAL
Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

File #: 091334 **Version:** 0

Number

091334

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to an appeal from Fannie Sanders for property damage. (2nd Aldermanic District)

Drafter

CC-CC

dkf

1/27/10

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
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BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 13, 2010

Fannie Sanders
7733 West Grantosa Drive
Milwaukee, WI 53218-3713

RE: Fannie Sanders
C.I. File No.: 09-S-419


Dear Ms. Sanders:


We have received your claim in the amount of \$590.00, relating to damage done by the Milwaukee Police Department (MPD) on November 18, 2009 when they forced entry into your home at 7733 West Grantosa Drive.

Our investigation reveals that the MPD came to this location to arrest Warren Hampton regarding outstanding warrants. The responding officers observed Mr. Hampton inside the home through a window. He refused to answer the door, the officers announced themselves, forced entry into the home, and Mr. Hampton was arrested. The MPD followed standard procedures and were acting within their sphere of responsibility, thus the City would not be liable, as such, and we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,


GRANT F. LANGLEY
City Attorney


ROBERT OVERHOLT
Investigator Adjuster

RMO:ms
1032-2009-3180:153795

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

MILWAUKEE OFFICE OF THE CITY ATTORNEY

C.I. FILE N: 09-09-S-419

Fannie Sanders
7733 W Grantosa DR
Milwaukee Wisconsin
53218

I

I Fannie Sanders received a letter from you saying my claim was

Denied for what reason in my behalf of me. I would like to a appeal of this claim

THANK YOU
Fannie Sanders

CITY OF MILWAUKEE

2010 JAN 27 AM 9:33

RONALD D. LEONNANI
CITY CLERK

CITY OF MILWAUKEE
RECEIVED

2009 NOV 24 PM 2:47

OFFICE OF
CITY ATTORNEY

To whom it may concern:

On November 08, 2009, two Milwaukee Police officers came to the address of 7733 W. Grantosa Dr. in Milwaukee County around 9:40 a.m. because, officers had an arrest warrant for me, Warren Hampton. After one of the two officers started looking through the kitchen window on the east side of the home, seeing me, Warren Hampton, the other male officer started kicking in the back door on the south side of the home and, place me in police custody. Officers were from the 7th district police station.

11-18-09

Warren Hampton

INVOICE
QUOTATION - CONTRACT



From



Thomas Doors, LLC
P.O. Box 16925
Milwaukee, WI 53216-0925

Ph. (414) 444-6494 • Fax: (414) 444-6646

To FANNIE SANDERS
7733 W. GRAW TOSA DR.
MILWAUKEE, WISCONSIN 53218
Phone (414) 527-7817

Prices Firm To _____

INSURANCE CLAIMS HANDLED FAST

Referred By: _____

Job No.: _____

Date: 11-11-09

REPLACEMENTS • REPAIRS • HARDWARE

- ENTRY DOORS
- DEADBOLT LOCKS
- SOLID CORE STORM DOORS
- FOLDING GATES

SECURITY STORM DOORS

"We Have A Reputation for
Solving Your Door Problems"

Quantity	Description	Price	Amount
	<u>REPAIR/REPLACEMENT DUE TO BREAK-IN</u>		
	<u>REAR ENTRY DOOR</u>		
	FURNISH LABOR & MATERIALS TO INSTALL (1) 1 3/4" x 20" x 8" x 60" x 8" S.C. BIRCH VENEER DOOR WITH (1) 16" x 10" VISADOR LITE / (1) KWISET BUNGLE CYLINDER DEADBOLT LOCK & (1) BUNTR LOCKSET / BRASS FINISH & WEATHER- STRIP ENTIRE DOOR	425.00	425.00
	STAIN & APPLY TWO COATS OF VARNISH TO THE INTERIOR SIDE OF DOOR & PAINT THE EXTERIOR SIDE OF DOOR	165.00	165.00
	PAID 11-13-09 CHK# 1044 US BANK <i>F. Thomas</i>		590.00

HOURS	LABOR	AMOUNT	TOTAL MATERIAL	TOTAL LABOR	TRIP CHARGE	TAX	TOTAL DUE	SUB TOTAL	5.5% WI SALES TAX	TOTAL	DEPOSIT	BALANCE DUE
	MECHANICS ● PER HR.							590.00		590.00		
	HELPERS ● PER HR.											
	DELIVERY DATE											
Salesperson _____												



Terms: _____ down, balance on job completion.
Work will be scheduled on receipt of signed contract and down payment.

Floyd Thomas Sr., 11-11-09
Thomas Doors, LLC Date Customer Signature Date

FINANCE CHARGES OF 1-1/2% compounded monthly will be charged on unpaid balances outstanding over 30 days

PD-43 05/07

**MILWAUKEE POLICE DEPARTMENT
DAMAGE NOTICE**

(SUPERVISOR TO LEAVE IN PROMINENT PLACE AT SCENE)

The Milwaukee Police Department received a call for

service on: 11-08 2009 at: 11:20 a.m./p.m.
(DATE) (TIME)

at: 7733 W. Grand Ave
(ADDRESS)

to: confirm welfare of occupant(s)

make an arrest

execute a search warrant

recover evidence of crime

other (describe) _____

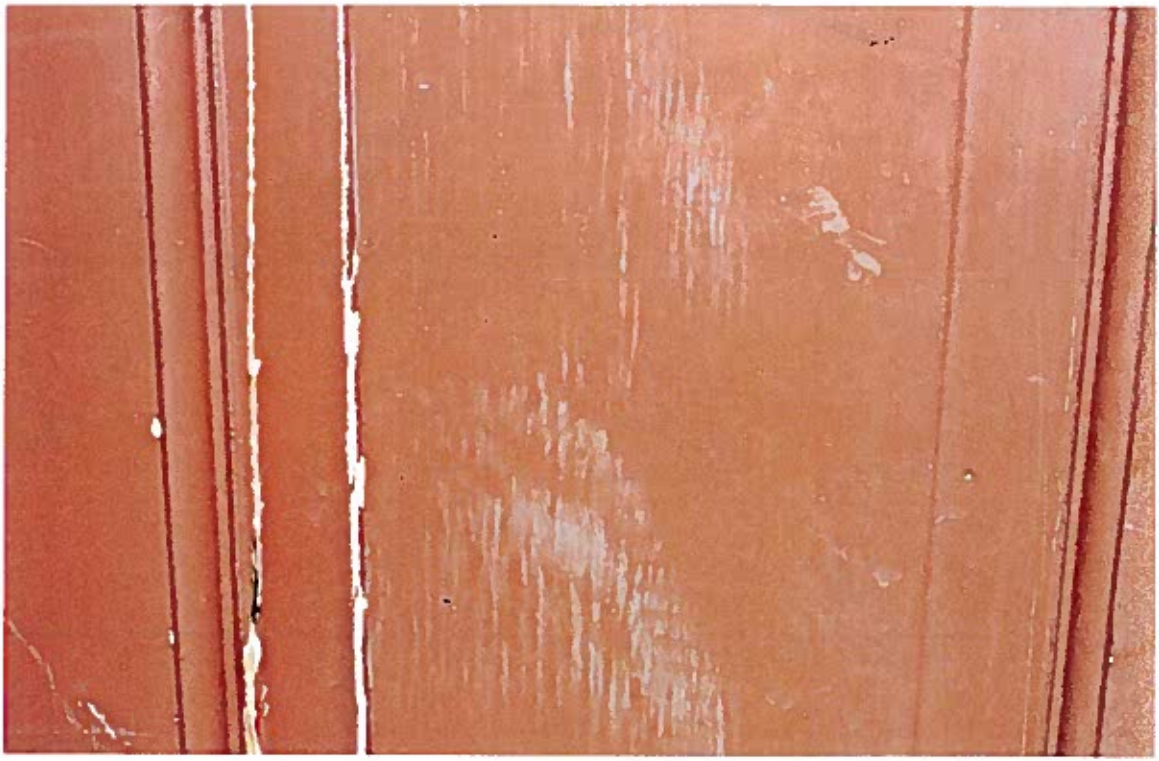
The following damage to premises or vehicle occurred:

Supervisor's Name: Sgt. John Rupic
(PRINT)

71 Days 008379
(DIST. / WORK LOC.) (SHIFT) (EMPLOYEE I.D. #)

SEE NOTICE ON REVERSE SIDE









Legislation Details (With Text)

File #: 091335 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 2/9/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution relating to an appeal from Sharon Chaney for property damage. (15th Aldermanic District)
Sponsors: THE CHAIR
Indexes: CLAIMS APPEAL
Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
091335
Version
ORIGINAL
Reference

Sponsor
THE CHAIR

Title
Resolution relating to an appeal from Sharon Chaney for property damage. (15th Aldermanic District)

Drafter
CC-CC
dkf
1/27/10

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
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KEVIN P. SULLIVAN
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THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 14, 2010

Sharon Chaney
1934 North 18th Street
Milwaukee, WI 53205

RE: Sharon Chaney
C.I. File No.: 09-S-449

Dear Ms. Chaney:


We have received your claim in the amount of \$1,592.00, relating to damages done by the Milwaukee Police Department (MPD) on September 2, 2009 at 1934 North 18th Street.

Our investigation reveals that the MPD executed a Lawful Search Warrant which necessitated the use of forced entry. The use of force is authorized by Wis. Stat. §968.14. The MPD served the warrant at this location related to firearms. Since the use of force was authorized by state statutes and the MPD was acting within its sphere of responsibility, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,


GRANT F. LANGLEY
City Attorney


ROBERT OVERHOLT
Investigator Adjuster

RMO:ms
1032-2009-3463:153914

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

Sharon L. Chaney
1934 N. 18th Street
Milwaukee WI 53205

CITY OF MILWAUKEE
RECEIVED

2010 JAN 25 PM 3: 00

CITY OF MILWAUKEE
2010 JAN 25 AM 9: 27

RONALD D. LEONHARDT
CITY CLERK

OFFICE OF
CITY ATTORNEY



January 20, 2010

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

Re: Sharon Chaney
C.I. File No.: 09-S-449

This is to request an appeal hearing on the above referenced file. The date of receipt of your decision letter is January 20, 2010.

Sincerely,


Sharon L. Chaney

Sharon L. Chaney
1934 N. 18th Street
Milwaukee WI 53205

CITY OF MILWAUKEE
RECEIVED

2009 DEC 23 PM 2:37

December 22, 2009

OFFICE OF
CITY ATTORNEY

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

CITY OF MILWAUKEE
09 DEC 22 PM 2:39
RONALD D. LEONHARDT
CITY CLERK

RE: Property damage Claim during execution of a search warrant on September 2, 2009
At 1934 N. 18th Street, Milwaukee WI 53205

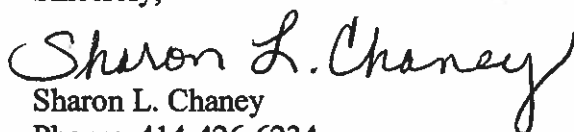
On September 2, 2009 an excess of damage was made at my home. It was stated to me by officers at the time that someone had told the Milwaukee Police Department that I or members of my family sold drugs and stored weapons in my home. This was determined to be untrue and there was no disclosure as to who had given the police the false information leading to this incident. This is a new home that I had built in 2003. It is very disappointing for this to happen.

Officer Kujawa (employee Identification number 00702D) gave me a damage notice which indicated damage to only the front entry door and my bedroom door, the only two doors that were locked at the time. I have enclosed a copy of that damage notice. However several other doors were damaged including the garage door. The garage door was damaged/bent when one of the officers stood on the cross bar/strut which is not intended for that purpose.

The front closet door near the front entry door has a puncture hole in it as a result of the front door knob slamming into it by officers; the basement door has a puncture hole in it from being forced onto the door stop. The pantry door also has a puncture hole from being forced onto the door stop; the laundry room door is split near the door knob and my bedroom door and lock set are totally destroyed. The frame of the front entry door is busted and shattered with pieces from the top of the frame broken off. The lock set and the section of the door where it is connected is also bent on the front entry door causing it to jam.

The relief sought is replacement of all interior doors including locksets that were damaged during this incident, replacement of the front entry door including the lockset and repair of the strut on the garage door. I have included two sets of estimates for the materials. The labor costs are included for repairing the garage door and I am requesting in addition to the written estimates the amount of \$700.00 to have the exterior door, its frame and hardware installed and for the installation of the interior doors. The estimate (\$892.00) plus \$700.00 labor totals \$1592.00 for the total amount requested in this claim. I have enclosed pictures for your review.

Sincerely,



Sharon L. Chaney
Phone: 414-426-6234
Email: schaney10@wi.rr.com

D & G -
CONTRACTORS

GARAGE DOORS
OPENERS & CARPET SPECIALIST

Sharon Chacey DATE 12-19-09...

1934 N. 18th

426-6234 - 934-0583

Est. to fix

New 16" strut

Service call / labor

\$145.00

SEND TO

10900 W. WISCONSIN AVE.
WAUWATOSA, WI 53226

414-617-8028 • CELL: 262-853-8028

PD-43 05/07

**MILWAUKEE POLICE DEPARTMENT
DAMAGE NOTICE**

(SUPERVISOR TO LEAVE IN PROMINENT PLACE AT SCENE)

The Milwaukee Police Department received a call for

service on: 9/2 2009 at: 3:30 PM a.m./p.m.
(DATE) (TIME)

at: 1934 N. 18
(ADDRESS)

to: confirm welfare of occupant(s)

make an arrest

execute a search warrant

recover evidence of crime

other (describe) _____

The following damage to premises or vehicle occurred:

FRONT DOOR
BEDROOM DOOR

Supervisor's Name: KUJAWA
(PRINT)

TEU DAYS 00702D
(DIST. / WORK LOC.) (SHIFT) (EMPLOYEE I.D. #)

SEE NOTICE ON REVERSE SIDE

PROPOSAL

Anytime Garage Door Service LLC
W234N6830 Salem Dr.
Sussex WI 53089
262-246-3680

PROPOSAL NO.
SHEET NO.
DATE <u>12-19-09</u>

PROPOSAL SUBMITTED TO:

NAME <u>Sharon Chaney</u>
ADDRESS <u>1934 N. 18 ST.</u>
<u>MILWAUKEE, WI</u>
PHONE NO. <u>414-426-6234</u>

WORK TO BE PERFORMED AT:

ADDRESS
DATE OF PLANS
ARCHITECT

We hereby propose to furnish the materials and perform the labor necessary for the completion of Repair Garage Door, Replacing STUTT and STRAIGHTEN DENT

\$145⁰⁰

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of ONE HUNDRED FORTY FIVE Dollars (\$ 145⁰⁰)

with payments to be made as follows.

Respectfully submitted 12-19-09

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Per Ray P. Skolenski

Note — This proposal may be withdrawn by us if not accepted within _____ 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. Payments will be made as outlined above.

Signature _____

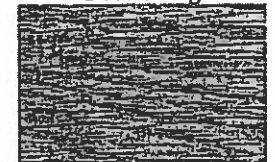
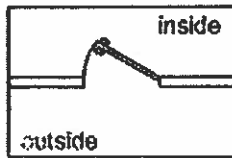
Date _____ Signature _____

GUEST ESTIMATE

ESTIMATE #: 1419526

12/5/09 2:15 PM

QUANTITY	DESCRIPTION	SKU
1	32" x 80" Flush, Single Door, Panel Door Flush Oak Hollow Core Prefinished in Golden Oak Minwax #210B Right Hand Inswing Bore and Mortise 4 9/16" Oak Veneer Wood Core frame, Prefinished in Golden Oak Minwax #210B Dull Brass Hinges Colonial Stop 34" x 82 1/2" Rough Opening ** Estimated lead time for this item is 35 days. **	4000433



Golden Oak Minwax #210B



(Door is viewed from the outside looking in.)

****PLEASE NOTE THE FOLLOWING****

- Stain color may vary in the finishing process due to variations in the color and grain on each piece of wood.
- If the unit has glass, the glass pattern and style may vary slightly from the picture. Door color, the background, and accessories are for representation only.

TODAY'S ESTIMATED PRICE

\$131.29

Price is for all items on this page.

Total price for all items

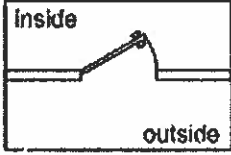
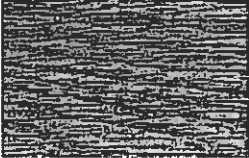
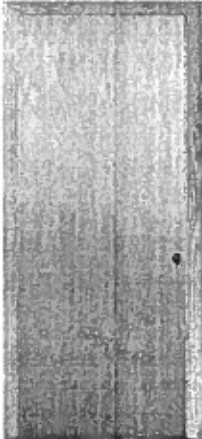
\$131.29

This is an estimate. It is given only for general price information. This is not an offer and there can be no legally binding contract between the parties based upon this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY OF THE MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST, BECAUSE OF WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS.

GUEST ESTIMATE

ESTIMATE #: 1419523

12/5/09 2:14 PM

QUANTITY	DESCRIPTION	SKU
1	32" x 80" Flush, Single Door, Panel Door Flush Oak Hollow Core Prefinished in Golden Oak Minwax #210B Left Hand Inswing Bore and Mortise 4 9/16" Oak Veneer Wood Core frame, Prefinished in Golden Oak Minwax #210B Dull Brass Hinges Colonial Stop 34" x 82 1/2" Rough Opening ** Estimated lead time for this item is 35 days. **	4000433
 <p>inside</p> <p>outside</p> <p>Door Swing</p>  <p>Golden Oak Minwax #210B</p>		
		
<p>(Door is viewed from the outside looking in.)</p>		

<p>**PLEASE NOTE THE FOLLOWING**</p>	<p>TODAY'S ESTIMATED PRICE</p>	
<ul style="list-style-type: none"> • Stain color may vary in the finishing process due to variations in the color and grain on each piece of wood. • If the unit has glass, the glass pattern and style may vary slightly from the picture. Door color, the background, and accessories are for representation only. 	<p>\$131.29</p> <p>Price is for all items on this page.</p>	
	<p>Total price for all items</p>	<p>\$131.29</p>

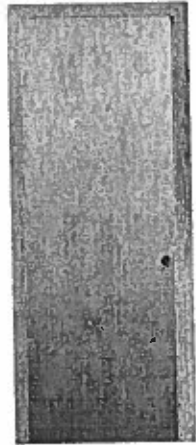
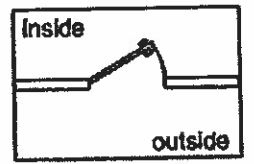
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GUEST ESTIMATE

ESTIMATE #: 1419458

12/5/09 1:28 PM

QUANTITY DESCRIPTION	SKU
1 28" x 80" Flush, Single Door, Panel Door Flush Oak Hollow Core Prefinished in Golden Oak Minwax #210B Left Hand Inswing Bore and Mortise 4 9/16" Oak Veneer Wood Core frame, Prefinished in Golden Oak Minwax #210B Dull Brass Hinges Colonial Stop 30" x 82 1/2" Rough Opening ** Estimated lead time for this item is 35 days. **	4000433



(Door is viewed from the outside looking in.)

PLEASE NOTE THE FOLLOWING	TODAY'S ESTIMATED PRICE	
<ul style="list-style-type: none"> • Stain color may vary in the finishing process due to variations in the color and grain on each piece of wood. • If the unit has glass, the glass pattern and style may vary slightly from the picture. Door color, the background, and accessories are for representation only. 	<p>\$129.48</p> <p>Price is for all items on this page.</p>	
	Total price for all items	\$129.48

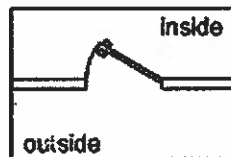
This is an estimate. It is given only for general price information. This is not an offer and there can be no legally binding contract between the parties based upon this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY OF THE MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST, BECAUSE OF

GUEST ESTIMATE

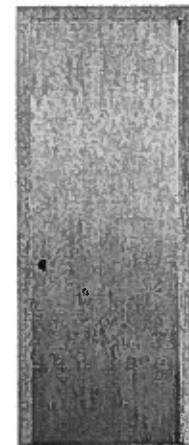
ESTIMATE #: 1419461

12/5/09 1:29 PM

QUANTITY	DESCRIPTION	SKU
1	28" x 80" Flush, Single Door, Panel Door Flush Oak Hollow Core Prefinished in Golden Oak Minwax #210B Right Hand Inswing Bore and Mortise 4 9/16" Oak Veneer Wood Core frame, Prefinished in Golden Oak Minwax #210B Dull Brass Hinges Colonial Stop 30" x 82 1/2" Rough Opening ** Estimated lead time for this item is 35 days. **	4000433



Golden Oak Minwax #210B



(Door is viewed from the outside looking in.)

PLEASE NOTE THE FOLLOWING

- Stain color may vary in the finishing process due to variations in the color and grain on each piece of wood.
- If the unit has glass, the glass pattern and style may vary slightly from the picture. Door color, the background, and accessories are for representation only.

TODAY'S ESTIMATED PRICE

\$129.48

Price is for all items on this page.

Total price for all items

\$129.48

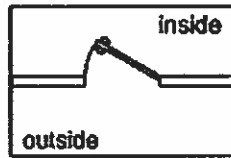
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GUEST ESTIMATE

ESTIMATE #: 1419449

12/5/09 1:22 PM

QUANTITY	DESCRIPTION	SKU
1	36" x 80" Half Moon, Single Door, Steel Clear CL-659 Clear glass style Right Hand Inswing Bore and Mortise, Add Deadbolt Bore 4 9/16" Primed frame, Brickmould Applied Inswing Aluminum sill Dull Brass Hinges No Kickplate, No Mailslot, No Peepsite or Knocker 38 1/4" x 82" Rough Opening 40" x 82 3/4" Brick Opening ** Estimated lead time for this item is 14 days. **	4000446



Door Swing



(Door is viewed from the outside looking in.)

PLEASE NOTE THE FOLLOWING <ul style="list-style-type: none"> If the unit has glass, the glass pattern and style may vary slightly from the picture. Door color, the background, and accessories are for representation only. 	TODAY'S ESTIMATED PRICE	
	<p>\$225.58</p> <p>Price is for all items on this page.</p>	
	Total price for all items	\$225.58

This is an estimate. It is given only for general price information. This is not an offer and there can be no legally binding contract between the parties based upon this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY OF THE MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST, BECAUSE OF



6826 S. 13th St. 2128 W. Morgan Ave. 1014 E. Chambers St. 5030 N. 35th Street 548 W. Sunset Dr.
 Oak Creek, WI 53154 Milwaukee, WI 53221 Milwaukee, WI 53212 Milwaukee, WI 53209 Waukesha, WI 53189
 Tel. (414) 762-9090 Tel. (414) 383-4900 Tel. (414) 264-5700 Tel. (414) 462-7900 Tel. (262) 542-6666
 Fax (414) 762-5000 Fax (414) 383-4903 Fax (414) 264-5778 Fax (414) 462-6177 Fax (262) 542-7180

www.bliffertlumber.com

REPRINT

Page: 1 of 1 **QUOTE** Quote # 00006815

RECEIVED IN GOOD CONDITION, SUBJECT TO THE TERMS BELOW BY: X	Driver	T 430	Ordered: 11/30/09
	Checker	Entered By: Chris	Shipped: 12/03/09
	Weight 4 lbs.	Ordered By: m	1818

C O D

Sold To: .
 .
 .
 .

Customer #: 3 Customer PO: Ship To: **SHARON CHANEY**
 426-6234
 226-1262
 223-1262
 Ship Via: customer pickup

LN	ORDER	SHIPPED	ITEM#	DESCRIPTION	PRICE	AMOUNT
1						
2	2.00	2.00 EA	X18180000027004	2/4 X 6/8 HC OAK PREPPED SLAB PREFINISHED LIGHT ON OAK 1L 1R	85.00	170.00
3						
4						
5	2.00	2.00 EA	X18180000027005	2/8 X 6/8 HC OAK PREPPED SLAB PREFINISHED LIGHT ON OAK 1L 1R	90.00	180.00
6						
7						
8	1.00	1.00 EA	X18180000027006	3/0 X 6/8 STEEL 482CLR WGN WHEEL 4 9/16 PRFRAME 2X BORE HL L	265.00	265.00
9						
10						
11	1.00	1.00 EA	231878	BB BELL COMBO LOCKSET	55.99	55.99
12						

Delivery Instructions

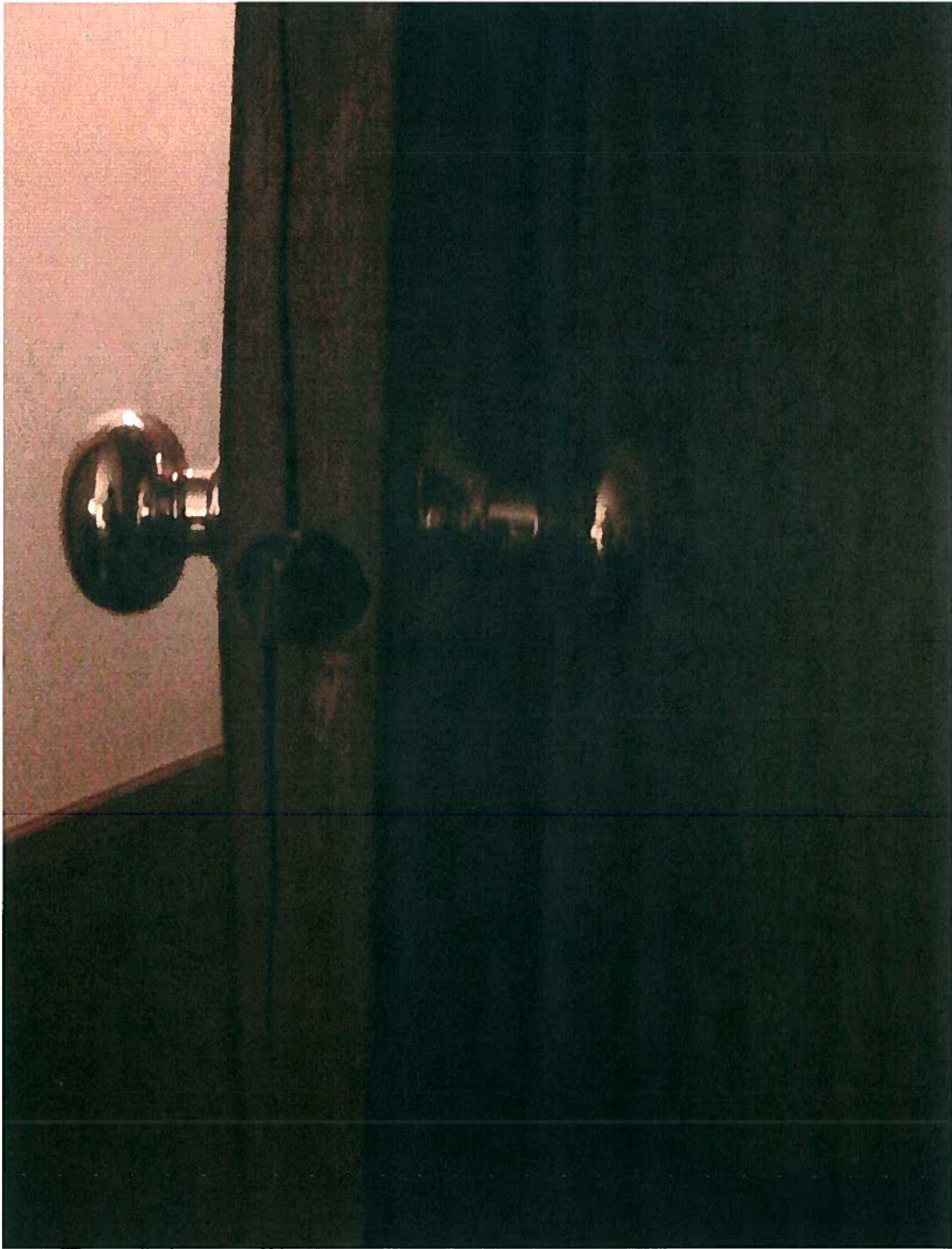
Quote EXPIRES 12/30/09

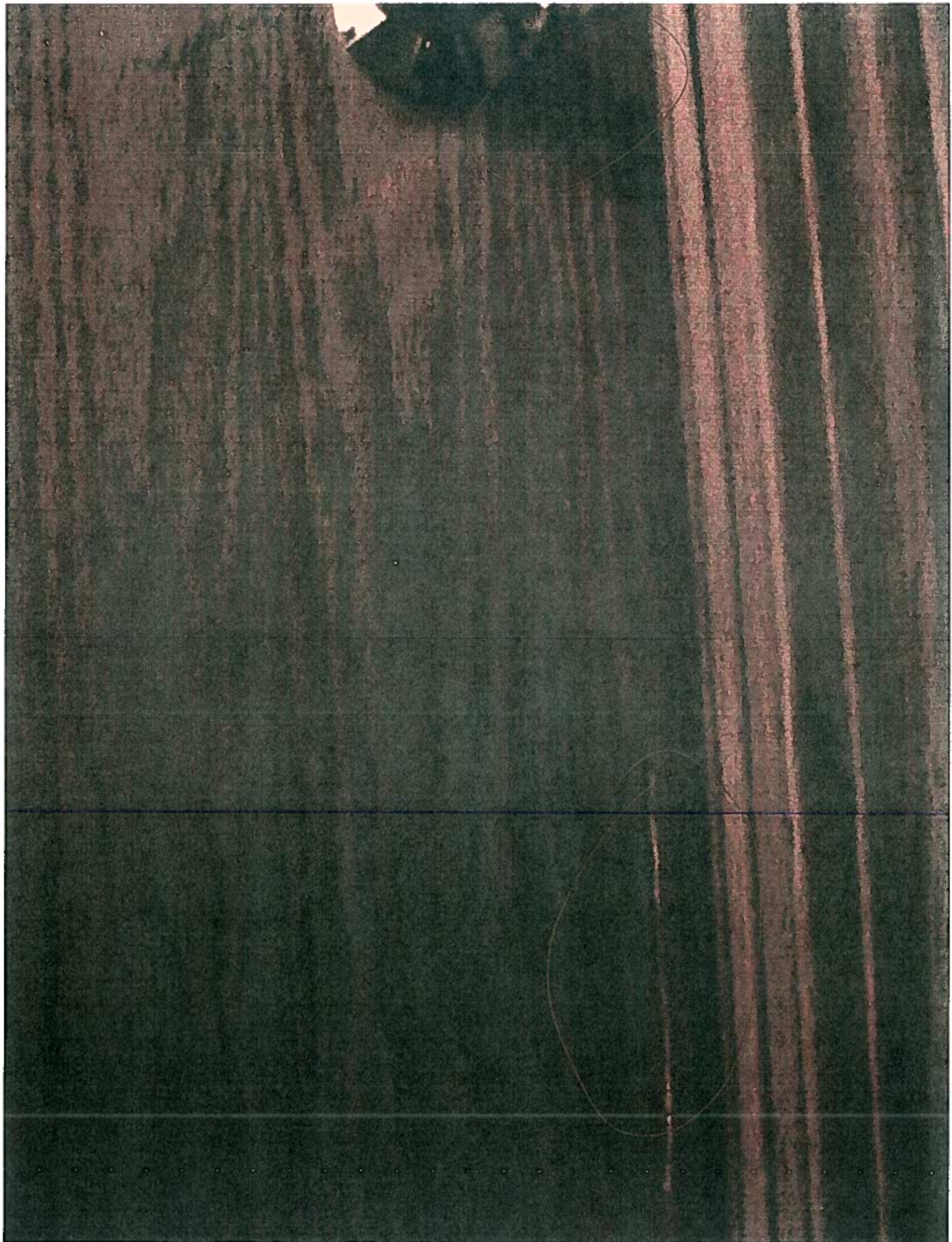
SALES TOTAL	\$670.99
MISC + FRGT	
SALES TAX	37.58

Please examine this quote carefully. We agree to furnish only the items and quantities appearing on this quote. There is no guarantee that the items listed are sufficient to complete the given project. Not responsible for clerical errors. Prices and product availability are subject to change according to market conditions. Bliffert Lumber and Fuel makes no representations written, oral or otherwise that the products listed are suitable for any purpose being considered by the customer.

QUOTE

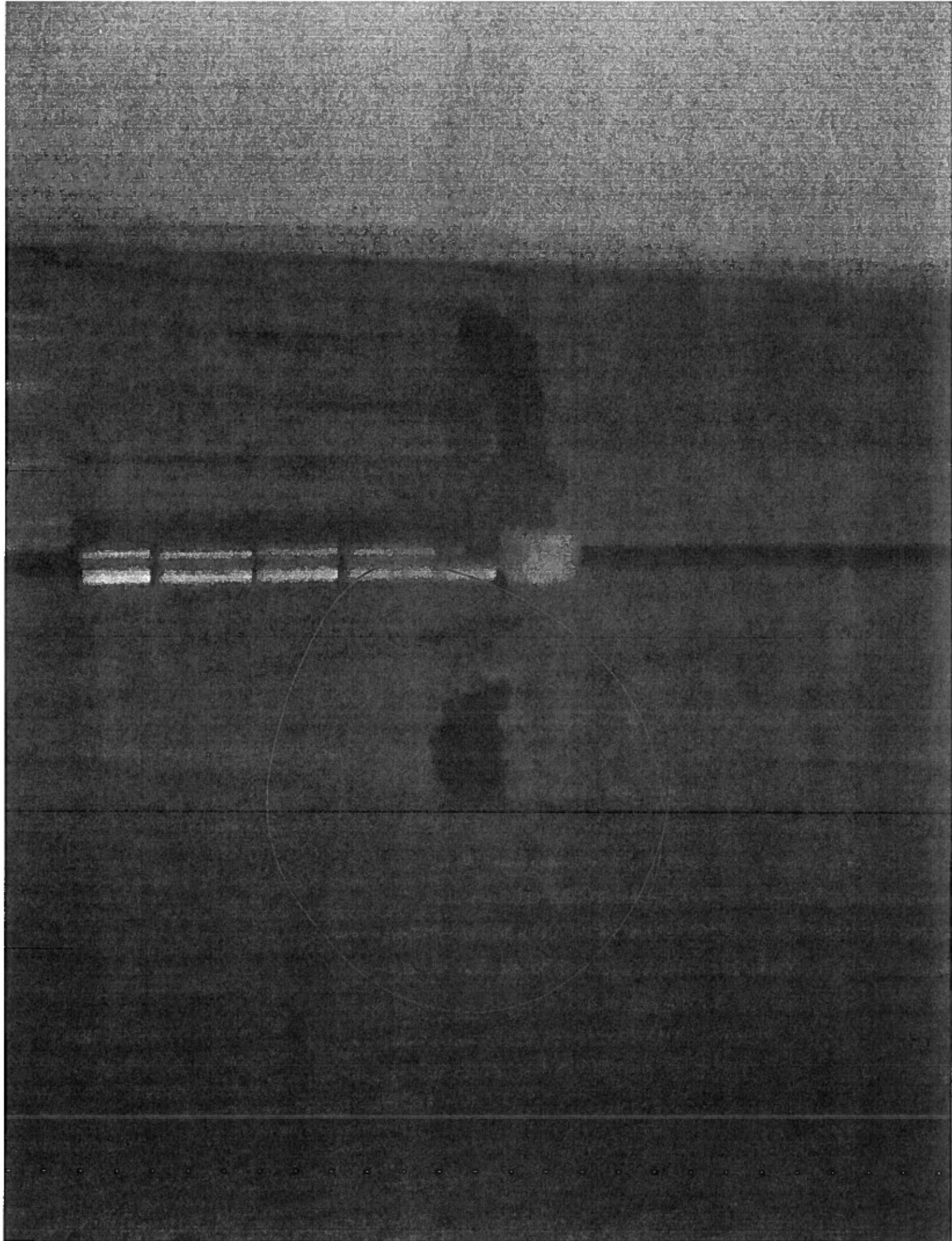
TOTAL: \$708.57
 Balance Due: 708.57

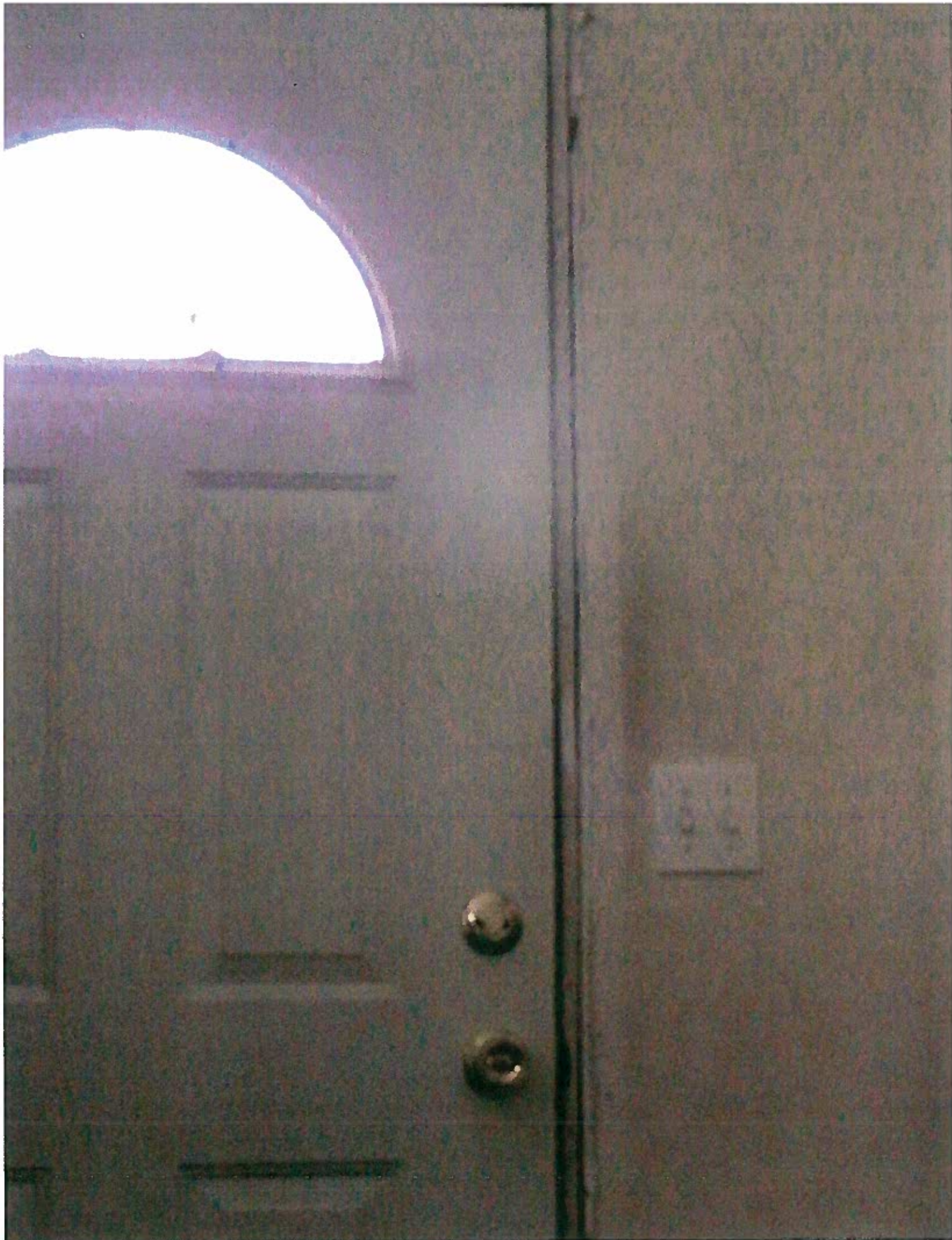








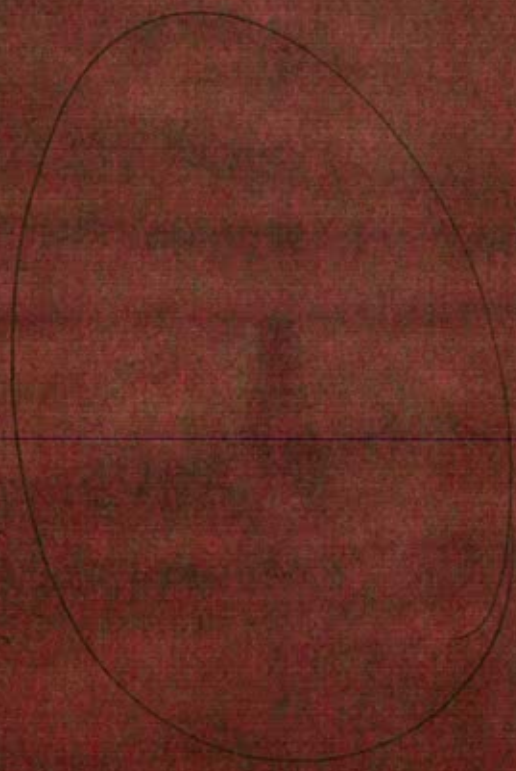




Front Entry Door

Top of front entry door frame

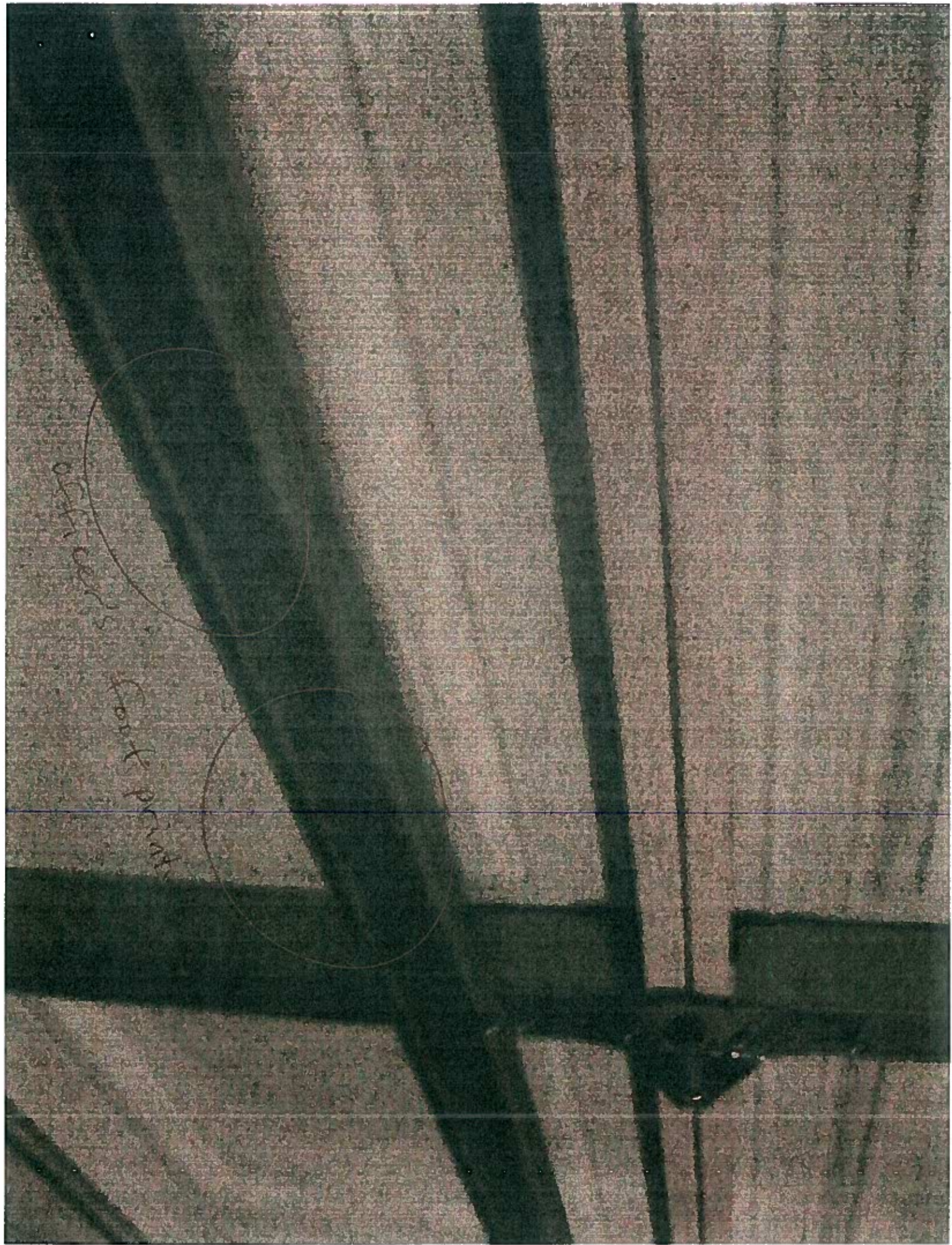
hole in front closet door



Bottom section
of garage door

05-11-2015

East & P. 11/11/15





Legislation Details (With Text)

File #: 091326 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 2/9/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the claim of Mark and Luanne Schimmel for property damage. (11th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS

Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

091326

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to the claim of Mark and Luanne Schimmel for property damage. (11th Aldermanic District)

Requestor

City Attorney

Drafter

JAS:ms

January 21, 2010

1048-2009-2751:154153

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 25, 2010

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of MARK & LUANNE SCHIMMEL
C.I. File No. 09-L-116

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced into and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimants, Mark and Luanne Schimmel, 3410 South 86th Street, Milwaukee, WI 53227, allege that they sustained damage to their personal property in their home's basement and incurred clean-up costs on July 9, 2009 due to water backing up into their home that was caused by a water main break. They claim damages in the amount of \$5,457.14.

Our investigation reveals that the Milwaukee Water Works (MWW) received a report of a leak and water in the basement at 3424 South 86th Street. A MWW field investigator was dispatched and a possible break in an 8-inch water main was confirmed in the area of South 86th Street and West Holt Avenue. The MWW contacted Digger's Hotline and repair activities were subsequently commenced. The main was repaired and placed back in service later that day.

The basement backup occurred in this situation because the main ruptured near to a sewer manhole chimney. The water broke through the chimney and travelled down to the sewer and back up into the homes.

The Sewer Maintenance Section (SMS) reviewed their records relative to this situation. The SMS investigated several backwaters in the 3300 and 3400 blocks of South 86th Street. The SMS sewer jet vac cleaned the sanitary and storm sewers and restored them to proper working order. The sanitary sewer is on a regular cleaning schedule and was

To the Honorable Common Council
January 25, 2010
Page 2

last cleaned on April 29, 2008. The City was not aware of any problems with the manhole chimney prior to this incident and inspects all manhole chimneys in the City on a five-year cycle. Manhole chimneys in the subject area were scheduled to be inspected in 2010.

Since the sewer is on a regular cleaning schedule, the manhole chimney is on a regular inspection cycle, and the MWW responded to the water main break in a timely manner and followed standard procedures, we recommend denial of the claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1048-2009-2751:154152

3410 South 86th Street
Milwaukee, Wisconsin 53227

October 7, 2009

City Clerk
ATTN: CLAIMS
200 East Wells Street, Room 205
Milwaukee, WI 53202-3567

Re: The Claim of Luanne Schimmel and Mark Schimmel Against the City of Milwaukee,
Wisconsin

To Whom It May Concern:

We, Luanne Schimmel and Mark Schimmel, are filing a claim against the City of Milwaukee, Wisconsin, for losses and expenses incurred from a water main break which caused odiferous, brown-colored water to flood the basement of our home at 3410 South 86th Street, Milwaukee, Wisconsin via the basement drain during the early morning hours of Thursday, July 9, 2009. We are filing this claim to request relief in the form of monetary reimbursement in the amount of \$5,457.14.

Description of the Incident:

Mark Schimmel noticed the problem when he awoke at approximately 2:00 a.m. on Thursday, July 29, 2009. At that time, he saw about four inches of brown-colored water covering our basement floor.

Itemized List of Losses and Expenses:

Below is a list of items we're requesting monetary reimbursement for.

Amount	Itemized Description of Items Claimed for Monetary Reimbursement
\$4,129.62	Personal Property Losses <i>(See attached list titled "Damaged Personal Property and Its Replacement Value" along with accompanying replacement estimates.)</i>
\$227.28	Mark Schimmel's Loss of 8.0 Hours of Wages, at \$28.41 per hour on July 9, 2009
\$170.56	Luanne Schimmel's Loss of 8.0 Hours of Wages, at \$21.32 per hour, on July 9, 2009

CITY OF MILWAUKEE
RECEIVED
2009 OCT -9 PM 2:43
CITY ATTORNEY
OFFICE OF

CITY OF MILWAUKEE
2009 OCT 8 PM 3:34
RONALD D. LEONARD
CITY CLERK

\$518.48	<p>Mark Schimmel's Time Spent Addressing the Results of the Flood: Searching for Source of Flooding, Checking Safety of Electrical Appliances, Removing Belongings from Basement Floor, Removing Flood Waters, Cleaning Basement Floor, Cleaning Salvageable Belongings, Disposing of Unsalvageable Belongings, Drying Basement Floor and Walls, Returning Salvageable Items Back to Basement</p> <table border="1" data-bbox="349 445 1039 850"> <thead> <tr> <th>Date</th> <th>Time Spent</th> <th>Hours Spent</th> </tr> </thead> <tbody> <tr> <td>7/9/2009</td> <td>2:00 a.m. – 3:00 p.m.</td> <td>13.00</td> </tr> <tr> <td>7/10/2009</td> <td>3:30 p.m. – 4:30 p.m.</td> <td>1.00</td> </tr> <tr> <td>7/11/2009</td> <td>7:00 a.m. – 8:00 a.m.</td> <td>1.00</td> </tr> <tr> <td>7/12/2009</td> <td>7:00 a.m. – 8:30 a.m.</td> <td>1.50</td> </tr> <tr> <td>7/13/2009</td> <td>4:45 a.m. – 5:00 a.m.</td> <td>0.25</td> </tr> <tr> <td>7/14/2009</td> <td>3:00 p.m. – 3:30 p.m.</td> <td>0.50</td> </tr> <tr> <td>7/15/2009</td> <td>3:00 p.m. – 3:30 p.m.</td> <td>0.50</td> </tr> <tr> <td>7/16/2009</td> <td>3:00 p.m. – 3:30 p.m.</td> <td>0.50</td> </tr> </tbody> </table> <p style="text-align: right;"> Total Hours 18.25 Multiplied by Hourly Wage \$28.41 </p> <hr/> <p style="text-align: right;">TOTAL AMOUNT \$518.48</p>	Date	Time Spent	Hours Spent	7/9/2009	2:00 a.m. – 3:00 p.m.	13.00	7/10/2009	3:30 p.m. – 4:30 p.m.	1.00	7/11/2009	7:00 a.m. – 8:00 a.m.	1.00	7/12/2009	7:00 a.m. – 8:30 a.m.	1.50	7/13/2009	4:45 a.m. – 5:00 a.m.	0.25	7/14/2009	3:00 p.m. – 3:30 p.m.	0.50	7/15/2009	3:00 p.m. – 3:30 p.m.	0.50	7/16/2009	3:00 p.m. – 3:30 p.m.	0.50
Date	Time Spent	Hours Spent																										
7/9/2009	2:00 a.m. – 3:00 p.m.	13.00																										
7/10/2009	3:30 p.m. – 4:30 p.m.	1.00																										
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7/15/2009	3:00 p.m. – 3:30 p.m.	0.50																										
7/16/2009	3:00 p.m. – 3:30 p.m.	0.50																										
\$325.13	<p>Luanne Schimmel's Time Spent Addressing the Results of the Flood: Removing Belongings from Basement Floor, Removing Flood Waters, Cleaning Basement Floor, Cleaning Salvageable Belongings, Disposing of Unsalvageable Belongings, Drying Basement Floor and Walls, Returning Salvageable Items Back to Basement</p> <table border="1" data-bbox="552 1197 1242 1386"> <thead> <tr> <th>Date</th> <th>Time Spent</th> <th>Hours Spent</th> </tr> </thead> <tbody> <tr> <td>7/9/2009</td> <td>5:45 a.m. – 3:00 p.m.</td> <td>9.25</td> </tr> <tr> <td>7/11/2009</td> <td>9:15 a.m. – 2:15 p.m.</td> <td>5.00</td> </tr> <tr> <td>7/15/2009</td> <td>8:30 p.m. – 9:30 p.m.</td> <td>1.00</td> </tr> </tbody> </table> <p style="text-align: right;"> Total Hours 15.25 Multiplied by Hourly Wage \$21.32 </p> <hr/> <p style="text-align: right;">TOTAL AMOUNT \$325.13</p>	Date	Time Spent	Hours Spent	7/9/2009	5:45 a.m. – 3:00 p.m.	9.25	7/11/2009	9:15 a.m. – 2:15 p.m.	5.00	7/15/2009	8:30 p.m. – 9:30 p.m.	1.00															
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7/11/2009	9:15 a.m. – 2:15 p.m.	5.00																										
7/15/2009	8:30 p.m. – 9:30 p.m.	1.00																										

\$86.07	Supplies Purchased to Clean Flooded Basement			
	Date	Vendor	Description	Amount
	7/9/2009	Home Depot	Hand Sanitizer, 31 Quart Mop Bucket, Bounty Paper Towels, Sponges	66.67
	7/9/2009	HomeTown True Value	Liquid Bleach, 96 oz.	2.63
	7/11/2009	Walmart	Rayon mop, 2 OCedar mop refills	16.77
			TOTAL AMOUNT	86.07


The phone number where Luanne Schimmel can be reached during business hours is 414-550-6444. The email address of Mark Schimmel and Luanne Schimmel is schimdeen@att.net.

Sincerely,

Luanne Schimmel



Mark Schimmel



Enclosures

CITY OF MILWAUKEE, WISCONSIN - PAYROLL STUB

Pay Group: GEN-General City Employees	Advice #: 1671425
Pay Begin Date: 06/28/2009	
Pay End Date: 07/11/2009	Advice Date: 07/23/2009

LUANNE SCHIMMEL 3410 S 86 ST MILWAUKEE, WI 53227	Employee ID: 005204	TAX DATA: Federal	WI State
	Department: 3810-HEALTH DEPARTMENT	Marital Status: Single	Single
	Location: 381 16	Allowances: 0	0
	Job Title: INFORMATION TECHNOLOGY SPEC	Addl. Amt.: \$ 0.00	\$ 0.00
	Pay Rate: \$1,364.34 Biweekly		

HOURS AND EARNINGS						AFTER-TAX DEDUCTIONS		
Description	Rate	Current		YTD		Description	Current	YTD
		Hours	Earnings	Hours	Earnings			
Straight Time Pay	21.32	32.00	682.17	777.70	16,578.92	Supplemental Life	2.94	20.58
Holiday	21.32	6.40	136.43	6.40	136.43	Local 1091, AFSCME DC 48 Hlth	20.00	300.00
Vacation	21.32	11.20	238.76	85.90	1,831.21			
Sick Leave	21.32	8.00	170.54	24.00	511.63			
Prior Year Vacation Leave			0.00	1.60	34.11			
Holiday - leave usage			0.00	56.00	1,193.80			
Misc Leave			0.00	2.00	42.64			
Total:		57.60	1,227.90	953.60	20,328.74	Total:	22.94	320.58
BEFORE-TAX DEDUCTIONS			TAXES			EMPLOYER PAID BENEFITS		
Description	Current	YTD	Description	Current	YTD	Description	Current	YTD
Delta Dental/Basic Pretax	53.12	371.84	Fed Withholding	101.88	1,948.69			
Deferred Compensation	147.35	2,439.43	Fed MED/EE	16.59	282.68			
FSA Medical Care Reimbursement	30.77	461.55	Fed OASDI/EE	70.93	1,208.71			
			WI Withholding	52.55	941.57			
Total:	231.24	3,272.82	Total:	241.95	4,381.65	Taxable Imputed Value:	0.00	0.00
TOTAL GROSS		FED TAXABLE GROSS		TOTAL TAXES		TOTAL DEDUCTIONS		NET PAY
Current:	1,227.90	996.66	241.95	254.18	731.77			
YTD:	20,328.74	17,055.92	4,381.65	3,593.40	12,353.69			

MESSAGE: HELP SAVE A LIFE! Donate blood today in the Municipal Bldg Room 102 Broadway Street side 8:00AM - 1:00PM. Call x3398 to schedule an appointment. Walk-ins also welcome. The City will not offer the First Commonwealth (FCW) dental plan as of 01-01-2010. Any questions, call 286-3184.

NET PAY DISTRIBUTION	
Advice #1671425	731.77
Total:	731.77

(Please Save For Your Records)

Date
07/23/2009

Advice No.
1671425

Deposit Amount: \$731.77

To The Account Of

LUANNE SCHIMMEL
3410 S 86 ST
MILWAUKEE, WI 53227

DIRECT DEPOSIT DISTRIBUTION	
Account Type	Deposit Amount
Checking	\$731.77
Total:	\$731.77

NON-NEGOTIABLE

DAMAGED PERSONAL PROPERTY AND ITS REPLACEMENT VALUE

Item	Model	Description	Replacement Value1	Replacement Value2	Replacement Value Average
Afghan / Throw	Handmade by Mom	Crocheted, off white, large	100.00	95.00	97.50
Antique Army Cot	WWII folding cot	wood legs and canvas	145.00	99.00	122.00
Antique Card Table		wood top, four fold-up legs	99.99	29.99	64.99
Antique Telephone Bench		wood, padded seat	995.00	203.63	599.32
Artist Colored Pencils	Eberhard Faber	Mongol Colored Pencils, 24 Assorted Colors (Purchased already)	5.95	34.95	20.45
Artist Watercolor Tape		1 roll	7.49	2.60	5.05
athletic shoes	walking	Men's	44.99	39.99	42.49
athletic shoes	walking	Women's	44.99	41.99	43.49
Bar stool		Backless, padded seat	199.99	89.99	144.99
Bar stool		Backless, padded seat	199.99	89.99	144.99
Bar stool		Backless, padded seat	199.99	89.99	144.99
Bar stool		Backless, padded seat	199.99	89.99	144.99
Bed Sheet Set	400 thread count	King-size flat sheet, fitted sheet, and two King-size pillow cases	69.99	59.99	64.99
Bowling Ball Bag	Brunswick	Single ball, Black	22.99	19.99	21.49
Bowling Ball Bag	Brunswick	Single ball, Maroon	22.99	19.99	21.49
Broom		Corn broom	13.01	9.99	11.50
Carpet Pad		15' x 11' (165 square feet)	249.00	54.00	151.50
Carpeting		15' x 11' (165 square feet)	801.90	325.05	563.48
Computer Monitor		15" crt monitor	120.33	75.00	97.67
Cordless Drill	DeWalt	purchased already (DCT759KA)	143.10	215.00	179.05
Charger & Rechargeable Battery	DeWalt	for cordless drill	261.67	179.00	220.34
Entertainment Center			189.99	159.99	174.99
Microwave cart			129.99	79.99	104.99
Paper Towel	Bounty	8 pk	12.49	13.99	13.24
Rubber Boots	19" high	Men's, one pair	39.99	19.99	29.99
Rug	Small	Blue patterned	19.99	14.99	17.49
Rug	Small	Brown	19.99	14.99	17.49
Suitcase	Samsonite	Large, Hard Case, Blue	580.00	260.95	420.48
Suitcase	Samsonite	Large, Soft Case, Black	460.00	299.99	380.00
Toilet Paper	Charmin	24-roll	24.39	21.09	22.74
Throw		Woven, cotton, multi-color	14.99	14.99	14.99
Water Jug	Coleman	with spout	27.99	24.99	26.49
TOTAL AMOUNT			5468.16	2791.07	4129.62

Personal Property Replacement Value Sources For Claim at 3410 South 86th Street, Milwaukee, Wisconsin

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Crocheted Throw



\$90.00

Add an heirloom quality to your home with this beautiful crocheted throw.

- vintage look design adds texture and dimension
- floral pattern hand-crocheted with 100% cotton thread
- understated neutral colors are perfect for layering

Hand-crocheted throw is 60x80". Cotton. Washable. Imported.

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quantity:

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http://www.handmadedepot.com/fullsize.php



Color: Paradise Blue
Size: 41 x 59 Inches
Price: \$95.00
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WWII MILITARY PORTABLE FOLDING COT BED

Item condition: -

Quantity: 2 available

Price: **US \$99.00** [Buy It Now](#)

You can also: [Watch this item](#)

Shipping: **\$29.85** Standard Flat Rate Shipping Service | See all details
Estimated delivery time varies for this shipping service. Seller ships within 1 day.

Returns: 3 day money back, buyer pays return shipping | Read details

Coverage: Pay with **PayPal** and your full purchase price is covered | See terms



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Back to Search Results | Listed in category: Collectibles > Militaria > WW II (1939-45) > Original Period Items > United States

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WWII MILITARY PORTABLE FOLDING COT

Item condition: -


Price: **US \$145.00** [Buy It Now](#)

You can also: [Watch this item](#)

Shipping: **\$27.50** Standard Flat Rate Shipping Service | See all details
Estimated delivery time varies for this shipping service. Seller ships within 1 day.

Returns: 3 day money back, buyer pays return shipping | Read details

Coverage: Pay with **PayPal** and your full purchase price is covered | See terms



http://www.target.com/Folding-Table-Black-34x34/...
 Search [] Sign In | New Guest | My Account | RedCards | Shopping Cart
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- Entertaining Furniture
- Guests' Favorites in Living Room Furniture
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Orchard Hill



Folding Table - Black (34 x 34")

★★★★★ (10 reviews)

\$29.99

Save 15% When You Spend \$125

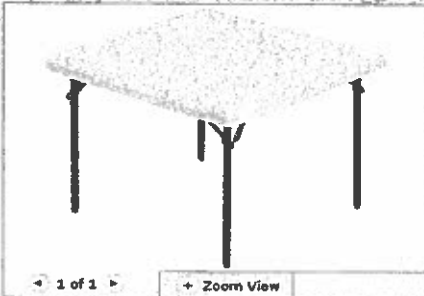
Price, promotions, rates and availability may vary by store and online.

Quantity: 1

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Find it at a Target store

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STAPLES Welcome that was easy. Please log in. Search [] Cart: \$0.00 750.00 until free delivery. **Checkout** **Weekly Value**
 Products Ink & Toner Hot Deals Copy & Print My Account Customer Service Save with Staples® Brand Questions? 1-800-445-1111
 Products Main | Office Supplies | Technology | Furniture | Medical Supplies
 Back to Tables / Round & Square Folding Tables **Print this**



1 of 1 **+ Zoom View**

Iceberg 3' Square Resin Folding Card Table, Platinum Granite

Buy More Save More:
 1-2 @ \$99.99
 3+ @ \$95.20

Price: **\$99.99**
 3' Table

Qty: 1 **Add to Cart**
+ Add to Favorites

- Item qualifies for free delivery
- Expected Delivery 1 Business Day
- Item qualifies for free delivery to a near you. (Learn more)
- Delivery Only

Item: 571228
 Model: 65273

Product Details Specifications Customer Reviews Promotional Details Also Consider

Customer Rating
 ○○○○○○ (6 reviews)
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 Read 6 Reviews
 Ask a Question

A lightweight card table with superior strength and durability which is great for indoor and outdoor use

Great for home, office, crafts, outdoor activities, playing cards and more

- 2 1/4" thick high impact polyethylene Resin surface top
- Platinum Granite finish top

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 Categories Motors Stores Daily Deal
 Back to Search Results | Listed in category: Antiques > Furniture > Benches & Stools > 1900-1950
 We're working to make eBay easier to use.



GOSSIP BENCH TELEPHONE TABLE BIRCH ART DECO c. 1930's

FREE SHIPPING AND INSURANCE!!!

Item condition: -
 Time left: 8 days 21 hours (Sep 21, 2009 08:55:22 PDT)

Price: **US \$995.00** **Buy It Now**

Best Offer: **Make Offer**

You can also: **Watch this item**

Shipping: **FREE shipping Standard Flat Rate Shipping Service** See more services | See all details

http://www.buy.com/prod/cottage-gossip-bench-black/qloc/66357/210892779.html

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Top Sellers

- Robot Roomba Scooba Robot... \$240.00 \$240.00
- Samsung DVD Home Theater SV... \$149.99 \$149.99
- Euro-Q-Matic RTX-B ThermoFr... \$119.99 \$119.99

Cottage Gossip Bench - Black



List Price: [See Details](#) **\$360.00**
 Price: **\$203.68**
 Shipping: **\$41.35**

Total Price: \$245.03

Add to Cart

Ships from and sold by **AMBFurniture**
 What's this?
 In Stock: **Usually ships in 7 business days.**
 Seller Return Policy

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Related

http://www.pencilthings.com/vintage-mongol-paint-with-pencil-set-12-colors.html?utm_source=googlebo

Vintage Mongol - Paint with Pencils Set, 12 Colors

Home | EUSA | Network | Site | Fax: 1-360-669-4255 | Phone: 1-509-130-1410 | International: 1-509-210-9000

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Vintage Mongol - Paint with Pencils Set, 12 Colors



\$34.95
 Quantity
Add to cart

This Eberhard Faber *Paint with Pencils* set is Mongol set No. 741.

It contains the following 12 colored pencils (ordered as packed):

- 876 Carmine
- 888 Red
- 882 Orange
- 857 Yellow

http://www.etsy.com/view_listing.php?listing_id=28917462

Handmade Search

Home > AmiableLeaf's shop > Mongol Watercolor Pencils, 1950

Mongol Watercolor Pencils, 1950



\$5.95 USD 1 in stock

ADD TO CART

AmiableLeaf's info

AmiableLeaf
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rating: 16, 100% pos.
 joined: Jul 07, 2009
 location: Aloha, Oregon

seller's other items



http://www.utrechtart.com/dsp_view_product.cfm?item=57040

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 Studio Furniture and Lighting
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 Graphics
 Artist Tools
 Glue
 Archival Materials
 Photo Mounting

Utrecht Gum Paper Tape, 3 in x 200 yd
 Brown kraft sealing tape requires moisture to activate the gum. Can be used in stretching watercolor paper. Comes in a 3" x 200 yard roll.

See all Utrecht products

Customers who shopped for Utrecht Gum Paper Tape, 3 in x 200 yd also shopped in:
 • [Drawing Tools/Supplies](#)
 • [Glue](#)
 • [Artist Tapes](#)

ITEM	LIST PRICE	PRICE	QTY
Utrecht Gum Paper Tape, 3 in x 200 yd (Item No: 5704d) 17% savings off list price	\$9.05	\$7.49	<input type="text"/>

http://www.artistanddisplay.com/gummed_paper_tape_p-120266.html

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ARTIST AND DISPLAY SINCE 1936

100% Secure Payment

enter keyword/item
 Search Description:
 Advanced Search

Gummed Paper Tape (AA250e) Manufacturer: Art Alternatives \$2.60 ea.

Buy Now
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 Glue and Cement
 Hot Glue
 Knife & Tool Sets
 Knives and Blades
 Mat Cutters
 Miscellaneous Cutters
 Replacement Blades
 Rubber Cement and Solvents
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 Soldering Irons
 Spray Adhesives

Professional ART GUMMED PAPER TAPE

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 Items in Shopping Bag: 0 Total: \$0.00
 Estimated Shipping: 0.00

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3 Days Only! FREE Standard Shipping when you spend \$75 or more!

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 new balance® 374 Walking Shoes - Wide

regular \$59.99
 sale \$39.99

Select Size

8 00	8 1/2 00	9 4E	9 1/2 4E
10 01	10 1/2 4E	11 05	12 4E
12 05			

Quantity: 1

Shop Fit & Style Guide E-mail to a friend

Love it first step. These men's new balance walking shoes are perfect for your

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Need it Now? Buy online. Pick up in store.

New Balance 574 W
 Sold by Sears
 ★★★★★
 Rating 5.0 Customer Ratings And Reviews

Designed for a moderate pace, these durable classic walking shoes will make every stroll a pleasure. Topstitched leather upper stored for breathabil... [Read Full Item Description](#)

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\$18.00 each
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http://www.kohls.com/.../new-balance-women-400-walking-shoes

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Home » Shoes » Brands for Shoes » new balance » Women's » new balance » 400 Walking Shoes

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new balance® 400 Walking Shoes

regular \$59.00
sale \$41.00

The right move. You can't go wrong with these women's new balance walking shoes. Leather upper ensures long-lasting wear. Embroidered "N" adds sporty appeal. Padded tongue, collar and footbed promise complete comfort. C-Cap® midsole cushions every step. Sturdy rubber outsole provides exceptional traction. Details: Leather upper. Rubber outsole.

Shoe Fit & Style Guide

http://www.sears.com/kc/.../10193_12606_07694720007newer

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Women's » Athletic

New Balance Women 574 - White

Sold by Sears

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JCPenney

Original \$299.99. New \$199.99

- Stylishly contrasting warm, dark-walnut finished and polished aluminum finished legs and frame
- Clear vinyl seat
- Sturdy heavy-gauge metal construction
- Swivel!

Round Metro Bar Stool - Espresso/Black (30")

\$99.99
Free shipping
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When You Spend \$125

quantity: 1

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Round Metro Bar Stool - Espresso/Black (30")

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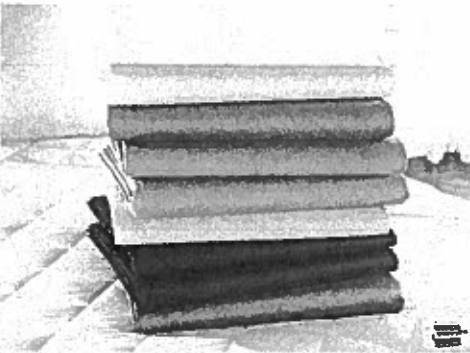
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Original \$120.00; Now \$69.99

Wake up feeling fabulous with Cindy Crawford Style 400-thread count sheets. You'll be delighted each time you give in to the luxurious softness of 100% ultra fine cotton.

- combed cotton for long, refined fiber
- ring-spun fiber is combed for a finer, yet durable thread
- 400 threads woven sateen provides a soft, satin-like feel
- meticulously selected colors effortlessly complement your style
- designed to fit securely

Sheet set includes:

- fitted sheet
- flat sheet
- pillowcase(s)

Twin sheet set includes 1 standard pillowcase. Full and queen sets include 2 standard pillowcases; king and California king have 2 king pillowcases. Extra pillowcases are sold separately. Cindy Crawford Style sheet sets are washable.

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Target: Bed + Bath: Sheets: 400 Thread Count

Sheets

- 200 - 250 Thread Count
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- 400 Thread Count
- \$0-\$24 (5)
- \$25-\$40 (2)
- \$50-\$99 (6)
- \$100-\$199 (1)

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- 500 Thread Count
- 600+ Thread Count
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- Animal Prints
- Bamboo Sheets
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Sheets : 400

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400-Thread-Count Sheet Set - Tan

400-Thread-Count Sheet Set - Tan

\$29.99 - \$59.99

King: \$59.99

Quantity: 1

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★★★★★ (1 review)

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Details

Features

- Sheet Set
- Includes Fitted Sheet, Flat Sheet, 2 Pillowcases, 1 Pillowcase with Twin-Size Set
- 100% Egyptian Cotton, Tumble Dry, Machine Wash

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Dyno Single Ball Clear Vision

Other products by Brunswick

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List Price: \$39.99

Price: \$19.99

You Save: \$20.00 (50%)

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Product Description

Product Description
Brunswick Bowling Bags. Need a new bowling bag Here's a great one from Brunswick! The Dyno Single has a new retro styling like the bags from the '70s. It's the perfect bag for the casual or serious bowler. 1 ball bowling bagRetro styleFoam ball insertGreat new style

http://www.bowling.com/products/brunswick-dyno-single-clear-vision.htm

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Categories: Bowling Balls, Bowling Shoes, Bowling Bags, Bowling Accessories, Kids Equipment, Bowling Shirts, Gift Certificates, Books & Videos, Gifts & Souvenirs

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Brunswick Dyno Single Clear Vision
 Now Only \$22.99 Retail Price: \$25.95 You Save \$1.41 % Stock: In Stock Ships Tomorrow

No Protection Protection: Protection - \$2.94 details

Money Saving Options

- bowling.com Reels Grip Bag - \$9.95 (reg \$9.95) details
- Thru-A-Ball Right Hand - \$9.95 (reg \$9.95) details
- Bag Bag - \$9.95 (reg \$10.99) details
- GS-Free Towel by bowling.com - \$9.95 (reg \$11.99) details

Product Info

Product Features & Description
 Brunswick Dyno Single Clear Vision
 SKU: BRUSD104365
 Brand: Brunswick Bowling
 Category: Bowling > Bowling Bags

Features:
 - 1 ball bowling bag

FREE

http://www.target.com/O-Cedar-Corn-Broom/dp/B001RD3116/sr=1-6/qid=1252788372/ref=ar_1_8/180-

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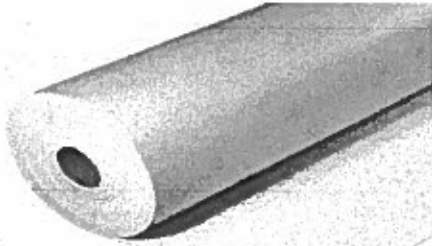
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7/16" 9lb Durastep



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Manufacturer	Pad
Product	Residential Padding
Color Name/Item	7/16" 9lb Durastep
Sq Ft Per Roll	180.00
Retail Price	\$ 39.20 Per Roll \$ 0.44/sf
Our Price	\$ 54.00 Per Roll \$ 0.30/sf
Qty in Stock	28800 Sq Ft

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Item: 124046

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 Installation from: \$1.25 psf

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DeWalt 18V 1Hr Nano Charger & Battery

Model # DC9180C Internet/Catalog # 100034021
 Store SKU # 718238

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DEWALT 18-Volt Nano Battery Pack/Charger

Item # 288238 Model: DC9180C

\$261.67

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Description

DC9180 18V Battery Pack with NANO™ Technology is compatible with DEWALT® 18 Volt tools
 DEWALT® exclusive nano-phosphate thium ion cells offer long battery life and durability: 2,000 recharges

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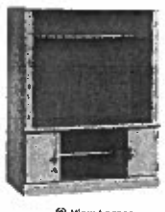
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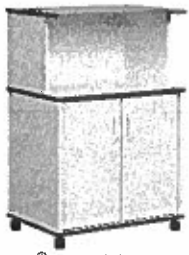
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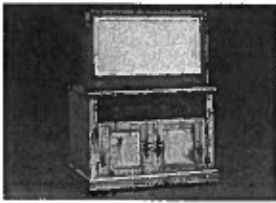
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 Item # 403200

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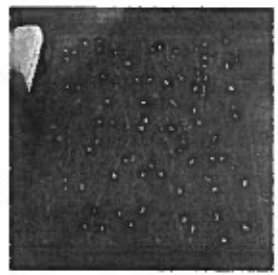
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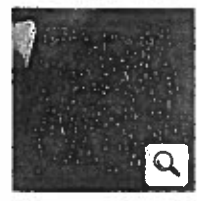
Vines 20"x33" Rectangle Rug

Subtle and sophisticated, the Vines rug collection will bring the serenity of nature into your home.

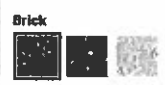
- simple, graceful vines adorn solid field
- rugs have elegant sheen and soft feel of silk
- cut-and-loop construction gives vines and border noticeable texture

Polyacrylic/viscose blend. 1/3" pile height. Professional cleaning recommended. Imported.

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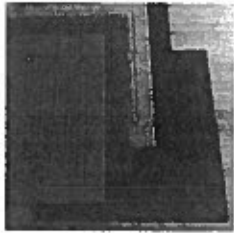


Vines Rectangle Rug
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Original \$40.00; Sale \$19.99
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JCPenney



Lexington 20x34[®] Rectangle Rug

Give your floors a stylish new look with the Lexington rug collection, featuring a pleasingly soft, foot-friendly texture.

- tufted to create a subtle stripe pattern for textural interest
- versatile colors complement any décor
- strong, lustrous yarn with superior resistance to abrasion, pilling and fuzzing

From the JCPenney Home Collection.
Premium nylon with latex backing. 1/2" pile height. Washable. USA.



Lexington Rectangle Rug
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20x34[®]

Brick Red

0 quantity

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Samsonte® Silhouette® 11 26" Spinner

\$580.00
IN STOCK

Color: Black Qty: 1

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Product Description

- ABS/polycarbonate combination
- Out-In TSA lock keeps all your belongings secure and provides peace of mind
- Leather handle for comfortable, high-quality grip to move and hold luggage
- Color matching hardware and zipper pulls add to the style and functionality of the line
- Weight: 13 lbs.
- Dimensions: 26" x 18" x 12"
- Product code: 361250000
- Item No: V42008004

Home / Luggage / Silhouette 11 / Samsonte Luggage / Samsonte Silhouette 11 / Model #361250000



Samsonte Luggage Silhouette 11 Hardside 26in. Spinner

Model #361250000

The 26" is our most popular check-in size from any manufacturer. With the ultra weight restraints of 26 lbs., it's a good idea to stay with the size or smaller.

MSRP \$580.00
Our price: \$260.95 (49% off)

This Item SHIPS FREE

Available Colors: Black, Grey

Select Your Color

Add to Cart

Product Features

Material:	ABS Hardshell
Color:	Black/Grey
Size:	Height: 26.5", Width: 18", Depth: 10.5"
Linear Inches:	55"
Weight:	11 Lbs 9 oz
Capacity:	5760 cu. inches
Warranty:	10 Year Limited Warranty (see warranty details)

- Combination Lock TSA
- 1 year manufacturer warranty

Samsonite® Silhouette 11 Wheeled Garment Bag



Original \$600.00; Now \$289.99

The Samsonite® Silhouette 11 collection marks a refined departure from ordinary luggage with the revolutionary new Tricore Nylon fabric that utilizes the latest DuPont nanotechnology. Superior features keep you organized and on your way.

- Highly resistant to abrasion, stains, punctures and tears
- Dust-epinner wheels provide nearly effortless mobility in any direction on carpet or hard surfaces
- Single-ribose easy lift, dual tube aircraft-grade tempered aluminum tubes with ergonomic comfort-grip handle
- Right-Height handle system extends an additional 3" for taller travelers
- Lightweight in its class
- Large wraparound wheel casing protects against curbs and obstacles

http://shop.samsonite.com/storefront/suitcases/22-quot-spinner/prod36258000-c005-.html

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- Wheels
- Spinner (4-Wheel) (13)
 - Wheels (2-Wheel) (16)

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Samsonite® Silhouette® 11 22" Spinner

\$460.00
IN STOCK

Color: Qty:

Add to Cart



zoom in

Product Description

- Tricore Nylon with DuPont Nano Technology fabric protection
- Leather handle for comfortable, high-quality grip to move and hold luggage
- Color matching hardware and zipper pulls add to the style and functionality of the line
- TSA combination padlock keeps all your belongings secure and provides peace of mind
- Organization pockets for cell phones, pens, PDA's, etc.
- Weight: 9.76 lbs.

• Dimensions: 21.75" x 14.25" x 7.75"
• Product code: 362581000X
• Item No: 362581041

http://www.drugstore.com/products/prod.asp?pid=189337&catid=9619&brand=19810&trx=PLS

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Charmin Ultra Strong Big Roll Bathroom Tissue
 Procter & Gamble Dist. Co.

Case Info	Qty	Case Price
Case Count: 1 per case Unit Price: \$24.39 Case Contains: 24 Rolls	<input type="text" value="1"/>	\$24.39

Item Size: 24 Rolls
 Case Contains: 24 Rolls

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 Top Rated in Home

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 Coleman Jug with spout - 8.5oz (2 gal.)
 \$24.99 [View Larger](#)

Home Microplush Throw - Red (50x60")
 ★★★★★ (1 review)

\$14.99
 Prices, promotion, style and availability may vary by store and online.

In Stock
 Shipping + Policy

Quantity:

This item is available online and in stores.



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Ultimate Plush Throw by Chris Madden®



Original \$29.99; Sale \$14.99
 Simple style and indulgent luxury combine to create a sumptuously soft throw.

- microfiber raschel yarns are wonderfully thick and plush, so the blanket feels exceptionally soft against your skin
- weight of 14 oz. per square yard for substantial warmth
- wide array of colors to complement your décor

Chris Madden® for JCPenney Home Collection Ultimate Plush throw is 50x60". Polyester. Washable. Imported.

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Coleman Jug with Faucet - Blue (2 gal.)

Be the first to order a product.

\$24.99

Price, promotions, styles and availability may vary by store and online.

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2 GALLON JUG WITH FAUCET AND SPOUT

Model No. 5592C7030



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- HEAVY-DUTY COVERS
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- 4-gal. (15.1 L) Polyethylene Jug
- 5-gal. (18.9 L) Polyethylene Jug
- 6-gal. (22.7 L) Polyethylene Jug
- 7-gal. (26.5 L) Polyethylene Jug
- 2-gal. (7.6 L) Jug with Faucet and Spout
- 2-gal. (7.6 L) Jug with Faucet and Spout
- 2-gal. (7.6 L) Jug with Faucet and Spout

Direct Deposit Earnings Statement

EMPLOYEE INFORMATION

Mark A Schimmel
3410 South 86 Street
Milwaukee, WI 53227



PAY INFORMATION

Period End Date 07/19/2009 Advice # 09001637
Effective Date of Deposit 07/24/2009

EARNINGS	CURRENT HOURS	CURRENT AMOUNTS	YEAR TO DATE AMOUNTS
REGULAR PAY	64.00	1,818.26	27,728.44
VACATION NX/EX	8.00	227.28	2,954.65
HOLIDAY			1,590.97
SICK PAY	8.00	227.28	454.58
IMPUTED GTL>50K		7.32	109.80
TOTAL PAY		2,280.14	32,838.42

DEDUCTIONS	CURRENT AMOUNTS	YEAR TO DATE AMOUNTS
FICA-OASDI	141.37	2,035.98
FEDERAL S-00	326.37	4,765.32
FICA-HI	33.06	476.16
STATE WI S-00	126.63	1,812.91
IMPUTED GTL>50K	7.32	109.80
VOL LIFE INS	7.12	106.80
DEP LIFE INS	3.32	49.80
401(K)	227.28	3,272.83
NET PAY	1,407.67	20,208.82

REG. YTD HOURS: 976.00
VACATION ACCRUED: 72.00
DEPT: 540
RATE: 28.4103

THE HOME DEPOT 4902
11071 WEST NATIONAL
WEST ALLIS, WI 53227 (414)329-1366

THE HOME DEPOT 4902
11071 WEST NATIONAL
WEST ALLIS, WI 53227 (414)329-1366

SALE 4902 00001 91478 07/19/09
61 JAL071 08:57 AM

SALE 4902 00058 32829 07/09/09
14 SCOT58 09:58 AM



True Value.

HomeTown True Value
3937 S. 76th Street
Milw WI 53220
1-414-329-9900

028877475233 18 V 1/2" A 159.00
MAX REFUND VALUE \$143.10
651840100414 IGPENENNIAL <A> 3.99
MAX REFUND VALUE \$3.59
099713011137 TOMATO CAGES <A>
202.98 5.96
MAX REFUND VALUE \$5.36/2
-----Mover 10% off, Max \$200-----
168.95 10% off, Max \$200 -16.90
MUST RETURN ALL ITEMS FOR A FULL REFUND

SUBTOTAL 152.05
SALES TAX 8.51
TOTAL \$160.56
XXXXXXXXXXXX6319 MASTERCARD 160.56
AUTH CODE 052478/5016971 TA

021709005912 HAND SANIT. <A> 1.99
086876191400 31QT MOPBKT <A> 42.99
037000213116 8OUNTY 8 BIG <A> 11.97
876326007050 SPONGES <A> 3.89
071798005317 SPONGES <A> 2.29
SUBTOTAL 63.13
SALES TAX 3.54
TOTAL \$66.67
XXXXXXXXXXXX6319 MASTERCARD 66.67
AUTH CODE 001188/5587759 TA

Transaction#: A35988
Associate: tyler f
Date: 07/09/2009 Time: 01:19:59 PM
*** SALE ***

960Z Reg LIQ 8leach
787267
1.00 EACH @ \$2.49 T \$2.49
Subtotal: \$2.49
5.6% - WI Sales Tax: \$0.14
TOTAL: \$2.63



RETURN POLICY DEFINITIONS
POLICY ID DAYS POLICY EXPIRES ON
A 1 90 10/17/2009

RETURN POLICY DEFINITIONS
POLICY ID DAYS POLICY EXPIRES ON
A 1 90 10/07/2009

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ST# 1394 OP# 00000099 TEB 08 TR# 04132
RAYONMOP 004683100028 6.94 X
FNE RM RF 004178500064 4.47 X
FNE RM RF 004178500064 4.47 X
SUBTOTAL 15.88
TAX 1 5.600 % 0.89
TOTAL 16.77
MCP:ID TEND 16.77

ACCOUNT #6319
APPROVAL #05353B
TRANS ID -
VALIDATION -
PAYMENT SERVICE - R CHANGE DUE 0.00

ITEMS SOLD 3

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Legislation Details (With Text)

File #: 091327 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 2/9/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution relating to the claim of Gerald and Patricia Swendrowski for property damage. (11th Aldermanic District)
Sponsors: THE CHAIR
Indexes: CLAIMS
Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

091327

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to the claim of Gerald and Patricia Swendrowski for property damage. (11th Aldermanic District)

Requestor

City Attorney

Drafter

JAS:ms

January 21, 2010

1029-2009-2583:154159

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



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THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
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MIRIAM R. HORWITZ
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THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 25, 2010

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of GERALD & PATRICIA SWENDROWSKI
C.I. File No. 09-L-110

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced into and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimants, Gerald and Patricia Swendrowski, 3324 South 86th Street, Milwaukee, WI 53227, allege that they sustained damage to their home's basement and water heater on July 9, 2009 due to water backing up into their home that was caused by a water main break. They claim damages in the amount of \$6,867.00.

Our investigation reveals that the Milwaukee Water Works (MWW) received a report of a leak and water in the basement at 3424 South 86th Street. A MWW field investigator was dispatched and a possible break in an 8-inch water main was confirmed in the area of South 86th Street and West Holt Avenue. The MWW contacted Digger's Hotline and repair activities were subsequently commenced. The main was repaired and placed back in service later that day.

The basement backup occurred in this situation because the main ruptured near to a sewer manhole chimney. The water broke through the chimney and travelled down to the sewer and back up into the homes.

The Sewer Maintenance Section (SMS) reviewed their records relative to this situation. The SMS investigated several backwaters in the 3300 and 3400 blocks of South 86th Street. The SMS sewer jet vac cleaned the sanitary and storm sewers and restored them to proper working order. The sanitary sewer is on a regular cleaning schedule and was last cleaned on April 29, 2008. The City was not aware of any problems with the

To the Honorable Common Council
January 25, 2010
Page 2

manhole chimney prior to this incident and inspects all manhole chimneys in the City on a five-year cycle. Manhole chimneys in the subject area were scheduled to be inspected in 2010.

Since the sewer is on a regular cleaning schedule, the manhole chimney is on a regular inspection cycle, and the MWW responded to the water main break in a timely manner and followed standard procedures, we recommend denial of the claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1029-2009-2583:154158

GERALD AND PATRICIA SWENDROWSKI
3324 SOUTH 86TH STREET
MILWAUKEE, WI 53227

CITY OF MILWAUKEE
2009 SEP 23 AM 8:19
RONALD D. LEONHARDT
CITY CLERK

August 31, 2009

To Whom It May Concern,

On July 9, 2009 my husband went into the basement at 8:00 am and discovered our basement floor was covered in about 2" of mud, and a mound of sand at least 2 ½ ft high around our sewer.

We immediately called our American Family Insurance Agent who arrived about an hour later. She immediately estimated the damage done and unfortunately informed us that this would not be covered under our policy.

We have lived in our house for 34 years and never have we had a drop of water in our basement, even when we had a water main break right in front of our house.

I also called the city's hotline (286-CITY) and explained what had happened and they were rude and hung up on me. I called back and they gave me the telephone number of Alderman Dudzik. I called and got a claim form from Dudzik's secretary.

On the afternoon of July 9th we tried to light our water heater, which is only 3 years old, and it wouldn't light. We called Blau Plumbing and they said we needed a new one due to the water damage. We had a new one installed on 7/11/09 by Fennig Plumbing and Heating.

Enclosed are insurance estimates for our labor, clean-up, and basement flooring which was tile. Receipts for cleaning materials, estimate from Blau plumbing, and Fennig Plumbing installation of new water heater. These are the main expenses we incurred.

\$5,967.00	Insurance estimate
<u>\$900.00</u>	Water heater
\$6,867.00	TOTAL

Sincerely,

Gerald and Patricia Swendrowski

CITY OF MILWAUKEE
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CITY ATTORNEY



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(1-800-692-6326)

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Home Office: (414) 525-9113
Fax: (866) 494-4928
E-Mail: gperla@amfam.com

GAIL PERLA

SENIOR PROPERTY FIELD ADJUSTER

Mailing Address:
Attn: Claims Scanning Center
6000 American Parkway
Madison WI 53783

amfam.com/claims

Mr. & Mrs. Gerald Swendrowski
 5324 So. 86 St.
 Milwaukee, WI 53227

AMERICAN FAMILY INSURANCE American Family Insurance Group

SWENDROWSKI_GERALD

Main Level

basement

Ceiling Height: 8'

Description	Qty	Unit price	Base Service Charge	Taxes	Replacement Cost Total	Depreciation	Actual Cash Value
992.00 SF Walls							
925.00 SF Ceiling							
925.00 SF Floor							
1,917.00 SF Walls & Ceiling							
124.00 LF Floor Perimeter							
124.00 LF Ceil. Perimeter							
1. Equipment setup, take down, and monitoring (hourly charge)	8.00 HR	\$37.02	\$13.32	\$17.31	\$326.79	-\$0.00	\$326.79
2. Dehumidifier (per 24 hour period) - XLarge - No monitoring	3.00 EA	\$114.72	\$0.00	\$19.28	\$363.44	-\$0.00	\$363.44
3. Air mover axial fan (per 24 hour period) - No monitoring	9.00 EA	\$29.78	\$0.00	\$15.00	\$283.02	-\$0.00	\$283.02
4. Apply anti-microbial agent	925.00 SF	\$0.18	\$7.48	\$11.46	\$185.44	-\$0.00	\$185.44
6. Water extraction from floor - Category 2 water	925.00 SF	\$0.58	\$24.13	\$31.37	\$592.00	-\$0.00	\$592.00
16. Water extraction from floor - Category 2 water - Heavy additional hours due to sand and muck removal	925.00 SF	\$0.70	\$29.11	\$37.86	\$714.47	-\$0.00	\$714.47
17a. Remove Vinyl tile	925.00 SF	\$0.77	\$0.00	\$0.00	\$712.25	-\$99.72 (7/50yr)	\$612.53
17b. Replace Vinyl tile	925.00 SF	\$3.16	\$125.98	\$110.33	\$3,159.31	-\$424.67 (7/50yr)	\$2,734.64
14. Contents - move out then reset - Extra large room	1.00 EA	\$123.02	\$32.54	\$0.00	\$155.56	-\$0.00	\$155.56
15. CONTENT MANIPULATION	1.00 EA	\$0.00	\$0.00	\$0.00	\$0.00	-\$0.00	\$0.00
Totals			\$232.56	\$242.61	\$6,492.28	-\$524.39	\$5,967.89

Estimate Totals	Base Service Charge	Taxes	Replacement Cost Total	Depreciation	Actual Cash Value
	\$232.56	\$242.61	\$6,492.28	-\$524.39	\$5,967.89



American Family Insurance Group

Insured: SWENDROWSKI, GERALD
3324 S 86TH ST
MILWAUKEE, WI 53221

Phone: (414) 327-0173

Claim Rep.: Gail Perla

Claim Number: 00831011912 Policy Number: 48DK136001 Type of Loss: Water/Plumbing

Coverage	Deductible	Policy Limit
Dwelling	\$100.00	\$130,300.00
Contents	\$0.00	\$65,200.00

Date Contacted: 7/9/2009 10:00 AM
Date of Loss: 7/9/2009 7:00 AM

Price List: WIMWSB_JUL09
Restoration/Service/Remodel

Sales Taxes: Material Sales Tax @ 5.600%
Services Mat'l Tax @ 5.600%
Service Sales Tax @ 5.600%

Estimate Recap

Description	RCV	Recoverable Depreciation	Non-recoverable Depreciation	ACV
Main Level - basement	6,492.28	(524.39)	<0.00>	5,967.89
Total of Areas	6,492.28	(524.39)	<0.00>	5,967.89

Furnace, washer, dryer, hot water heater items open...any other mechanicals which may malfunction due to damage, could not be estimated at the time of this printing.

There may also be personal property damaged once sand and water cleaned up.



American Family Insurance Group

July 09, 2009

SWENDROWSKI, GERALD
3324 S 86TH ST
MILWAUKEE, WI 53227-4622

Claim Number: 00831011912
Date of Loss: 7/9/2009

The attached estimate of damages has been prepared for your property. The estimate has used common prices for labor and material from your area.

Enclosed is our draft for the actual cash value (today's replacement cost less depreciation) of your damaged property. For Dwelling and Structure damages, we may have included your mortgage company on the draft as required by your policy.

Summary For Dwelling

Replacement Cost Value	Less Recoverable Depreciation	Less Non Recoverable Depreciation	Actual Cash Value (ACV)
\$6,492.28	(\$524.39)		\$5,967.89
Less Deductible			(\$100.00)
Total ACV Settlement			\$5,867.89

See the enclosed estimate for details of your settlement which may include other itemized details not shown above.

If you wish to make a claim for the recoverable depreciation amount, you must do **TWO** things:

1. You must have the item(s) replaced or repaired within one year from your date of loss. *Exception: Georgia and Washington policies **ONLY** - Please refer to your policy language as well as the section of this estimate titled Claiming Recoverable Depreciation following the Estimate Recap or Coverage Limit Details sections.
2. You must submit a final repair bill or purchase receipt showing the item(s) has been repaired or replaced.

The attached estimate is what we expect to be the reasonable cost to repair or replace the property. This estimate may not include permit fees. If total charges for repair/replacement plus permits exceed the amount shown here for that repair/replacement, prior to any deductible, then additional amounts may be payable. If the actual cost is more or less, the final payment will be adjusted accordingly. If you wish, you may repair or replace with higher quality items, however, you will be responsible for any increase in cost.

Please refer to your policy under either **CONDITIONS - SECTION I** or **HOW WE SETTLE LOSSES - SECTION I** for further details on determining your loss settlement.

July 9, 2009

Gerald Swendrowski
3324 S 86th St
Milwaukee, WI 53227

RE: Claim No.: 00-831-011912
Insured: Geralk Swendrowski
Date of Loss: July 9, 2009

Dear Gerald Swendrowski:

We have received notification of your loss regarding sewer drain back up damage to your property. Based on our investigation regarding the cause of loss and information you provided, there is no coverage for this type of claim under your American Family Insurance Homeowner's Policy. We refer you to the following parts of your policy of insurance.

Your Homeowner's Policy states:

PERILS INSURED AGAINST - SECTION I

14. **Accidental Discharge or Overflow of Water or Steam** from a plumbing, heating, air-conditioning or automatic fire protection sprinkler system or household appliance. (Gutters and down spouts are not part of a plumbing system). **We do not cover loss:**
 - e. caused by or resulting from water which backs up through sewers or drains or water which enters into and overflows or accidentally discharges from within a sump pump, sump pump well, sump pump well discharge system or other type system designed to remove subsurface water which is drained from the foundation area.

"EXCLUSIONS - SECTION I

Part A.

The following exclusions apply to Coverage A - Dwelling and Dwelling Extension, Coverage B - Personal Property, Coverage C - Loss of Use and the Supplementary Coverages - Section I. We do not insure for loss caused directly or indirectly by any of the following. Such loss is excluded regardless of any other cause or event contributing concurrently or in any sequence to the loss.

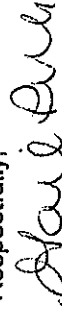
9. Water Damage, meaning:

- a. flood, surface water, waves, tidal water or overflow of a body of water, from any cause. We do not cover spray from any of these, whether or not driven by wind.
- b. water from any source which backs up through sewers or drains, or water which enters into and overflows or accidentally discharges from within a sump pump, sump pump well, sump pump well discharge system or other type system designed to remove subsurface water which is drained from the foundation area; or
- c. regardless of its source, water below the surface of the ground. This includes water which exerts pressure on or flows, seeps or leaks through any part of a building or other structure, sidewalk, driveway or swimming pool.

We do cover direct loss that follows, caused by fire or explosion.”

The action of American Family in denying your claim for the foregoing reasons should not be construed as a waiver of these or any other rights, defenses or policy limitations which may now exist or come to exist in the future. If you have any additional questions or concerns, or information you wish us to consider, please contact us at 414-525-9113.

Respectfully,



Gail A. Perla
Property Claim Examiner
American Family Insurance Company
Phone: (414) 525-9113
E-mail: gperla@amfam.com



American Family Insurance Group

American Family Insurance appreciates your business.

Thank You,
Gail Perla



PLUMBING,
HEATING AND
AIR CONDITIONING
414-771-7744

INVOICE

5090 S. Small Rd., New Berlin, WI 53151
loufennig@wi.ir.com

DATE 12/10/2009
STARTING DATE 12/11/09

PHONE 327-0173 CELL PHONE _____ MECHANIC Lois
BILL TO Post Swendrowski
ADDRESS 3324 S 86th
CITY Milwaukee WI
JOBNAME AND LOCATION _____

JOB PHONE _____

DESCRIPTION OF WORK: Install New Rheem Pro
50 gallon 8 year heat water
heater

Complete #1909
PK # 2870

TOTAL MATERIALS	
TOTAL LABOR	
TAX	
TOTAL AMOUNT \$	

Payment due upon receipt

Signature _____
I hereby acknowledge the satisfactory completion of the above described work.



INVOICE #

BLAU PLUMBING INC.

PLUMBING, HEATING, AIR CONDITIONING, ELECTRICAL, DRAIN CLEANING
12221 WEST FAIRVIEW AVE. • MILWAUKEE, WI 53226 • WISCONSIN MASTER PLUMBER'S LICENSE NO. 139992 MASTER ELECTRICIAN NO. 979322

PHONE 1-800-BLAU-NOW
(1-800-252-8669)

31494

4230 EAST TOWN BLVD., #211 • MADISON, WI 53704 • 608-222-4439

SERVICE WORK ORDER

S.C. No. 235245 C. No. _____ Date 07/09/09
 Owner's Name Gerald Szwedkowski Owner's Address 3324 S 86th St Job Phone _____
 Owner's PH: 414-327-0173 Job Location _____
 Business PH: _____ City Milwaukee
 Cell PH: _____ State WI Zip 53227 Occupant's Name _____

DIAGNOSTIC PROPOSAL PROPOSAL 2

Perform Diagnostic Work to determine the repair and/or replacement solution to the reported problems.
 QUOTED \$ _____ PER QUARTER (1/4) HOUR
 START TIME _____ END TIME _____ CUST. INITIAL _____

Same as proposal 1 except to follow

PROPOSAL 1

French + install a Bradford White M1 50 gallon gas water heater. Pull permit, remove scrap. 1/2 yr tank, 1/2 yr parts. Limited warranties.

PROPOSAL 3

Task # 3084 Priority Price 147.- Neighborhood Price 164.-
 Task # _____ Priority Price _____ Neighborhood Price _____
 Task # _____ Priority Price _____ Neighborhood Price _____

(A) 1/1 year tank warranty \$ 95.-
 (B) Lifetime consul warranty \$ 79.-

NEIGHBORHOOD SERVICE PRICE - Our discounted price, offered when our customer chooses to wait for service on the day of the week we are working in their zip-code area.
 PRIORITY SERVICE PRICE - Our Premium Service price, offered when our customer chooses not to wait for service on the day of the week we are working in their zip-code area.

FIXED PRICE CONTRACT SUMMARY & AUTHORIZATION

Perform Work Per Proposal (s) # _____ QUOTED PRICE IS \$ _____ Plus TRUCK CHARGE of \$ 29.-
 and TAX \$ _____ For a TOTAL CONTRACT PRICE of \$ _____ Start / Completion Date (s): _____

PROPOSED WORK: Blau will attempt to run a cable through the _____ drain from the _____ to the _____ in an effort to clear a stoppage. This proposal includes up to _____ hour(s) of time and up to _____ feet of cable. QUOTED PRICE is \$ _____ Plus TRUCK CHARGE of \$ _____ and TAX \$ _____. IF NEEDED, Added Cable will be charged at a rate of \$ _____ per foot; Added time will be charged at a rate of \$ _____ per hour. These Rates are for: Priority Service Neighborhood Service Preferred Customer Overtime Service. Start / Completion Date (s): _____

Other Terms / Major Item Description: Water heater was flooded by sewer line back-up from city sewer. Found water height covered flame arrester and burners. Per S.A.M.A. flooded equipment must be replaced.

The undersigned represents that s/he is the owner of the property or the owner's agent, and has the authority to order said work. Blau hereby discloses and the undersigned, (hereinafter "Owner") hereby acknowledges that aged and deteriorated plumbing fixtures, piping, and appurtenances may no longer be serviceable. Owner hereby agrees to hold Blau harmless from and defend Blau against any and all claims or liability for damage to those items or otherwise resulting from conventional repair efforts. FOR DRAIN CLEANING WORK, Blau discloses and undersigned, (hereinafter "Owner") accepts that in some cases the proposed work will not open the drain due to circumstances beyond Blau's control (e.g., collapsed lines, improper installation, excessive root infestation, hardened chemical stoppages, inadequate cleanout access). Should this occur, Owner nevertheless agrees to pay for the work performed (as described above). Blau further states and Owner recognizes that there may be other service providers willing to perform this work at a lower price. Owner understands that s/he has the option of seeking other bld before authorizing this work. Owner hereby authorizes the work as described above and agrees to all terms and conditions stated on both sides of the form. Owner agrees to pay for all work, goods, and services received upon commencement of the work. A \$25 fee will be charged for all checks that are returned NSF or Closed Account. A late charge of 1-1/2% per month (18% per year) will be charged for all balances 30 days or more past due. These amounts are in addition to any other amounts Blau is entitled to receive.

PAID BY Cash Check No. 2889 Credit Card Preauthorization # _____ Tune _____ Service Tech's Name Therese
 Print Name _____ PERMIT REQUIRED YES NO
 SIGNATURE X _____ DATE _____ TIME: _____ A.M. REMOVE SCRAP P.M. LEAVE SCRAP

DRAIN INFORMATION

Sewer Toilet Laundry Tub Disposal Catch Basin Sink Under floor Urinal Basin Grease Trap
 Bath Tub Conductor Other _____
 Stoppage At: _____ Total Cable Run: _____ Cable Size: _____ Final Cutter Used: Exp Shark Spade Auger
 Roots: Light Medium Heavy Other Describe: _____ ROOT-X TREATMENT OFFERED YES NO ACCEPTED YES NO
 Clean Out: Shunted Vertical Stack Deck Conductor Floor Drain Trap Other, Describe: _____

HVAC EQUIPMENT

FUEL TYPE GAS OIL L.P. ELECT. DIST. TYPE AIR G F • HYDR G F • STEAM • C.O. READING _____ PPM
 BRAND _____ MODEL # _____ SER. # _____ APPROX. AGE _____

Cent. A/C - Y - N; Humidifier - Y - N; Filter Type/Size _____; COMB. AIR NEEDED _____ C.F.; AVAILABLE _____ C.F.; PASS - FAIL



Legislation Details (With Text)

File #: 091332 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 2/9/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution relating to the claim of Lon and Peggy Couillard for property damage. (11th Aldermanic District)
Sponsors: THE CHAIR
Indexes: CLAIMS
Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

091332

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to the claim of Lon and Peggy Couillard for property damage. (11th Aldermanic District)

Requestor

City Attorney

Drafter

JAS:ms

January 26, 2010

1048-2009-2271:154150

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 26, 2010

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of LON & PEGGY COUILLARD
C.I. File No. 09-S-313-2

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced into and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimants, Lon A. and Peggy L. Couillard, 3428 South 86th Street, Milwaukee, WI 53227, allege that they sustained damage to their home's basement and personal property in it on July 9, 2009 due to water backing up into their home that was caused by a water main break. They claim damages in the amount of \$17,556.79.

Our investigation reveals that the Milwaukee Water Works (MWW) received a report of a leak and water in the basement at 3424 South 86th Street. A MWW field investigator was dispatched and a possible break in an 8-inch water main was confirmed in the area of South 86th Street and West Holt Avenue. The MWW contacted Digger's Hotline and repair activities were subsequently commenced. The main was repaired and placed back in service later that day.

The basement backup occurred in this situation because the main ruptured near to a sewer manhole chimney. The water broke through the chimney and then travelled down to the sewer and back up into the homes.

The Sewer Maintenance Section (SMS) reviewed their records relative to this situation. The SMS investigated several backwaters in the 3300 and 3400 blocks of South 86th Street. The SMS sewer jet vac cleaned the sanitary and storm sewers and restored them

To the Honorable Common Council
January 26, 2010
Page 2

to proper working order. The sanitary sewer is on a regular cleaning schedule and was last cleaned on April 29, 2008.

The City was not aware of any problems with the manhole chimney prior to this incident and inspects all manhole chimneys in the City on a five-year cycle. Manhole chimneys in the subject area were scheduled to be inspected in 2010.

Since the sewer is on a regular cleaning schedule, the manhole chimney is on a regular inspection cycle, and the MWW responded to the water main break in a timely manner and followed standard procedures, we recommend denial of the claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1048-2009-2271:154149

09-5-573-2?

September 21, 2009

CITY OF MILWAUKEE
RECEIVED

2009 SEP 23 PM 2:37

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
09 SEP 22 PM 3:14
RONALD D. LEONHARDT
CITY CLERK

City of Milwaukee
City Clerk
ATTN: Claims Dept.
200 E. Wells Street
Milwaukee, WI 53202

RE: Personal property loss and damage claim for sewer backup 07/09/2009

At approximately 1:15 am on July 9, 2009, a water main break occurred in the 3400 block of S 86th ST in Milwaukee, roughly along the property line of our residence at 3428 S 86th St. The water released from the water main break traveled underground to an adjacent sanitary sewer manhole riser located approximately 6 to 10 feet from the break in the water main. The high volume of water released into the sewer could not exit properly at the end of our block and as a result a combination of sewage, silt and dirt surrounding the water main break back flowed into the basement of our residence causing considerable damage to property and structure.

At the time of this incident, this combination of sewage and silty water flowed in to our basement from both the floor drain, up through the toilet and even out of our vanity sink, to a depth of approximately 5 inches. Although the city water department was promptly notified of the main break, and crews arrived shortly thereafter, this sewage and main break water mixture continued to flow into our basement for approximately 2-3 hours.

There was a considerable loss of personal property as a result of this sewer back up, and a detailed itemized list is attached. In addition, considerable structural damage to our finished basement in our residence occurred as well. Two itemized estimates are attached for your reference.

It is documented that there have been a number of water main breaks in our neighborhood over the past several months and this information was supplied to residents at a neighborhood meeting hosted by Alderman Joe Dudzik on August 25, 2009. It is our belief that the City of Milwaukee knew there was history of water main breaks in the area. In addition, the sewer inspection report also supplied to residents at that same 8-25-09 meeting showed that the sewer pipe (only) in the 3400 block of S 86th was last inspected and cleaned in April of 2008.

It has come to our attention that the City of Milwaukee on December 15, 2005, signed a stipulation and order in the Milwaukee County Circuit Court, Branch 16 requiring the City of Milwaukee to 'internally inspect each of its sanitary sewer manholes at least once every five years to identify defects which may contribute to leakage.'

According to the 2008 Compliance Maintenance Annual Report (CMAR) filed by Dept of Public Works on behalf of the City of Milwaukee, only 15% of Manhole Inspections and 14% of Manhole Rehabilitations were completed that year, resulting in a Failing or "F" grade for sewerage collection systems as reported to the WI-DNR. Clearly the mandatory and required sanitary sewer manhole inspections and repairs every five years are not being met.

At the August 25, 2009 meeting, DPW Sewers Division Manager, Robert Brooks, stated that the sanitary sewer jetting procedure uses a water spray at approximately 1200 psi. The water main pressure in our neighborhood is typically 50-60 psi. The suggestion by the city officials at this meeting that the force of the water main break somehow crumbled or caused the sanitary sewer manhole riser to develop an opening seems highly unlikely given that the sewer Department themselves routinely use a water jet procedure that uses 1200 psi.

It seems very reasonable to assume that a gradual buildup of sand, silt and gravel at the ends of sanitary sewer pipe in the 3400 block of S 86th ST which impeded and prevented the proper flow of sewage water led directly to the sewer backup into our basement on July 9, 2009.

We believe the City had reasonable opportunity over a period of time to be aware of and correct the existing problems with the sanitary sewer line and water main on our block, and that this incident was not the result of a single causation on July 9th. Furthermore, the City of Milwaukee failed to complete the required sewer manhole inspections according to the Circuit Court Order Stipulation, effective as of June 2006.

Therefore, we feel the City of Milwaukee is clearly liable for damages resulting from the sanitary sewer back up into our basement on July 9, 2009 and we seek compensation for the resulting damages. Our claim for reimbursement is as follows \$15,878.25 for structural loss, plus personal property loss of \$6,678.54 minus our homeowner's insurance settlement of \$5,000.00 for a total of \$17,556.79.

We seek a claim for compensation for the \$17,556.79.

Lon A. Couillard *Peggy L Couillard*
Lon A Couillard Peggy L Couillard

3428 S 86th ST
Milwaukee 53227
1-414-329-7812
peigcouillard@aol.com



CARL KRUEGER CONSTRUCTION, INC.

6060 North 77th Street Milwaukee, WI 53218
PH: 414.536.5225
Fax: 414.536.4039
Fed ID#: 39-1724892

Client: Peggy Couillard
Property: 3428 S. 86th Street
Milwaukee, WI 53227

Home: (414) 329-7812

Operator Info:

Operator: ANGELA

Estimator: Angela Cameron

Type of Estimate: Sewage

Date Entered: 7/21/2009

Date Assigned: 7/15/2009

Date Est. Completed: 7/21/2009

Date Job Completed:

Price List: WIMW5B_JUN09

Restoration/Service/Remodel

Estimate: COUILLARD_PEGGY

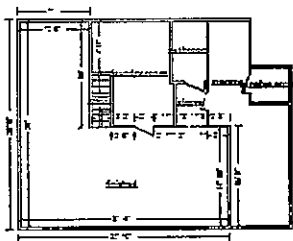
File Number: 09-6587.STR

**CARL KRUEGER CONSTRUCTION, INC.**

6060 North 77th Street Milwaukee, WI 53218
 PH: 414.536.5225
 Fax: 414.536.4039
 Fed ID#: 39-1724892

COUILLARD_PEGGY**Main Level****Main Level**

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
1. Dumpster load - Approx. 20 yards, 4 tons of debris	2.00 EA	418.65	0.00	837.30
2. General clean - up final and on-going	16.00 HR	0.00	26.54	424.64
Total: Main Level				1,261.94

**finished****Ceiling Height: 8'**

949.89 SF Walls
 1,584.97 SF Walls & Ceiling
 70.56 SY Flooring
 121.17 LF Ceil. Perimeter

635.08 SF Ceiling
 635.08 SF Floor
 118.25 LF Floor Perimeter

Missing Wall: 1 - 2'11" X 6'8"
 Missing Wall: 1 - 3'0" X 8'0"

Opens into alcove
 Opens into Stair 1

Goes to Floor
 Goes to Floor/Ceiling

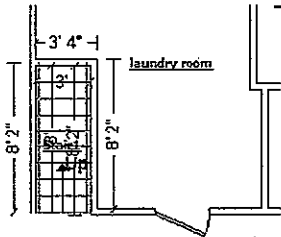
DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
67. R&R Acoustic ceiling tile -	635.08 SF	0.41	2.84	2,064.01
56. R&R Interior door unit	1.00 EA	12.56	138.14	150.70
57. Stain & finish door/window trim & jamb (per side)	2.00 EA	0.00	28.80	57.60
58. Stain & finish door slab only (per side)	2.00 EA	0.00	32.95	65.90
59. R&R Door knob - interior	1.00 EA	8.37	37.53	45.90
60. R&R Paneling	977.89 SF	0.20	1.76	1,916.67
70. R&R Corner trim - plastic	56.00 LF	0.12	1.24	76.16
68. R&R Outlet	8.00 EA	3.37	11.03	115.20
69. R&R Switch	3.00 EA	3.37	10.63	42.00
71. Light fixture - Detach & reset - Large	1.00 EA	0.00	59.93	59.93
72. Detach & Reset Smoke detector	1.00 EA	0.00	0.00	31.57
76. Apply anti-microbial agent	1,905.25 SF	0.00	0.18	342.95
77. R&R Countertop - Flat laid plastic laminate	6.00 LF	2.89	37.53	242.52

**CARL KRUEGER CONSTRUCTION, INC.**

6060 North 77th Street Milwaukee, WI 53218
 PH: 414.536.5225
 Fax: 414.536.4039
 Fed ID#: 39-1724892

CONTINUED - finished

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
78. R&R Custom cabinets - base units	6.00 LF	5.03	199.13	1,224.96
79. R&R Sink - single - High grade	1.00 EA	12.56	274.21	286.77
80. R&R Sink faucet - Kitchen	1.00 EA	12.56	152.31	164.87
Totals: finished				6,887.71

**Stair1****Ceiling Height: 17'**

227.00 SF Walls
 251.00 SF Walls & Ceiling
 5.91 SY Flooring
 19.00 LF Ceil. Perimeter

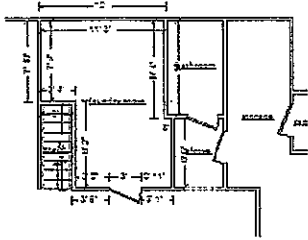
24.00 SF Ceiling
 53.23 SF Floor
 24.33 LF Floor Perimeter

Missing Wall: 1 - 3'0" X 17'0" Opens into finished Goes to Floor/Ceiling

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
64. R&R Paneling	48.00 SF	0.20	1.76	94.08
65. R&R Acoustic ceiling tile -	12.00 SF	0.41	2.84	39.00
81. Remove Carpet	53.23 SF	0.18	0.00	9.58
66. Carpet	61.22 SF	0.00	2.89	176.93
15 % waste added for Carpet.				
Totals: Stair1				319.59



6060 North 77th Street Milwaukee, WI 53218
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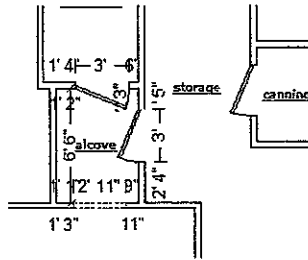


laundry room

Ceiling Height: 8'

454.00 SF Walls	161.83 SF Ceiling
615.83 SF Walls & Ceiling	161.83 SF Floor
17.98 SY Flooring	56.33 LF Floor Perimeter
56.33 LF Ceil. Perimeter	

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Under steps				
47. R&R Drywall replacement per LF - up to 2' tall	34.00 LF	1.50	6.93	286.62
48. Texture drywall - light hand texture	34.00 SF	0.00	0.40	13.60
49. Seal/prime the walls - one coat	454.00 SF	0.00	0.31	140.74
Main room				
62. Seal then paint the walls (2 coats)	454.00 SF	0.00	0.55	249.70
63. R&R Cabinetry - lower (base) units	3.00 LF	5.03	144.80	449.49
75. Apply anti-microbial agent	485.50 SF	0.00	0.18	87.39
Totals: laundry room				1,227.54



alcove

Ceiling Height: 8'

159.22 SF Walls	30.33 SF Ceiling
189.56 SF Walls & Ceiling	30.33 SF Floor
3.37 SY Flooring	19.42 LF Floor Perimeter
22.33 LF Ceil. Perimeter	

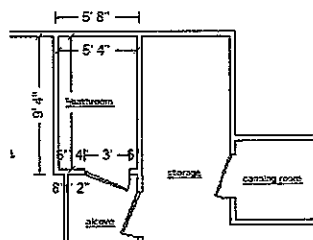
Missing Wall:	1 - 2'11" X 6'8"	Opens into finished	Goes to Floor	
DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
36. R&R Acoustic ceiling tile	30.33 SF	0.41	2.84	98.58
37. R&R Paneling	159.22 SF	0.20	1.76	312.07
42. Content Manipulation charge - per hour	2.00 HR	0.00	32.54	65.08
44. R&R Door opening (jamb & casing) - 32" to 36" wide - hardwood	1.00 EA	4.21	188.87	193.08



6060 North 77th Street Milwaukee, WI 53218
PH: 414.536.5225
Fax: 414.536.4039
Fed ID#: 39-1724892

CONTINUED - alcove

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
45. Stain & finish door/window trim & jamb (per side)	1.00 EA	0.00	28.80	28.80
46. Clean floor - Heavy	91.00 SF	0.00	0.37	33.67
74. Apply anti-microbial agent	91.00 SF	0.00	0.18	16.38
Totals: alcove				747.66



bathroom

Ceiling Height: 8'

229.33 SF Walls	48.00 SF Ceiling
277.33 SF Walls & Ceiling	48.00 SF Floor
5.33 SY Flooring	28.67 LF Floor Perimeter
28.67 LF Ceil. Perimeter	

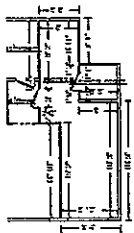
DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
21. Clean the walls - Heavy	229.33 SF	0.00	0.25	57.33
22. Clean shower door - Heavy	1.00 EA	0.00	16.41	16.41
23. Clean bath accessory - Heavy	3.00 EA	0.00	5.31	15.93
24. Clean bathroom fixtures - Heavy	2.00 EA	0.00	64.12	128.24
26. Clean mirror - Heavy	10.00 SF	0.00	0.55	5.50
27. Clean sink - Heavy	2.00 EA	0.00	9.91	19.82
28. Clean shower - Heavy	2.00 EA	0.00	31.91	63.82
29. Clean towel bar	1.00 EA	0.00	3.88	3.88
30. Clean toilet - Heavy	2.00 EA	0.00	16.51	33.02
31. R&R Toilet seat	1.00 EA	4.56	41.26	45.82
25. Clean floor - tile - Heavy clean	96.00 SF	0.00	0.51	48.96
32. R&R Interior door - oak veneer - pre-hung unit	1.00 EA	12.56	173.95	186.51
33. R&R Door knob - interior	1.00 EA	8.37	37.53	45.90
34. Stain & finish door slab only (per side)	2.00 EA	0.00	32.95	65.90

**CARL KRUEGER CONSTRUCTION, INC.**

6060 North 77th Street Milwaukee, WI 53218
 PH: 414.536.5225
 Fax: 414.536.4039
 Fed ID#: 39-1724892

CONTINUED - bathroom

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
35. Stain & finish door/window trim & jamb (per side)	2.00 EA	0.00	28.80	57.60
38. R&R Drywall replacement per LF - up to 2' tall	28.67 LF	1.50	6.93	241.69
39. Texture drywall - light hand texture	28.67 SF	0.00	0.40	11.47
40. Seal/prime the surface area - one coat	30.00 SF	0.00	0.31	9.30
41. Paint the walls - one coat	229.33 SF	0.00	0.33	75.68
73. Apply anti-microbial agent	144.00 SF	0.00	0.18	25.92
Totals: bathroom				1,158.70

**storage****Ceiling Height: 8'**

688.00 SF Walls	247.47 SF Ceiling
935.47 SF Walls & Ceiling	247.47 SF Floor
27.50 SY Flooring	86.00 LF Floor Perimeter
86.00 LF Ceil. Perimeter	

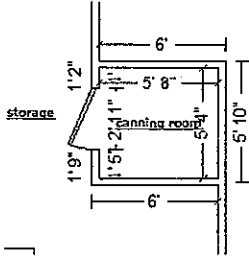
DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
10. Content Manipulation charge - per hour	12.00 HR	0.00	32.54	390.48
16. Seal then paint the walls (2 coats)	688.00 SF	0.00	0.55	378.40
19. R&R Interior door unit	1.00 EA	12.56	138.14	150.70
20. Stain & finish door/window trim & jamb (per side)	2.00 EA	0.00	28.80	57.60
17. Stain & finish door slab only (per side)	2.00 EA	0.00	32.95	65.90
18. R&R Door knob - interior	1.00 EA	8.37	37.53	45.90
14. Apply anti-microbial agent	742.42 SF	0.00	0.18	133.64
15. Clean floor - Heavy	494.94 SF	0.00	0.37	183.13

Totals: storage

1,405.75

**CARL KRUEGER CONSTRUCTION, INC.**

6060 North 77th Street Milwaukee, WI 53218
 PH: 414.536.5225
 Fax: 414.536.4039
 Fed ID#: 39-1724892

**canning room****Ceiling Height: 8'**

176.00 SF Walls	30.22 SF Ceiling
206.22 SF Walls & Ceiling	30.22 SF Floor
3.36 SY Flooring	22.00 LF Floor Perimeter
22.00 LF Ceil. Perimeter	

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
3. Content Manipulation charge - per hour	3.00 HR	0.00	32.54	97.62
4. Detach & Reset Shelving - 12" - in place	48.00 LF	0.00	0.00	245.28
5. R&R Sheathing - 1" x 6" - tongue and groove	96.00 SF	0.45	2.38	271.68
11. R&R Interior door - oak veneer - slab only	1.00 EA	5.58	95.29	100.87
12. R&R Door knob - interior	1.00 EA	8.37	37.53	45.90
13. Stain & finish door slab only (per side)	2.00 EA	0.00	32.95	65.90
6. Seal then paint the walls (2 coats)	176.00 SF	0.00	0.55	96.80
7. Clean floor - Heavy	60.44 SF	0.00	0.37	22.36
9. Apply anti-microbial agent	90.67 SF	0.00	0.18	16.32
Totals: canning room				962.73
Total: Main Level				13,971.62
Line Item Subtotals: COUILLARD_PEGGY				13,971.62

Adjustments for Base Service Charges	Adjustment
Carpenter - Finish, Trim/Cabinet	113.82
Carpenter - General Framing	101.90
Cleaning Technician	53.06
Floor Cleaning Technician	62.76
Cleaning Remediation Technician	74.04
Drywall Installer/Finisher	232.64
Electrician	144.78
Flooring Installer	126.58
Hardware Installer	107.02
Plumber	194.04
Painter	87.00



CARL KRUEGER CONSTRUCTION, INC.

6060 North 77th Street Milwaukee, WI 53218
PH: 414.536.5225
Fax: 414.536.4039
Fed ID#: 39-1724892

Adjustments for Base Service Charges	Adjustment
Total Adjustments for Base Service Charges:	1,297.64
Line Item Totals: COUILLARD_PEGGY	15,269.26

Grand Total Areas:

2,883.44 SF Walls	1,176.94 SF Ceiling	4,060.39 SF Walls and Ceiling
1,206.18 SF Floor	134.02 SY Flooring	355.00 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	355.50 LF Ceil. Perimeter
1,206.18 Floor Area	1,261.11 Total Area	2,495.78 Interior Wall Area
1,165.33 Exterior Wall Area	145.67 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



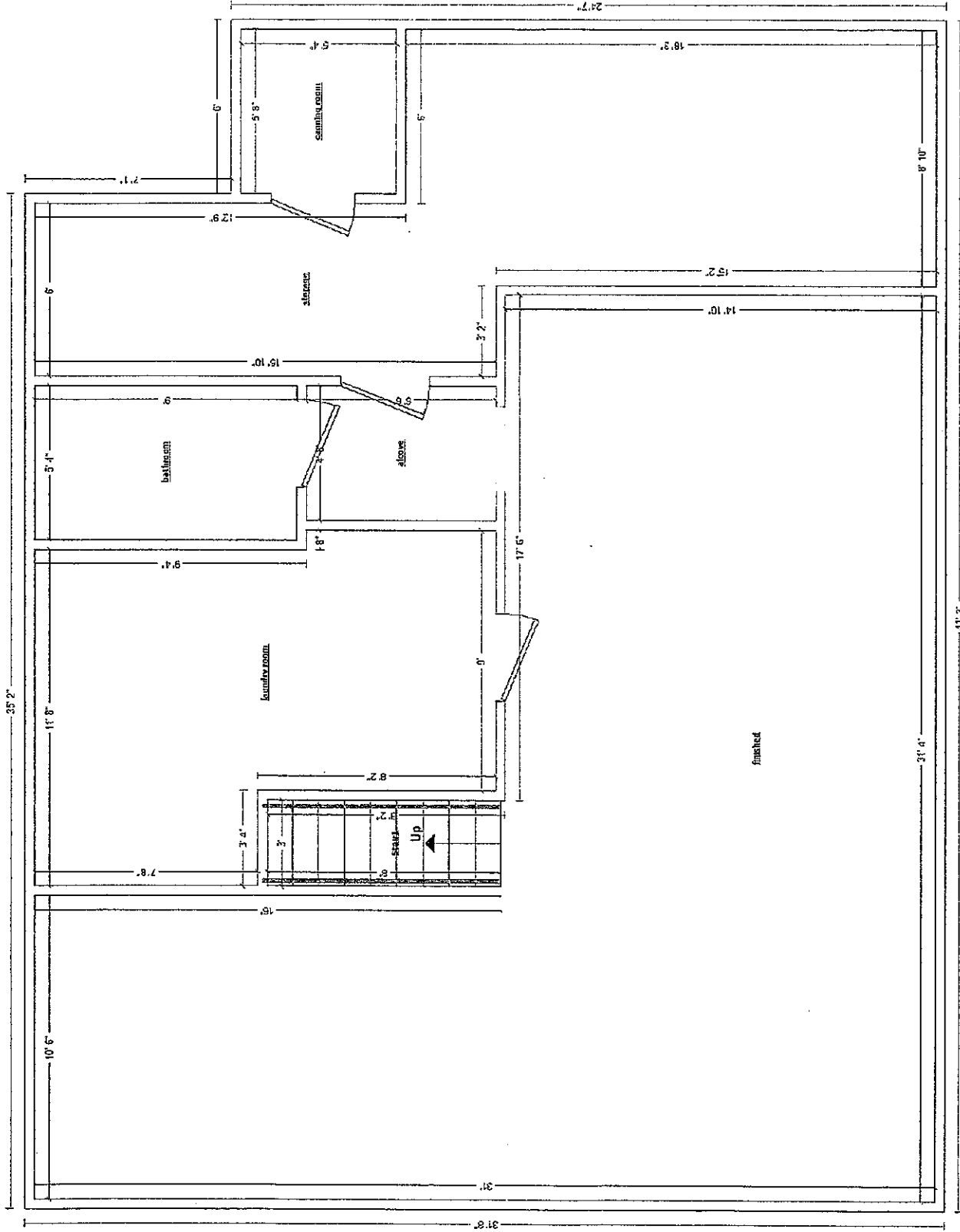
CARL KRUEGER CONSTRUCTION, INC.

6060 North 77th Street Milwaukee, WI 53218
PH: 414.536.5225
Fax: 414.536.4039
Fed ID#: 39-1724892

Summary

Line Item Total				13,971.62
Total Adjustments for Base Service Charges				1,297.64
<hr/>				
Subtotal				15,269.26
Overhead	@	10.0% x	15,269.26	1,526.93
Profit	@	10.0% x	15,269.26	1,526.93
Material Sales Tax	@	5.600% x	6,194.86	346.91
<hr/>				
Replacement Cost Value				\$18,670.03
Net Claim				\$18,670.03
<hr/> <hr/>				

Angela Cameron



R-E CONSTRUCTION CO. INC.

P.O. Box 510435
 New Berlin, WI 53151-0435
 (414)-771-3366 (414)-771-2002
 fax

ESTIMATE

DATE
7/22/2009

NAME / ADDRESS		CUSTOMER PHONE		CUSTOMER ALT CONTACT	
Couillard, Lon & Peggy 3428 So. 86th St. Milwaukee, Wis 53227 Wife cell 507-9361 Disk 552 49 - end 553 0 - 9					
INSURANCE COMPANY	DEDUCTIBLE	REP	CLAIM #	ADJUSTER	
Acuity Ins. Co.		PE	LZ 6458	Joe R.	
DESCRIPTION	QTY	COST		TOTAL	
Appraisal of damage to lower level (finish basement) from water, mud, sewage. Any content manipulation and/or storage are not included in this estimate. Floor tile has been tested and does contain asbestos. There was no base of shoe. All measurements are approximate. This appraisal is based on a visual inspection on 7/14/09 any damage to sub wall , insulation, of rough framing could not be viewed. Stairway and landing 3'x 11' + 5'6"x 3' Repair walls were railing was pulled out Reset hand rail Prime as needed Paint Clean steps Bar area 10'6"x 15'x 7' Remove wall paneling Remove wall insulation Check rough framing, clean and treat if needed (OPEN) Replace wall insulation Wall paneling material Misc. molding Labor to install Disconnect bar if possible (so as to remove floor) Move bar twice 3 men .333					
	1	85.00	85.00		
	0.75	45.00	33.75		
	1	35.00	35.00		
	288	0.44	126.72		
	12	3.00	36.00		
	252	0.65	163.80		
	252	0.35	88.20		
	252	1.35	340.20		
	9	28.95	260.55		
	12	4.50	54.00		
	9	45.00	405.00		
	1.25	45.00	56.25		
	2	45.00	90.00		

Please review and give me a call to discuss. Thanks Pat Elliott (414)-771-3366	TOTAL
---	--------------

R-E CONSTRUCTION CO. INC.
P.O. Box 510435
New Berlin, WI 53151-0435
(414)-771-3366 (414)-771-2002
fax

ESTIMATE

DATE
7/22/2009

NAME / ADDRESS					
Couillard, Lon & Peggy 3428 So. 86th St. Milwaukee, Wis 53227 Wife cell 507-9361 Disk 552 49 - end 553 0 - 9		CUSTOMER PHONE		CUSTOMER ALT CONTACT	
INSURANCE COMPANY	DEDUCTIBLE	REP	CLAIM #	ADJUSTER	
Acuity Ins. Co.		PE	LZ 6458	Joe R.	
DESCRIPTION	QTY	COST		TOTAL	
Clean bar	1	65.00		65.00	
Clean back bar	1	65.00		65.00	
Remove floor tile	158	2.15		339.70	
Remove adhesive	158	1.05		165.90	
Floor material mid grade	158	1.40		221.20	
Labor to install	158	1.15		181.70	
Entertainment room 14'6"x 30'x 7'					
Remove wall paneling	518	0.65		336.70	
Remove wall insulation	311	0.35		108.85	
Replace wall insulation	311	1.35		419.85	
Wall paneling material	19	28.95		550.05	
Misc molding	20	4.50		90.00	
Labor to install	19	45.00		855.00	
Remove door unit to laundry	1	29.70		29.70	
Replace door unit to laundry	1	385.00		385.00	
Stain or prime door	1	28.50		28.50	
Varnish or paint door	1	35.00		35.00	
Remove floor tile	435	2.15		935.25	
Remove adhesive	435	1.05		456.75	
Floor material	435	1.40		609.00	
Labor to install	435	1.15		500.25	
Laundry / below steps 13'x 15'					
Clean walls below steps and block work	189	0.35		66.15	
Prime	189	0.34		64.26	
Paint	189	0.44		83.16	
Clean open stud walls x2	724	0.25		181.00	
Clean cabinet	1	35.00		35.00	

Please review and give me a call to discuss. Thanks Pat Elliott (414)-771-3366	TOTAL
---	--------------

R-E CONSTRUCTION CO.-INC.
P.O. Box 510435
New Berlin, WI 53151-0435
(414)-771-3366 (414)-771-2002
fax

ESTIMATE

DATE
7/22/2009

NAME / ADDRESS		CUSTOMER PHONE		CUSTOMER ALT CONTACT	
Couillard, Lon & Peggy 3428 So. 86th St. Milwaukee, Wis 53227 Wife cell 507-9361 Disk 552 49 - end 553 0 - 9					
INSURANCE COMPANY	DEDUCTIBLE	REP	CLAIM #	ADJUSTER	
Acuity Ins. Co.		PE	LZ 6458	Joe R.	
DESCRIPTION		QTY	COST	TOTAL	
Remove tile floor		195	2.15	419.25	
Remove adhesive		195	1.05	204.75	
Flooring material		195	1.40	273.00	
Labor to install		195	1.15	224.25	
Hallway to storage area / bath 6'6"x 7'					
Remote 2 door units		2	29.70	59.40	
Remove wall paneling		189	0.65	122.85	
Check rough framing, clean and treat if needed (OPEN)					
Wall paneling material		7	28.95	202.65	
Labor to install		7	45.00	315.00	
Misc molding		7	4.50	31.50	
Replace 2 door units		2	385.00	770.00	
Stain or prime doors		2	28.50	57.00	
Varnish or paint doors		2	35.00	70.00	
Remove tile floor		46	2.15	98.90	
Remove adhesive		46	1.05	48.30	
Floor tile material		46	1.40	64.40	
Labor to install		46	1.15	52.90	
Bath 5'x 7'					
Clean vanity		1	25.00	25.00	
Clean sink		1	8.50	8.50	
Clean stool		1	8.50	8.50	
Clean wall		192	0.25	48.00	
Prime walls		192	0.34	65.28	
Paint walls		192	0.44	84.48	
Remove floor tile (peel and stick style)		35	1.75	61.25	

Please review and give me a call to discuss. Thanks Pat Elliott (414)-771-3366	TOTAL
---	--------------

R-E CONSTRUCTION CO. INC.
P.O. Box 510435
New Berlin, WI 53151-0435
(414)-771-3366 (414)-771-2002
fax

ESTIMATE

DATE
7/22/2009

NAME / ADDRESS		CUSTOMER PHONE		CUSTOMER ALT CONTACT	
Couillard, Lon & Peggy 3428 So. 86th St. Milwaukee, Wis 53227 Wife cell 507-9361 Disk 552 49 - end 553 0 - 9					
INSURANCE COMPANY	DEDUCTIBLE	REP	CLAIM #	ADJUSTER	
Acuity Ins. Co.		PE	LZ 6458	Joe R.	
DESCRIPTION	QTY	COST		TOTAL	
Replace floor tile	35	2.65		92.75	
Shower Clean complete	1	45.00		45.00	
Work shop/ storage area 11'x 14', + 16'x 19'					
Clean block walls	480	0.35		168.00	
Prime	480	0.34		163.20	
Paint	480	0.44		211.20	
Clean open stud walls 464 x 2	928	0.25		232.00	
Remove floor tile	458	2.15		984.70	
Remove adhesive	458	1.05		480.90	
Floor tile material	458	1.40		641.20	
Labor to install	458	1.15		526.70	
Any concrete prep work (OPEN) Check rough framing, clean and treat if needed (OPEN)					
Clean up rubbish removal of construction material	1	435.00		435.00	
Temp and emergency service (invoiced)					

Please review and give me a call to discuss. Thanks
Pat Elliott (414)-771-3366

TOTAL \$15,878.25

MICRO ANALYTICAL, INC.
11521 W. NORTH AVE.
MILWAUKEE, WI 53226
(414) 771-0855
FAX (414) 771-6570

-Fax Transmittal

Date: 7/15/09 Pages: 3

To: _____
Company: R E Construction
From: Jon
Subject: _____
FAX #: _____
Comments: _____

If you have any questions regarding this fax transaction, please call (414) 771-0855.

Thank-you.

Confidentiality Notice: Unless otherwise indicated, the information contained in this facsimile communication is confidential information intended for use of the individual named above. If the recipient of this facsimile has received it in error, you are hereby notified that any dissemination or copying of this communication is prohibited. If you have received this facsimile in error, please destroy it immediately and notify the sender at the phone number above.



HERITAGE INSURANCE
Heritage Mutual Insurance Company • Sheboygan, Wisconsin 53081

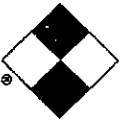
STATEMENT OF LOSS

Insured Lowry Peggy Conillard 34285. 86th MLW
 Representative The Rabarga Claim Number LZ6458 Policy Number R48599
 Date 7.9.09 - loss date

Item Description	Quantity	Where Purchased and Date	Replacement Cost	Depreciation		ACV	Comments
				%	Amount		
Angel poster	1		60-				
diminished poster	4		40-				
pastel art paper	1	Michale	12-				
1 frame paper	1		8-				
Irish Christmas cards	2 pgs	Min.	25.50				
Small picture frames	6		6-				
8X10 rug by	1		150-				
hand made rug pink & yellow	1		80-				
rugs	5		50-				
childhood rag	1		20.2				
6 drawer dresser	1		280-				
pool table cover	1		?				
Back pack	1	9/5+	35-				
various craft supplies	1		50-?				
Hepa air purifier	1		250-				
oils	1	to purify & clean	184-				
diffuser	1						
litter box pad	1	8/4 Home depot	27.85				
plastic containers	22	7/24 Target	200+				

State law, in some states, requires that we advise you of the following: A person commits insurance fraud which is a crime if he or she knowingly and with intent sub 1428.35

HEPA

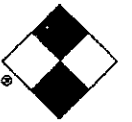


HERITAGE INSURANCE
Heritage Mutual Insurance Company • Sheboygan, Wisconsin 53081

STATEMENT OF LOSS

Insured Low & Peggy Cuillard Claim Number LZ 6458 Policy Number R 48599
 Representative The Robages Date 7.9.09 loss date

Item Description	Quantity	Where Purchased and Date	Replacement Cost	Depreciation		ACV	Comments
				%	Amount		
Blue fabric rocker	1	Des Moines 1985	249-				
Wooling board cover		?	22.95				
Wooling board cover		Ban Claine	21.83				
cat house		Big lots	40.00				
Albums	149	see attached list	573-				
Antique picture frames	1	wedding gift	150-				
Picture frames	2	M. duval 16x20	15.00				
lg wood BIK frames	4	Regis Parents	100-				
lg Antique frames	2	Regis Parents	100-				
Build a bear	1		26-				
Dave's shoes	7 or	2 Biny 1 running water	225-				
Decorative chips	2 bags	1 Dress 2 work 1 water					
Cake de cor		Cook's Specialty	26-				
Sprinkle 5 upstems		" "	15-				
Small gift bags	8	target	16-				
Small tent	1	Iowa	150-				
Small tent	1	Bob's	40-				
Socks		Kmart	8-				
lg carpe for	1	(dunham's)	84.46				
botanical	1	1982 ?	150-				
prof. plant press						herbarium quality	
16x20 frame	2	Michale	20-				



HERITAGE INSURANCE

Heritage Mutual Insurance Company • Sheboygan, Wisconsin 53081

STATEMENT OF LOSS

Insured Lon & Peggy Ceallard Claim Number LZ 6458 Date 7.9.09 loss date
 Representative Joe Robarge Policy Number R 485 99

Item Description	Quantity	Where Purchased and Date	Replacement Cost	Depreciation		ACV	Comments
				%	Amount		
Sleeper sofa	1	(Blumen) 1999	700 ⁰⁰				
twin bed box	1	Verlo ?	187-				
large Blue chair	1	Milwaukee 1999	350-4				
luggage	2ly	JC Penney's 25"	300 ⁰⁰				
luggage	1md	JC Penney's 25"	130-				
duffle bag	1	Iowa 21" x 2	30-				
dining table	1	Iowa / spoon w/ speed	400-2				
drum case	1	Casico	140 ⁰⁰				used in Sept
drum bag	1	guitar center	89 ⁹⁹				
Hand Drum	1		35 ⁰⁰				
Drum w/ sticks			28-				
wicker waste Basket		Mom	15-				
wicker mirror		Broken	29-				
Small bathroom cupboard			40-				
Scale		Mom	30-				
Toilet paper	1 pkg + loose		9-				
Chest of drawer	1		349-				6 drawers
Books / Child / w/ 1985	many		200-4 ⁷⁴				
Drum books	5+		20 ⁰⁰				
futon, mattress	1	1983	100 ⁰⁰				

State law, in some states, requires that we advise you of the following: A person commits insurance fraud which is a crime if he or she knowingly and with intent to defraud any insurance company or person files a statement of claim or makes application for insurance containing any false or deceptive information.

Sub total 3,182-
 Paid



Legislation Details (With Text)

File #: 091333 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 2/9/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution relating to the claim of Michael and Cheryl Krzewinski for property damage. (11th Aldermanic District)
Sponsors: THE CHAIR
Indexes: CLAIMS
Attachments: City Attorney Letter.pdf, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

091333

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to the claim of Michael and Cheryl Krzewinski for property damage. (11th Aldermanic District)

Requestor

City Attorney

Drafter

JAS:ms

January 21, 2010

1048-2009-2268:154151

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 25, 2010

To the Honorable Common Council
Of the City of Milwaukee
Room 205 – City Hall

Re: Resolution Relating to the Claim of MICHAEL & CHERYL KRZEWINSKI
C.I. File No. 09-S-313

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced into and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimants, Michael G. and Cheryl L. Krzewinski, 8527 West Holt Avenue, Milwaukee, WI 53227, allege that they sustained damage to their home's basement and personal property in it on July 9, 2009 due to water backing up into their home that was caused by a water main break. They claim damages in the amount of \$19,971.26.

Our investigation reveals that the Milwaukee Water Works (MWW) received a report of a leak and water in the basement at 3424 South 86th Street. A MWW field investigator was dispatched and a possible break in an 8-inch water main was confirmed in the area of South 86th Street and West Holt Avenue. The MWW contacted Digger's Hotline and repair activities were subsequently commenced. The main was repaired and placed back in service later that day.

The basement backup occurred in this situation because the main ruptured near to a sewer manhole chimney. The water broke through the chimney and then travelled down to the sewer and back up into the homes.

The Sewer Maintenance Section (SMS) reviewed their records relative to this situation. The SMS investigated several backwaters in the 3300 and 3400 blocks of South 86th Street. The SMS sewer jet vac cleaned the sanitary and storm sewers and restored them

To the Honorable Common Council
January 25, 2010
Page 2

to proper working order. The sanitary sewer is on a regular cleaning schedule and was last cleaned on April 29, 2008.

The City was not aware of any problems with the manhole chimney prior to this incident and inspects all manhole chimneys in the City on a five-year cycle. Manhole chimneys in the subject area were scheduled to be inspected in 2010.

Since the sewer is on a regular cleaning schedule, the manhole chimney is on a regular inspection cycle, and the MWW responded to the water main break in a timely manner and followed standard procedures, we recommend denial of the claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure
1048-2009-2268:154147

MICHAEL G. KRZEWSKI
CHERYL L. KRZEWSKI
8527 WEST HOLT AVE
MILWAUKEE, WI. 53227
414-545-0257

CITY OF MILWAUKEE
2009 OCT 23 PM 2:55
RONALD D. LEONHARDT
CITY CLERK

October 23, 2009

TO: CITY CLERK
ATTN: CLAIMS
200 EAST WELLS ST. ROOM 205
MILWAUKEE, WI. 53202-3567

RE: WATER MAIN RUPTURE 3400 BLOCK OF SOUTH 84TH STREET
JULY 9, 2009 CAUSING WATER INTRUSION INTO THE ENTIRE
FINISHED BASEMENT OF 8527 WEST HOLT AVE., MILWAUKEE, WI. 53227
CAUSING DAMAGE TO CONTENTS BECAUSE OF IMPROPER MAINTENANCE
AND UPDATING OF WATER FLOW DEVICES AND STRUCTURES.

FACTS: On July 9, 2009 a water main ruptured in front of 3424 of S. 86th Street. This water main rupture caused numerous residences to flood including our residence at 8527 West Holt Ave., Milwaukee, WI. 53227. The resulting intrusion of water, approximately 6 inches of water, sand and clay, caused the total destruction of our finished basement and contents. We are consequently filing this notice of claim for replacement of the below listed reconstruction and replacement of contents as listed below as well as the costs of clean up for this damage.

1) Emergency Service by R-E Construction: Clean up and Removal of water, dirt, furniture, carpeting, tile, wall paneling, bar and attached ceiling tiles.

Receipt #1 \$2,742.50

2) Reconstruction of Finished Basement by James Taylor Painting.

Receipt #2 \$8,050.00

3) Reconstruction of Bar, Cabinets & lower stairs by Jim Broeker, Carpenter.

Receipt #3 \$2,860.00

4) Replacement of 1 couch, 1 sofa/bed from Bilt Rite Furniture.

Receipt #4 \$1,456.22

5) Replacement of 1 Wooden Table and 6 Wooden Chairs from Bilt Rite Furniture

Receipt #5 \$474.14

OFFICE OF
CITY ATTORNEY

2009 OCT 26 PM 2:43

CITY OF MILWAUKEE
RECEIVED

- 6) Replacement of 1 bed, box spring & mattress From Bunks & Beds.
Receipt #6 \$313.63
- 7) Replacement of Wall Mounted Space Heater by Walkowiak Electric.
Receipt # 7 \$945.12
- 8) Replacement of Carpet/Tile by Best Carpet.
Receipt #8 \$2,330.00
- 9) Replacement of Television 26" & antenna by Best Buy.
Receipt #9 \$359.02
- 10) Replacement of Self Standing Book Selves and Storage Shelves by ALDI. And Pier ! Imports
Receipt #10 \$168.91
Receipt #10 A \$157.34
- 11) Replacement of Handrail & Hardware by Menards.
Receipt #11 \$61.56
- 12) Replacement of Stored items: 2 Frames by Gordmans
Receipt #12 \$12.92
Receipt #13 \$12.92
- 13) Replacement of Wall Insulation by Home Depot:
Receipt #14 \$10.54
- 14) Cleaning Supplies and Storage Boxes by Pick & Save.
Receipt #15 \$44.50
Receipt #16 \$ 6.27
- 15) Replacement of Storage Totes by Target.
Receipt #17 \$82.53
- 16) Painting of non tiled/carpeted cement floors with Epoxy Paint& Throw Blanket by Menards
Receipt #18 \$ 103.15
- 17) Replacement of Bedding by ALDI.
Receipt #19 \$49.99

As a result of the aforementioned reconstruction and replacement of the contents listed above the total cost to the owners and occupants of 8527 West Holt Ave. Milwaukee, WI. 53227 is \$19,971.26. We request reimbursement for same.

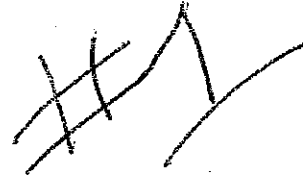
Submitted by,


Michael G. Krzewinski


Cheryl L. Krzewinski

with attachments

R-E CONSTRUCTION CO. INC.
 P.O. Box 510435
 New Berlin, WI 53151-0435
 (414)-771-3366 (414)-771-2002 fax



Invoice

DATE	E #
7/14/2009	12031

INSURED OR CLAIMANT		INSURANCE CO. OR AGENT			
Krzewinski, Mike Mr. 8527 W. Holt Milwaukee, Wis 53227 545-0257 Cell 378-4902 Disk 552 36 48		Acuity Ins. Co. Attn: Joe R.		FAXED JUL 14 2009	
CUSTOMER PHONE		CUSTOMER ALT PHONE			
CLAIM #	TERMS	REP	TYPE OF LOSS	DEDUCTIBLE	
LZ 6420		PE		500.00	
DESCRIPTION		QUANTI...	PRICE EACH	AMOUNT	
Temp and emergency service 7/9/09 Help owner remove damaged contents from basement Furniture manipulation so as to remove carpet and floor tile Remove glued down (Note: some floor tile came up with the carpet) Chip, scrape and remove floor tile Vac, mop and clean up mud Load and haul rubbish		25	35.00	875.00	
7/10/09 Continued to work and carpet and floor tile Remove wall paneling Remove ceiling as needed Mop floor Load and haul rubbish		22.5	35.00	787.50	
ABC clean floor drain to sewer		1	165.00	165.00	
7/9/09 deliver and set up equipment		1	45.00	45.00	
1 dehumidifier 4 days		4	75.00	300.00	
PAT ELLIOTT TOTAL BALANCE DUE			Total		

#1 P22

R-E CONSTRUCTION CO. INC.
P.O. Box 510435
New Berlin, WI 53151-0435
(414)-771-3366 (414)-771-2002 fax

Invoice

DATE	E#
7/14/2009	12031

INSURED OR CLAIMANT		INSURANCE CO. OR AGENT			
Krzewinski, Mike Mr. 8527 W. Holt Milwaukee, Wis 53227 545-0257 Cell 378-4902 Disk 552 36 - 48		Acuity Ins. Co. Attn: Joe R.			
CUSTOMER PHONE		CUSTOMER ALT PHONE			
CLAIM#	TERMS	REP	TYPE OF LOSS	DEDUCTIBLE	
LZ 6420		PE		500.00	
DESCRIPTION		QUANTI.	PRICE EACH	AMOUNT	
2 fans 4 days		8	30.00	240.00	
7/13/09 disconnect equipment and pick up		1	45.00	45.00	
Rubbish removal		1	285.00	285.00	
PAT ELLIOTT TOTAL BALANCE DUE			Total	\$2,742.50	

PROPOSAL

JAMES TAYLOR
5229 N 125th
BUTLER WI 53007 cell
(262) 783-6534 (414) ~~444-5573~~ 514-8533

PROPOSAL NO.	1101
SHEET NO.	
DATE	7/15/09

PROPOSAL SUBMITTED TO:

WORK TO BE PERFORMED AT:

NAME	MIKE & CHERYL KRZEWINSKI
ADDRESS	8527 W Holt 53227
PHONE NO.	414 345-0257 378-4902

ADDRESS	SAME
DATE OF PLANS	
ARCHITECT	

We hereby propose to furnish the materials and perform the labor necessary for the completion of

Basement

REPAIR STUDS / PRIME LOWER STUDS / DRYWALL / APPLY
Knock Down TEXTURE / INSTALL MISC CAN LIGHTS
REPLACE DROP CEILING / LAUNDRY PRIME LOWER WALL
PAINT / PAINT WALLS Complete / STORAGE AREA PRIME
PAINT WALLS Complete

INSTALL 2 NEW PRE HUNG DOOR UNITS OAK 6 PANEL
INSTALL MISC TRIM BASE CASING & CHAIR RAIL
ALL TRIM WILL BE OAK

STAIR WELL PATCH PRIME PAINT \$1200
KNOCK DOWN TEXTURE WILL BE PAINTED

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of

SIX THOUSAND EIGHT HUNDRED FIFTY DOLLARS \$ 6850.00

with payments to be made as follows: 1/3 DOWN 1/3 HALF 1/3 COMPLETE

\$2200 PD
\$1000 PD
mon 7/27
\$1000 wed 7/29
\$2000 fri 7/31
\$900.00

Respectfully Submitted
James R Taylor
Per Cheryl Krzewinski

Note — This proposal may be withdrawn by us if not accepted within 10 day

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature James R Taylor
Signature Michael Krzewinski
Date _____

PROPOSAL

Jim BROEKER 943-3663

PROPOSAL NO. _____
 SHEET NO. _____
 DATE _____

PROPOSAL SUBMITTED TO:

WORK TO BE PERFORMED AT:

NAME MIKE KRZEWINSKI	ADDRESS
ADDRESS 8527 W HOLT AVE	CITY, STATE
CITY, STATE MILWAUKEE 53227	DATE OF PLANS
PHONE NO. 545-0257	ARCHITECT

#3

We hereby propose to furnish the materials and perform the labor necessary for the completion of

TO MAKE BAR, 2 CABINETS & TOPS

OAK WOOD BAR TOP 40 SQ FT LAMINATE BAR TOP 40

- 1 36" CABINET
- 1 24" CABINET
- 3 PANELS (OAK)
- 5 2X4X10 TREATED
- 6 2X4X10
- 6 2X4X8
- OAK TRIM
- SHELVING
- STAIN
- LABOR 2 MEN 40 HR

\$ 200

8-19-09

\$ 160.00
STAIN

\$ 2,200.00

Due 607.61

2,700.00

All material is guaranteed to be as specified, and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner for the sum of:

Dollars \$ 1350.00

with payments to be as follows

Down

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted

Jim H. Bl... 1350.00 WHEN DO

Per

PAID IN FULL Jim H. Bl...

Note - This proposal may be withdrawn by us if not accepted within 30 de

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

DATE

7-28-09

SIGNATURE

M. Krzewinski

SIGNATURE

Sales Purchase Contract

BETWEEN

BILTRIEE FURNITURE INC.
 FURNITURE • LEATHER • MATTRESSES
 5430 WEST LAYTON AVE. • GREENFIELD, WI 53220
 (414) 238-2020 • FAX (414) 238-2021
 www.biltritefurniture.com

No 50609

NAME: Cheryl Ketzewitz
 MAILING ADDRESS: 8527 W. Helt Ave.
 CITY: Milwaukee STATE: WI ZIP: 53227
 FLOOR LEVEL: Lower DIRECTIONS: Billmore (road on file) #11

DATE: 7-30-09
 SOLD BY: FLECO

HOME PHONE: 541-0257 ALTERNATE PHONE: 398-2488-1010 CELL: 398-2488-1010
 CITY: Milwaukee STATE: WI ZIP: 53227
 EMAIL: Billmore (road on file) #11

QTY	DEPT	VENDOR	ITEM	TYPE	MFG. MODEL #	COVER/COLOR/FINISH	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1	250	2110	8057M		294-61	Billmore	RAF Chair	2444	2444
1					294-67	Billmore	RAF Sofa	1300	1300
1					294-36	Billmore	RAF Ottoman	1300	1300
SPECIAL INSTRUCTIONS: <i>Special Order - Extra April</i> ALL SALES FINAL. No exchanges, returns or refunds. PICKUPS MUST BE ARRANGED 2 DAYS AHEAD. CALL DURING OFFICE HOURS MON-THURS 10-5.									

All orders must be paid in full before delivery or pick-up is scheduled.

DELIVERY INFORMATION Day: Date: CUSTOMER PICK-UP Day: Date:

SPECIAL INSTRUCTIONS: *Special Order - Extra April*

DELIVERY CHARGE: 79.00
 SUB-TOTAL: 1399.00
 SALES TAX: 77.22
 TOTAL: 1476.22

CREDIT CARD FINANCE CASH CHECK

FINANCING TERMS: DRIVE BY PRIOR CUSTOMER TV NEWS-PAPER FRIEND PHONE BOOK RADIO MAIL INTERNET

DEPOSIT: 458.22
 BALANCE: 1018.00

• I hereby acknowledge receipt of a copy of this form and agree to the conditions and terms on both the front and back side.
 SEE REVERSE SIDE FOR IMPORTANT INFORMATION CONCERNING YOUR PURCHASE. ANY CLAIMS FOR WARRANTY SERVICE MUST BE ACCOMPANIED BY THIS SALES SLIP.

Sales Purchase Contract

BETWEEN

5430 WEST LAYTON AVE. • GREENFIELD, WI 53220
 (414) 238-2020 • FAX (414) 238-2021
 www.diltritefurniture.com

52939

NAME: Michael Kozelinski FLOOR LEVEL: _____
 MAILING ADDRESS: 8123 W Hill
 CITY: Waukesha STATE: WI ZIP: 53227

DIRECTIONS: _____
 SOLO BY: FRANZ
 DATE: 9-29-09

HOME PHONE: 262-2257 ALTERNATE PHONE: _____ CELL: _____ EMAIL: _____
 QTY: 1 DEPT: _____ VENDOR: _____ ITEM: _____ TYPE: _____ MFG. MODEL #: _____ CONVERSION/FINISH: _____ DESCRIPTION: 1/2" Granite Table UNIT PRICE: 499 EXTENDER PRICE: _____

QTY	DEPT	VENDOR	ITEM	TYPE	MFG. MODEL #	CONVERSION/FINISH	DESCRIPTION	UNIT PRICE	EXTENDER PRICE
1	18	11440108910			191-223	GRANITE	1/2" Granite Table	499	499.00
1							Color: <u>Granite</u>		
							IMPORTED MERCHANDISE		
							QUALITY AS SHOWN		
							90 DAY WARRANTY		
							CARRY IN SERVICE ONLY		

ALL SALES FINAL. No exchanges, returns or refunds.
PICKUPS MUST BE ARRANGED 2 BUSINESS DAYS IN ADVANCE.

All orders must be paid in full before delivery or pick-up is scheduled.

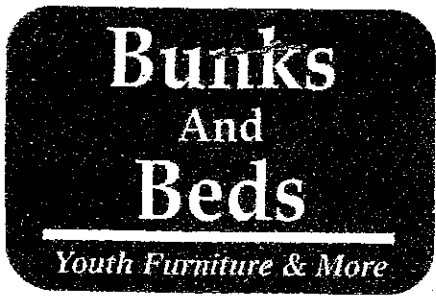
- Warranty: Service Mon-Fri 10-6. Service Department closed Weekends and Holidays.
- Special orders, floor samples and layaways are not subject to cancellation, reselction or return.
- 30% Penalty charged for any cancellation of in stock merchandise before delivery plus \$50.00 administrative fee for any change in order.
- Deposits are non-refundable.
- NO WARRANTY ON ITEMS SOLD "AS IS".
- Blirrite is not responsible for damage of "pick-up" items once they have left the warehouse.
- Floor samples delivery must be arranged immediately and taken within one week.
- Blirrite is not responsible for delays in manufacturing or shipping.
- THERE IS IMPORTANT INFORMATION CONCERNING THIS PURCHASE ON THE REVERSE SIDE.
- I hereby acknowledge receipt of a copy of this form and agree to the conditions and terms on both the front and back side.

DELIVERY INFORMATION
 Day: _____ Date: _____
 CUSTOMER PICK-UP
 Day: 10/1/09 Date: 9/29/09

SPECIAL INSTRUCTIONS: _____
 DELIVERY CHARGE: _____
 SUB TOTAL: 499.00
 SALES TAX: 25.11
 TOTAL: 474.11
 DEPOSIT: _____
 BALANCE: _____

FINANCING TERMS
 DRIVE BY: _____ PRIOR CUSTOMER: _____ TV: _____ NEWS-PAPER: _____ FRIEND: _____ PHONE BOOK: _____ RADIO: _____
 DEBIT CARD: _____ FINANCE: _____ CASH: _____ CHECK: _____

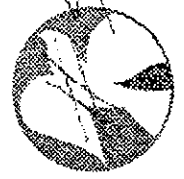
SEE REVERSE SIDE FOR IMPORTANT INFORMATION CONCERNING YOUR PURCHASE. ANY CLAIMS FOR WARRANTY SERVICE MUST BE ACCOMPANIED BY THIS SALES SLIP.
 Thank you for your business!



6121 W. Layton Avenue
 Greenfield, WI 53220
 414-281-3320-Phone
 www.bunksnbeds.com

INVOICE

27200



#6

NAME: Cheryl Krzewinski DATE: 9/15/00
 ADDRESS: 8527 W. HOLT PHONE: 545-0257
 CITY: MILW. STATE: _____ ZIP: _____ CELL: _____

QTY	ITEM NO.	DESCRIPTION	AMOUNT
1		BLACK METAL 2334 FULL SIZE Futon	89.00
1		Synba 10" full size Futon #1100000	159.00
1		full size BLACK COUCH (TAIGON)	39.00
<p>DELIVERED ^{12/14} FRI ANYTIME CALL AHEAD</p>			

CHARGE _____ CHECK _____ CASH _____ FINANCE _____

TERMS - All sales final. No returns or refunds without prior approval; 20% restocking charge on special orders and layaways not subject to cancellation. Monthly payments required on all layaways.

CUSTOMER'S SIGNATURE X Cheryl Krzewinski

Thank You!

DELIVERY DATE _____ PICK-UP DATE _____ AMOUNT _____

CHARGE _____ CHECK _____ CASH _____ FINANCE _____

DELIVERY	10.00
SET-UP	
SUBTOTAL	217.00
TAX	16.60
TOTAL	233.60
DEPOSIT	318.60
BALANCE	

WALKOWIAK ELECTRIC INC.

Estimate/Bid _____

Job _____

2934 S. 9TH ST.
MILWAUKEE, WI 53215
414-294-4000
FAX: 414-744-2803

Date	Estimate/Job #
7/16/2009	09-294

Name / Address
MIKE KRYSYNSKI 8527 W. HOLT AVE. MILWAUKEE, WI 53227 414-545-0257 414-378-4902



Qty	Description	Customer Info	Date Scheduled	Total
	3 - BASEBOARD HEATERS IN REC ROOM 30'x24' (2-8' & 1-6') 1 THERMOSTAT ON WALL BY SWITCHES 1 REFRIDGERATOR OUTLET EXISTING TAP OFF EXISTING OUTLET (CUSTOMER SAID HE HAS NEVER BLOWN CIRCUIT BEFORE) NO PERMIT			
	TOTAL			895.00T
	WISC SALES TAX			50.12

Signature _____

Total	\$945.12
--------------	----------

X

Michael Krzewinski
 8527 W. Holt Ave.
 Milwaukee WI 53227
 Phone: 4-545-0257 Cell: 378-2188

BEST CARPET
 3771 So. 108th St.
 GREENFIELD, WI 53228
 (414) 543-6543

HS

JOB INVOICE

SOLD BY: SD	DATE OF ORDER: 7/21/09
SCHEDULED INSTALL DATE: 7/21/09	
SCHEDULED COMPLETION: 7/21/09	
CASH	CHARGE
OTHER	

ROOM	MFR./DISTR.	STYLE NO.	PRODUCT NAME	COLOR NO.	COLOR NAME	TYPE OF FLOORING	WIDTH	LENGTH	TOTAL SQ.YD./FT.	PRICE PER SQ.YD./FT.	AMOUNT
------	-------------	-----------	--------------	-----------	------------	------------------	-------	--------	------------------	----------------------	--------

Install Vinyl Around Bar Area * Materials \$335.00
 * Installation \$180.00

Install Olive Bark Carpet and Pad * Materials \$1,693.00

In Rec. Rm. / Office / Stairs * Installation \$314.00

THE FLOOR: WOOD CEMENT

FURNITURE: YES NO

APPLIANCES: YES NO

PREP: _____

Any Questions Contact
 Shawn @ 414-543-6543

CUSTOMER READ BEFORE SIGNING: Buyer understands that there may be a dyelot variation from sample. Seller is not responsible for chips, dents or conditions of existing moldings, doors, jambs or fixtures. Room must be clear of obstacles at time of installation. Seller is not responsible for cutting doors. Seller is not responsible for customer's measurements. Seller is not responsible for manufacturer or shipper delays. Unforeseen structural problems upon installation may change the amount due on this invoice. A FINANCE CHARGE OF _____% PER ANNUM will be charged to accounts past _____ days. In the event Buyer defaults under the terms of this agreement, Buyer agrees to pay reasonable attorney fees, if the sums due are collected by or through an attorney.

SUB-TOTAL	
LABOR	
SALES TAX	
TOTAL	\$2,522.00
DEPOSIT	\$2,330.00
BALANCE DUE	\$192.00

FLOORING

Thank You!

#9

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

Keep your receipt!



Val #: 0969-3786-9507-4489

0025 005 4270 07/28/09 11:14 0743598

8280843	ANT1251	39.99
	AMPLIFIED INDOOR ANTENNA	
	ITEM TAX 2.24 5.60%	
9135401	DX-L26-10A	299.99
	DYNEX 26" 720P LCD TV	
	ITEM TAX 16.80 5.60%	
5426693	RZ CARD	0.00 N
	REWARD ZONE CARD	
	SERIAL # 2210974584	

	SUBTOTAL	339.98
	SALES TAX AMOUNT	19.04

=====

TOTAL 359.02

XXXXXXXXXXXX9404	VISA	359.02
MICHAEL KRZEWSKI		
APPROVAL 02712C		

MICHAEL,
THANKS FOR SHOPPING AT BEST BUY TODAY!
YOUR REWARD ZONE BALANCE AS OF 07/16/09
POSTED POINTS: 168
Go to MyRZ.com FOR MORE INFO

YOUR CUSTOMER SERVICE PIN IS:
0025 005 4270 072809

BEST BUY VALUES YOUR FEEDBACK!!
TAKE OUR SURVEY AND ENTER FOR A CHANCE TO
WIN A \$5,000 BEST BUY SHOPPING SPREE!!

Visit <http://www.bestbuycares.com>
Cuestionario en Espanol tambien

& enter the following codes:

Group A: 092257

Group B: 0159

Group C: 402974

NO PURCHASE NECESSARY. Must be legal
resident of 50 US/DC/PR, 18+ (except AL &
NE, 19+). 2 Drawing Periods:
3/1/09 - 5/30/09 & 5/31/09 - 8/29/09.
Limit 3 entries per Drawing Period.
For free entry & details, see
Official Rules at website or store.
Void where prohibited.

ALDI #10
 Store #10
 1712 S 108th St. West Allis, WI 53214
 www.ALDI.us

Your cashier today was angle

Black Shelving	39.99	N2
Black Shelving	39.99	N2
Black Shelving	39.99	N2
4 Tier Shelving	39.98	N2
2 @	19.99	
Baby Back Pork Rib	6.55	F1
Baby Back Pork Rib	7.00	F1
SUBTOTAL	173.50	
159.95 2-Taxable @5.60%	8.96	
13.55 1-Taxable @0.00%	0.00	
AMOUNT DUE	182.46	
TOTAL	182.46	

7 ITEMS
 Debit Card 182.46
 ALDI

*****6878 *168.91*
 AMT: \$**182.46 CHECKER: 00119
 DEBIT PURCHASE TIME: 10:30
 ***** APPROVED *****
 SEQ NUM: 017875

*9201 0010/005/119 08/30/09 10:21am A00

 Honest to Goodness Savings
 Thank You For Shopping At ALDI

#10A
Pier 1 Imports
 2545 N Maunfair Rd.
 (414)774-7250

Associate #045 - TODIANA

Store #0812 Reg #2 Trans #5005
 SALE 10/04/09 2:28pm

PYRAMID SHLF BRN
 2263976 1@ 149.00 149.00
 SUBTOTAL 149.00

Tax 5.600 8.34
 TOTAL 157.34

MASTERCARD 157.34
 ACCT#XXXXXXXXXXXX2612 XX/XX
 S AUTH# 474973
 CHANGE .00

This receipt must accompany return for
 exchange, refund or credit to account.

Stay in touch with us at pier1.com

Get rewarded. the Pier 1 Rewards Card

Store #0812 Reg #2 Trans #5005
 SALE 10/04/09 2:29pm

THE HOME DEPOT 4902
11071 WEST NATIONAL
WEST ALLIS, WI 53227 (414)329-1366

THE HOME DEPOT 4902
11071 WEST NATIONAL
WEST ALLIS, WI 53227 (414)329-1366

SALE 4902 00056 56780 09/29/09
14 SCOT56 01:45 PM

SALE 4902 00057 44743 08/23/09
14 SCOT57 02:25 PM



OG0699155460 HNDRAIL BRKT <A> 4.29
049223504544 50#CNPVICHK <A> 0.97
049223504568 100#CNPCHKBP <A> 0.97
SUBTOTAL 6.23
SALES TAX 0.35
TOTAL \$6.58
XXXXXXXXXXXX2612 MASTERCARD 6.58
AUTH CODE 702861/3561203 TA

OG0699155460 HNDRAIL BRKT <A>
3@4.29
SUBTOTAL 12.87
SALES TAX 12.87
TOTAL \$13.59
XXXXXXXXXXXX1114 DISCOVER 13.59
AUTH CODE 023105/0571147 TA



4902 56 56780 09/29/2009 7121



4902 57 44743 08/23/2009 2884

RETURN POLICY DEFINITIONS
POLICY ID DAYS POLICY EXPIRES ON
A 1 90 12/28/2009

RETURN POLICY DEFINITIONS
POLICY ID DAYS POLICY EXPIRES ON
A 1 90 11/21/2009

THE HOME DEPOT RESERVES THE RIGHT TO
LIMIT / DENY RETURNS. PLEASE SEE THE
RETURN POLICY SIGN IN STORES FOR
DETAILS.

THE HOME DEPOT RESERVES THE RIGHT TO
LIMIT / DENY RETURNS. PLEASE SEE THE
RETURN POLICY SIGN IN STORES FOR
DETAILS.

GUARANTEED LOW PRICES
LOOK FOR THOUSANDS OF
LOWER PRICES STOREWIDE

GUARANTEED LOW PRICES
LOOK FOR THOUSANDS OF
LOWER PRICES STOREWIDE

ENTER FOR A CHANCE
TO WIN A \$5,000
HOME DEPOT GIFT
CARD!

ENTER FOR A CHANCE
TO WIN A \$5,000
HOME DEPOT GIFT
CARD!

Share Your Opinion With Us! Complete
the brief survey about your store visit
and enter for a chance to win at:

Share Your Opinion With Us! Complete
the brief survey about your store visit
and enter for a chance to win at:

www.homedepot.com/opinion

www.homedepot.com/opinion

¡PARTICIPE EN UNA
OPORTUNIDAD DE GANAR
UNA TARJETA DE
REGALO DE THD
DE \$5,000!

¡PARTICIPE EN UNA
OPORTUNIDAD DE GANAR
UNA TARJETA DE
REGALO DE THD
DE \$5,000!

¡Comparta Su Opinión! Complete la breve
encuesta sobre su visita a la tienda y
tenga la oportunidad de ganar en:

¡Comparta Su Opinión! Complete la breve
encuesta sobre su visita a la tienda y
tenga la oportunidad de ganar en:

www.homedepot.com/opinion

www.homedepot.com/opinion

User ID:
118751 113905

User ID:
94677 89832

Use Your  2%
BIG CARD REBATE

MENARDS®

MENARDS - FRANKLIN
10925 W. Speedway Dr.
Franklin, WI 53132

KEEP YOUR RECEIPT
RETURN POLICY VARIES BY PRODUCT TYPE

Unless noted below allowable returns for
items on this receipt will be in the form
of an in store credit voucher if the
return is done after 10/27/09



Sale Transaction

2" RIGID IND CSTR PL	
2171995	1.47
2" RIGID IND CSTR PL	
2171995	1.47
2" RIGID IND CSTR PL	
2171995	1.47
2" RIGID IND CSTR PL	
2171995	1.47
OAK BLDG HAND RAIL 5	
4172060	43.68
TOTAL	49.56
TAX AT 5.6%	2.78
TOTAL SALE	52.34
VISA 9404	52.34
00606C	

TOTAL NUMBER OF ITEMS = 5

GUEST COPY

The Cardholder acknowledges receipt of
goods/services in the total amount shown
hereon and agrees to pay the card issuer
according to its current terms.

THIS IS YOUR CREDIT CARD SALES SLIP
PLEASE RETAIN FOR YOUR RECORDS.

THANK YOU, YOUR CASHIER, AMBER

51148 09 4128 07/29/09 04:13PM 3195

Gordmans in Champaign #4
1901 North Market Street
Champaign, IL 61820
Telephone: (217) 403-1434 #12

Gordmans in Champaign #4
1901 North Market Street
Champaign, IL 61820
Telephone: (217) 403-1434 #13

GUEST SURVEY INVITATION

GUEST SURVEY INVITATION

Receive 20% off a single item on your next visit to Gordmans!

Receive 20% off a single item on your next visit to Gordmans!

Not to be used in combination with any other discount offer, maternity, shoes, "2-for" pricing or %-off clearance events.

Not to be used in combination with any other discount offer, maternity, shoes, "2-for" pricing or %-off clearance events.

Limit one coupon per transaction per family per day.

Limit one coupon per transaction per family per day.

Not valid on prior purchases, existing layaways or gift card purchases.

Not valid on prior purchases, existing layaways or gift card purchases.

This offer is automatically void if tampered with or altered in any way.

This offer is automatically void if tampered with or altered in any way.

Visit www.tellgordmans.com within the next 3 days and tell us about your experience.

Visit www.tellgordmans.com within the next 3 days and tell us about your experience.

Enter Code: 000431125075080209

Enter Code: 000431125076080209

Validation Code: _____

Validation Code: _____

Gordmans in Champaign #4
1901 North Market Street
Champaign, IL 61820
Telephone: (217) 403-1434

Gordmans in Champaign #4
1901 North Market Street
Champaign, IL 61820
Telephone: (217) 403-1434

Store: 0004 Reg.: 31 Tran: 125075
Date: 08/02/09 Time: 09:37 Assoc: 00045203

Store: 0004 Reg.: 31 Tran: 125076
Date: 08/02/09 Time: 09:38 Assoc: 00045203

SALE

SALE

1622224 COLLAGE FRAMES	14.99T
20% Coupon Percent	-3.00
Coupon #: 597421212148	
Subtotal	\$11.99
Discounts	-3.00
Sales Tax 7.75%	
Taxable: 11.99 Tax: 0.93	
Total Tax	0.93
Total	\$12.92

1622224 COLLAGE FRAMES	14.99T
20% Coupon Percent	-3.00
Coupon #: 4200005093939	
Subtotal	\$11.99
Discounts	-3.00
Sales Tax 7.75%	
Taxable: 11.99 Tax: 0.93	
Total Tax	0.93
Total	\$12.92

Your Discount Savings is \$3.00
Visa \$12.92
Card No. XXXXXXXXXXXXX9404 <S>
Expiration Date XX/XX
Auth. No. 011483

Your Discount Savings is \$3.00
Visa \$12.92
Card No. XXXXXXXXXXXXX9404 <S>
Expiration Date XX/XX
Auth. No. 042443

Please Retain for Your Records

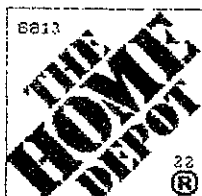
Please Retain for Your Records

Item(s) Sold: 1
Item(s) Returned: 0

Item(s) Sold: 1
Item(s) Returned: 0

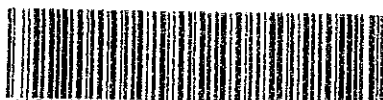
THE HOME DEPOT : 4902
11071 WEST NATIONAL
WEST ALLIS, WI 53227 (414)329-1366

4902 00056 10597 07/22/09
SALE 14 SCOT56 02:02 PM



Handwritten signature or initials

042919003208 R-13 KRAFI <A> 9.98
SALES TAX 0.56
TOTAL \$10.54
XXXXXXXXXXXXXXXX9404 VISA 10.54
AUTH CODE 092510/2563214 TA



4902 56 10597 07/22/2009 8813

RETURN POLICY DEFINITIONS
POLICY ID DAYS POLICY EXPIRES ON
A 1 90 10/20/2009

THE HOME DEPOT RESERVES THE RIGHT TO
LIMIT / DENY RETURNS. PLEASE SEE THE
RETURN POLICY SIGN IN STORES FOR
DETAILS.

GUARANTEED LOW PRICES
LOOK FOR THOUSANDS OF
LOWER PRICES STOREWIDE

ENTER FOR A CHANCE
TO WIN A \$5,000
HOME DEPOT GIFT
CARD!

Share Your Opinion With Us! Complete
the brief survey about your store visit
and enter for a chance to win at:

www.homedepot.com/opinion

¡PARTICIPE EN UNA
OPORTUNIDAD DE GANAR
UNA TARJETA DE
REGALO DE THD
DE \$5,000!

¡Comparta Su Opinión! Complete la breve
encuesta sobre su visita a la tienda y
tenga la oportunidad de ganar en:

www.homedepot.com/opinion

User ID:
26385 21539

Password:
9372 21483

#15

Pick 'n Save

4200 D S 76th ST GREENFIELD, WI
(414) 541 - 0061

0 47201105653

	RDY KETCHUP 24 OZ	1.65 F
	RDY KETCHUP 24 OZ	1.65 F
	AJAX CLEANSE	.69 T
	AJAX CLEANSE	.69 T
	LYSOL LMN CLNR	3.09 T
SD 3658	LYSCOL CLEANING	.13-T
	LYSOL SPRAY	4.99 T
SD 3662	LYSCOL CLEANING	.15-T
	SPIC & SPAN	2.25 T
	SOS LMN PADS	2.69 T
	SPNG MOP REFL	5.89 T
	RDY SPONGE	.99 T
SD 2972	RDY SPONGE SCRUB	.33-T
	RDY LIQ BLEACH ORG	1.85 T
	OK AUTO SPONGE	10.99 T
	RDY LIQ BLEACH ORG	1.85 T
	TOTE BOX - SINGLE	.99 T
	TOTE BOX - SINGLE	.99 T
	TOTE BOX - SINGLE	.99 T
	TOTE BOX - SINGLE	.99 T
	TOTE BOX - SINGLE	.99 T
	TOTE BOX - SINGLE	.99 T
	TOTE BOX - SINGLE	.99 T
****	TAX 2.37 BAL	47.96
NC	LYSOL LMN CLNR	1.00-
NC	LYSOL SPRAY	.50-
SD	RDY KETCHUP COUPN	.98-F
SD 9677	RDY KETCHUP COUPON	.98-F
****	TAX 2.37 BAL	44.50

*** PICK 'N SAVE #6843 ***
 *** 4200-D S. 76TH STREET ***
 *** GREENFIELD, WI 53220 ***
 *** (414) 541-0061 ***

CARD #XXXXXXXXXXXX9404 EX XX/XX CC
 AUTH:09425C
 MERCHANT ID# 006843
 TRACE# 002097

APPROVED 07/10/09 11:46
 PAYMENT AMOUNT 44.50

VF CREDIT 44.50
 CHANGE .00

COUPONS TENDERED 4.07
 TOTAL NUMBER OF ITEMS SOLD = 20
 7/10/09 11:46 AM 6843 16 00 104544

THANK YOU FOR SHOPPING

Pick 'n Save

4200 D S 76th ST GREENFIELD, WI
(414) 541 - 0061

#16

	TOTE BOX - SINGLE	.99 T
	TOTE BOX - SINGLE	.99 T
	TOTE BOX - SINGLE	.99 T
	TOTE BOX - SINGLE	.99 T
	TOTE BOX - SINGLE	.99 T
	TOTE BOX - SINGLE	.99 T
****	TAX .33 BAL	6.27

0 47203629289

*** PICK 'N SAVE #6843 ***
 *** 4200-D S. 76TH STREET ***
 *** GREENFIELD, WI 53220 ***
 *** (414) 541-0061 ***

CARD #XXXXXXXXXXXX9404 EX XX/XX CC
 AUTH:02076C
 MERCHANT ID# 006843
 TRACE# 001647

APPROVED 07/10/09 08:07
 PAYMENT AMOUNT 6.27

VF CREDIT 6.27
 CHANGE .00

TOTAL NUMBER OF ITEMS SOLD = 6
 7/10/09 8:07 AM 6843 10 0044 011972

THANK YOU FOR SHOPPING
 PICK 'N SAVE
 PLEASE COME AGAIN!

LIVING UP TO YOUR LIFE!

#17



WEST ALLIS - 414-545-8000
07/09/2009 02:16 PM EXPIRES 10/07/09



HOME			
002020284	45 GAL TOTE	T	30.18
	2 @ 15.09		
002020450	35 GAL TOTE	T	47.97
	3 @ 15.99		

		SUBTOTAL	78.15
T = WI TAX	5.6000% on	78.15	4.38
		TOTAL	82.53

*9404 VISA CHARGE 82.53

Target Pharmacy We're here to help!
9am - 7pm M-F
9am - 7pm Sat
11am - 3pm Sun

REC#2-9190-21. 0-0083-3 32-2 VCD#756-251-940

#18

Use Your  2%
BIG CARD REBATE
MENARDS®

MENARDS - W. MILWAUKEE
2101 Miller Park Way
W. Milwaukee WI 53219

KEEP YOUR RECEIPT
RETURN POLICY VARIES BY PRODUCT TYPE

Unless noted below allowable returns for
items on this receipt will be in the form
of an in store credit voucher if the
return is done after 12/28/09



Sale Transaction

EPOXYSHIELD ANTI SKT	
5592860	3.99
TOTAL	3.99
TAX AT 5.6%	0.22
TOTAL SALE	4.21
M/C 2612	4.21
266172	

TOTAL NUMBER OF ITEMS = 1

GUEST COPY

The Cardholder acknowledges receipt of
goods/services in the total amount shown
hereon and agrees to pay the card issuer
according to its current terms.

THIS IS YOUR CREDIT CARD SALES SLIP
PLEASE RETAIN IN YOUR RECORDS.

THANK YOU, YOUR CASHIER, Ashley

22772 06 6489 09/29/09 09:52AM 3226

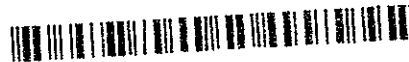
#18

Use Your  2%
BIG CARD REBATE
MENARDS®

MENARDS - W. MILWAUKEE
2101 Miller Park Way
W. Milwaukee WI 53219

KEEP YOUR RECEIPT
RETURN POLICY VARIES BY PRODUCT TYPE

Unless noted below allowable returns for
items on this receipt will be in the form
of an in store credit voucher if the
return is done after 01/04/10



Sale Transaction

55 1/2" CUDDLEE	7.99
7649999	
TAN BASEMNT FLR EPOX	42.85
5512328	
TAN BASEMNT FLR EPOX	42.85
5512328	
TOTAL	93.69
TAX AT 5.6%	5.25
TOTAL SALE	98.94
M/C 2612	98.94
635515	

TOTAL NUMBER OF ITEMS = 3

GUEST COPY

The Cardholder acknowledges receipt of
goods/services in the total amount shown
hereon and agrees to pay the card issuer
according to its current terms.

THIS IS YOUR CREDIT CARD SALES SLIP
PLEASE RETAIN FOR YOUR RECORDS.

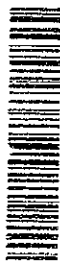
THANK YOU, YOUR CASHIER, ANDREA

38725 06 8648 10/06/09 09:33AM 3226

#17



WEST ALLIS 414-545-8000
7/09/2009 02:16 PM EXPIRES 10/07/09



1284	45 GAL TOTE	T	30.18
	2 @ 15.09		
1450	35 GAL TOTE	T	47.97
	3 @ 15.99		
WI TAX	5.50004 on	SUBTOTAL	78.15
		TOTAL	4.38
			82.53
	*0404 VISA CHARGE		82.53

Get Pharmacy We're here to help!
9am - 7pm M-F
9am - 7pm Sat
11am - 3pm Sun

-9190-21 0003-3 12-2 VCD#756-251-940

#19

ALDI
Store #40
5811 W. Oklahoma Milwaukee, WI 53219
WWW.ALDI.US

Your cashier today was Carol

7 Pc. Queen Sat	49.99	N2
Jumbo Trail Mix	3.99	F1
Shep Pre Dog Treat	1.99	N2
Jumbo Trail Mix	3.99	F1
Twin Pack Pillow	8.99	N2
SUBTOTAL	68.95	
60.37	2-Taxable @5.60%	
7.98	1-Taxable @0.00%	
AMOUNT DUE	71.73	
TOTAL	71.73	
5 ITEMS		
Debit Card	71.73	
ALDI		

*****6845
 AMT: \$71.73 CHECKER: 00167
 DEBIT PURCHASE TIME: 11:59
 ***** APPROVED *****
 SEQ NUM: 062705

*0754 0040/004/167 10/04/09 11:59am AD0

 Honest to Goodness Savings
 Thank You For Shopping At ALDI



Legislation Details (With Text)

File #: 091390 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 2/9/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution relative to legislative bills.
Sponsors: THE CHAIR
Indexes: FEDERAL LEGISLATION, STATE LEGISLATION
Attachments: Agenda, Senate Bill 442.pdf, Assembly Bill 654.pdf, Dept of Public Works Response, Dept of Administration Response, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
2/9/2010	0	COMMON COUNCIL	ASSIGNED TO		
2/16/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/17/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/17/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
2/17/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

091390

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relative to legislative bills.

Drafter

IRD

Mo

2/5/10

LEGISLATIVE HEARING CALENDAR

Positions to be taken by the City of Milwaukee on the following bills will be discussed by the

COMMITTEE ON JUDICIARY-LEGISLATION

MONDAY, FEBRUARY 22, 2010 AT 2:00 PM

Room 301-B City Hall

SB-442/
AB-654

Requiring local units of government to use the qualifications-based selection process for certain public works consulting contracts.



2009 SENATE BILL 442

January 7, 2010 – Introduced by Senators PLALE, DECKER, KREITLOW, TAYLOR, LASSA, HANSEN, WIRCH, LEHMAN, SCHULTZ and KEDZIE, cosponsored by Representatives MOLEPSKE JR., CLARK, TOWNSEND, GUNDERSON, A. OTT, KERKMAN, HONADEL, ZIPPERER and GOTTLIEB. Referred to Committee on Ethics Reform and Government Operations.

1 **AN ACT** *to create* 66.0902 of the statutes; **relating to:** requiring local units of
2 government to use the qualifications-based selection process for certain public
3 works consulting contracts.

Analysis by the Legislative Reference Bureau

This bill requires the use of a new method for the selection of a consultant by any city, village, town, or county (political subdivision), including a first class city, which is presently only Milwaukee, special purpose district, including a school district, or subunit (local governmental unit) if the consultant is required for a project that relates to certain public works contracts including the inspection of local bridges. Generally, under the bill, a local governmental unit is required to hire a consultant for a project based only on the consultant's qualifications.

A consultant is defined under the bill as a person who provides architectural services, engineering services, land surveying services, landscape architecture services, photogrammetric services, or professional geology services for a project. A project under the bill is a project of a local governmental unit that requires a consultant and relates to the planning, study, design, or construction inspection or administration of the public work or building, the total cost of which is estimated by a local governmental unit to be at least \$250,000 and that will be funded to some extent by the state government. A consultant's services on a project are separate, however, from the contract for the actual construction, repair, remodeling, or improvement of the public work or building. The value estimate and state funding requirements do not apply to local bridge inspections, however.

SENATE BILL 442

The bill requires a local governmental unit to create a procedure to solicit proposals from consultants for projects, but the proposals may not contain any information on proposed fees, level of efforts, or costs. The local governmental unit must rank the consultants based on the consultants' qualifications as described in their proposals. The proposals must contain certain information about the consultants, including their specialized experience, capabilities, and technical competence; their quality of work and ability to meet schedules; and their proposed method of project management.

After the local governmental unit ranks the consultants, it must enter into negotiations with the highest ranked consultant to finalize the terms of the contract, including the fees, level of efforts, and costs. If the local governmental unit and consultant are unable to reach an agreement, the local governmental unit must enter into negotiations with the next highest ranked consultants, in order of their ranking, until a contract is finalized. If no agreement is reached with any of the consultants, the local governmental unit may retain a consultant for the project under any other allowable method.

The provisions created in the bill do not apply to a project that is needed to protect public health or welfare due to an emergency situation. Also under the bill, a local governmental unit may enter into a contract with a consultant with whom it has an established relationship, and who has previously provided similar services, without evaluating proposals from other consultants.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 66.0902 of the statutes is created to read:

2 **66.0902 Qualifications-based selection; engineering, architecture,**
3 **and land surveying contracts. (1) DEFINITIONS.** In this section:

4 (a) "Architectural services" means the provision of services that consist of the
5 practice of architecture, as defined in s. 443.01 (5).

6 (b) "Consultant" means any person who provides architectural services,
7 engineering services, land surveying services, landscape architecture services,
8 photogrammetric services, or professional geology services.

9 (c) "Engineering services" means the provision of services that consist of the
10 practice of professional engineering, as defined in s. 443.01 (6).

SENATE BILL 442

1 (d) “Landscape architecture services” means the provision of services that
2 consist of landscape architecture, as defined in s. 443.01 (3r).

3 (e) “Land surveying services” means the provision of services that consist of
4 land surveying, as defined in s. 443.01 (4).

5 (f) “Level of effort” means the number of hours a consultant spends, or purposes
6 to spend, on a project, broken down by the number of hours spent on the specific tasks
7 of the project.

8 (g) “Local governmental unit” means a political subdivision of this state, a
9 special purpose district in this state, an agency or corporation of a political
10 subdivision or special purpose district, or a combination or subunit of any of the
11 foregoing charged with procuring the services of a consultant.

12 (h) “Photogrammetric services” means activities associated with measuring,
13 locating, and preparing maps, charts, or other graphical or digital presentations
14 depicting natural or man made features, phenomena, and legal boundaries of the
15 earth including surveys, maps, charts, remote sensing data, and images, and aerial
16 photographic services.

17 (i) “Political subdivision” means any city, village, town, or county.

18 (j) “Professional geology services” means the provision of services that consist
19 of the practice of professional geology, as defined in s. 470.01 (2).

20 (k) “Project” means any project of a local governmental unit that is related to
21 a public work or building to which all of the following apply:

22 1. The total cost of the complete project is estimated by the governing body of
23 the local governmental unit to be at least \$250,000.

24 2. The state government provides some amount of financial assistance to the
25 project.

SENATE BILL 442

1 3. The services of a consultant are required for the planning, study, design, or
2 construction inspection or administration of the public work or building, but are
3 separate from the contract for the actual construction, repair, remodeling, or
4 improvement of the public work or building.

5 **(2) QUALIFICATIONS-BASED SELECTION.** (a) Except as provided in sub. (4), for any
6 project undertaken by a local governmental unit, the consultant that must be hired
7 may be selected only on the basis of the consultant's qualifications, as determined
8 under this subsection.

9 (b) A local governmental unit shall develop a procedure to solicit proposals from
10 consultants for projects, and shall rank the proposals according to the qualifications
11 of the consultants. The proposals may not include any fees or costs for the proposed
12 project, and the local governmental unit may not solicit fee, level of effort, or cost
13 information from consultants except as provided in sub. (3).

14 (c) To determine the qualifications of a consultant, the local governmental unit
15 shall require that a proposal submitted for a project contain at least all of the
16 following information about the consultant:

17 1. Its specialized experience, capabilities, and technical competence to meet the
18 project requirements.

19 2. Its resources that are available to perform the required work, including any
20 specialized services, within the time limits specified by the local governmental unit.

21 3. Its proposed approach to meet the project requirements and its proposed
22 methods of project management.

23 4. The quality of its past work, its ability to meet schedules, and its cost control
24 and contract administration practices.

25 5. Its proximity to, and familiarity with, the project location.

SENATE BILL 442

1 **(3) NEGOTIATION.** (a) Following the receipt and ranking of the proposals, a local
2 governmental unit shall negotiate with the highest ranked consultant to specify the
3 terms of the contract, including costs, level of effort, and fees.

4 (b) If the local governmental unit and the selected consultant are unable to
5 negotiate a contract at a fee that is acceptable to the local governmental unit, the
6 local governmental unit shall terminate negotiations with the consultant by written
7 notification. Subject to sub. (4), the local governmental unit shall then commence
8 negotiations with as many of the other consultants as necessary, as provided in this
9 subsection and in the order of their ranking, until a contract is entered into.

10 **(4) EXCEPTIONS.** (a) If a local governmental unit is unable to enter into a
11 contract with a consultant under sub. (3), it may retain a consultant for the project
12 under any other method that is authorized by law.

13 (b) The procedures and requirements for selecting consultants under this
14 section do not apply for the repair and reconstruction of any public work or building
15 when damage or threatened damage to the public work or building creates an
16 emergency, as determined by resolution of the governing body of the local
17 governmental unit, in which the public health or welfare of the local governmental
18 unit is endangered. Whenever the governing body of the local governmental unit
19 determines by majority vote at a regular or special meeting that an emergency no
20 longer exists, this paragraph no longer applies.

21 (c) If a local governmental unit has an established relationship with a
22 consultant who previously has provided similar services to the local governmental
23 unit, the local governmental unit may solicit a proposal for another project directly
24 from that consultant without soliciting proposals from other consultants.



2009 ASSEMBLY BILL 654

January 14, 2010 – Introduced by Representatives MOLEPSKE JR., CLARK, GOTTLIEB, ZIPPERER, HONADEL, TOWNSEND, GUNDERSON, A. OTT and KERKMAN, cosponsored by Senators PLALE, TAYLOR, LEHMAN, HANSEN, KEDZIE, LASSA, KREITLOW, SCHULTZ, WIRCH and DECKER. Referred to Committee on Jobs, the Economy and Small Business.

1 **AN ACT** *to create* 66.0902 of the statutes; **relating to:** requiring local units of
2 government to use the qualifications–based selection process for certain public
3 works consulting contracts.

Analysis by the Legislative Reference Bureau

This bill requires the use of a new method for the selection of a consultant by any city, village, town, or county (political subdivision), including a first class city, which is presently only Milwaukee, special purpose district, including a school district, or subunit (local governmental unit) if the consultant is required for a project that relates to certain public works contracts including the inspection of local bridges. Generally, under the bill, a local governmental unit is required to hire a consultant for a project based only on the consultant's qualifications.

A consultant is defined under the bill as a person who provides architectural services, engineering services, land surveying services, landscape architecture services, photogrammetric services, or professional geology services for a project. A project under the bill is a project of a local governmental unit that requires a consultant and relates to the planning, study, design, or construction inspection or administration of the public work or building, the total cost of which is estimated by a local governmental unit to be at least \$250,000 and that will be funded to some extent by the state government. A consultant's services on a project are separate, however, from the contract for the actual construction, repair, remodeling, or improvement of the public work or building. The value estimate and state funding requirements do not apply to local bridge inspections, however.

ASSEMBLY BILL 654

The bill requires a local governmental unit to create a procedure to solicit proposals from consultants for projects, but the proposals may not contain any information on proposed fees, level of efforts, or costs. The local governmental unit must rank the consultants based on the consultants' qualifications as described in their proposals. The proposals must contain certain information about the consultants, including their specialized experience, capabilities, and technical competence; their quality of work and ability to meet schedules; and their proposed method of project management.

After the local governmental unit ranks the consultants, it must enter into negotiations with the highest ranked consultant to finalize the terms of the contract, including the fees, level of efforts, and costs. If the local governmental unit and consultant are unable to reach an agreement, the local governmental unit must enter into negotiations with the next highest ranked consultants, in order of their ranking, until a contract is finalized. If no agreement is reached with any of the consultants, the local governmental unit may retain a consultant for the project under any other allowable method.

The provisions created in the bill do not apply to a project that is needed to protect public health or welfare due to an emergency situation. Also under the bill, a local governmental unit may enter into a contract with a consultant with whom it has an established relationship, and who has previously provided similar services, without evaluating proposals from other consultants.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 66.0902 of the statutes is created to read:

2 **66.0902 Qualifications-based selection; engineering, architecture,**
3 **and land surveying contracts. (1) DEFINITIONS.** In this section:

4 (a) "Architectural services" means the provision of services that consist of the
5 practice of architecture, as defined in s. 443.01 (5).

6 (b) "Consultant" means any person who provides architectural services,
7 engineering services, land surveying services, landscape architecture services,
8 photogrammetric services, or professional geology services.

9 (c) "Engineering services" means the provision of services that consist of the
10 practice of professional engineering, as defined in s. 443.01 (6).

ASSEMBLY BILL 654

1 (d) “Landscape architecture services” means the provision of services that
2 consist of landscape architecture, as defined in s. 443.01 (3r).

3 (e) “Land surveying services” means the provision of services that consist of
4 land surveying, as defined in s. 443.01 (4).

5 (f) “Level of effort” means the number of hours a consultant spends, or purposes
6 to spend, on a project, broken down by the number of hours spent on the specific tasks
7 of the project.

8 (g) “Local governmental unit” means a political subdivision of this state, a
9 special purpose district in this state, an agency or corporation of a political
10 subdivision or special purpose district, or a combination or subunit of any of the
11 foregoing charged with procuring the services of a consultant.

12 (h) “Photogrammetric services” means activities associated with measuring,
13 locating, and preparing maps, charts, or other graphical or digital presentations
14 depicting natural or man made features, phenomena, and legal boundaries of the
15 earth including surveys, maps, charts, remote sensing data, and images, and aerial
16 photographic services.

17 (i) “Political subdivision” means any city, village, town, or county.

18 (j) “Professional geology services” means the provision of services that consist
19 of the practice of professional geology, as defined in s. 470.01 (2).

20 (k) “Project” means any project of a local governmental unit that is related to
21 a public work or building to which all of the following apply:

22 1. The total cost of the complete project is estimated by the governing body of
23 the local governmental unit to be at least \$250,000.

24 2. The state government provides some amount of financial assistance to the
25 project.

ASSEMBLY BILL 654**SECTION 1**

1 3. The services of a consultant are required for the planning, study, design, or
2 construction inspection or administration of the public work or building, but are
3 separate from the contract for the actual construction, repair, remodeling, or
4 improvement of the public work or building.

5 **(2) QUALIFICATIONS-BASED SELECTION.** (a) Except as provided in sub. (4), for any
6 project undertaken by a local governmental unit, the consultant that must be hired
7 may be selected only on the basis of the consultant's qualifications, as determined
8 under this subsection.

9 (b) A local governmental unit shall develop a procedure to solicit proposals from
10 consultants for projects, and shall rank the proposals according to the qualifications
11 of the consultants. The proposals may not include any fees or costs for the proposed
12 project, and the local governmental unit may not solicit fee, level of effort, or cost
13 information from consultants except as provided in sub. (3).

14 (c) To determine the qualifications of a consultant, the local governmental unit
15 shall require that a proposal submitted for a project contain at least all of the
16 following information about the consultant:

17 1. Its specialized experience, capabilities, and technical competence to meet the
18 project requirements.

19 2. Its resources that are available to perform the required work, including any
20 specialized services, within the time limits specified by the local governmental unit.

21 3. Its proposed approach to meet the project requirements and its proposed
22 methods of project management.

23 4. The quality of its past work, its ability to meet schedules, and its cost control
24 and contract administration practices.

25 5. Its proximity to, and familiarity with, the project location.

ASSEMBLY BILL 654

1 **(3) NEGOTIATION.** (a) Following the receipt and ranking of the proposals, a local
2 governmental unit shall negotiate with the highest ranked consultant to specify the
3 terms of the contract, including costs, level of effort, and fees.

4 (b) If the local governmental unit and the selected consultant are unable to
5 negotiate a contract at a fee that is acceptable to the local governmental unit, the
6 local governmental unit shall terminate negotiations with the consultant by written
7 notification. Subject to sub. (4), the local governmental unit shall then commence
8 negotiations with as many of the other consultants as necessary, as provided in this
9 subsection and in the order of their ranking, until a contract is entered into.

10 **(4) EXCEPTIONS.** (a) If a local governmental unit is unable to enter into a
11 contract with a consultant under sub. (3), it may retain a consultant for the project
12 under any other method that is authorized by law.

13 (b) The procedures and requirements for selecting consultants under this
14 section do not apply for the repair and reconstruction of any public work or building
15 when damage or threatened damage to the public work or building creates an
16 emergency, as determined by resolution of the governing body of the local
17 governmental unit, in which the public health or welfare of the local governmental
18 unit is endangered. Whenever the governing body of the local governmental unit
19 determines by majority vote at a regular or special meeting that an emergency no
20 longer exists, this paragraph no longer applies.

21 (c) If a local governmental unit has an established relationship with a
22 consultant who previously has provided similar services to the local governmental
23 unit, the local governmental unit may solicit a proposal for another project directly
24 from that consultant without soliciting proposals from other consultants.

From: Korban, Ghassan

Sent: Tuesday, January 19, 2010 4:15 PM

To: Mantes, Jeffrey; Intergovernmental; Kelsey, Rhonda

Cc: Gonda, Jennifer; Polenske, Jeffrey; Cole, Preston; Lewis, Carrie; Krug, Shirley

Subject: RE: SB-442 Relating to: requiring local units of government to use the qualifications-based selection process for certain public works consulting contracts.

Jeff, I recommend **opposing** this legislation based on the fact that it precludes us from considering consultant fees as part of the selection criteria. Fees become very critical in determining the value of the service that a consultant will provide to us. It is very common, on any given RFP, to have several closely qualified consultants to perform a certain task or scope where only fees could determine the ranking of these consultants. This is a **value** approach of consultant selection which is prevalent amongst other municipalities.

Please note that we avoid using fees as a criteria when we predict using such professional services on state and federally funded projects.

Ghassan Korban, P.E.
Coordination Manager, D.P.W.
City of Milwaukee

841 N. Broadway, Room 501
Milwaukee WI 53202
414-286-3304 office
414-378-3311 Cell
414-286-3953 Fax
ghassan.korban@milwaukee.gov

From: Mantes, Jeffrey

Sent: Thu 1/14/2010 8:52 AM

To: Intergovernmental; Kelsey, Rhonda; Korban, Ghassan

Cc: Gonda, Jennifer; Polenske, Jeffrey; Cole, Preston; Lewis, Carrie; Krug, Shirley

Subject: RE: SB-442 Relating to: requiring local units of government to use the qualifications-based selection process for certain public works consulting contracts.

I believe we follow this procedure in contracts using state and or federal funding. The only difference in strictly City funded projects is that we do ask for fee related info, such as hourly rates, overhead, level of effort as a matter of comparison and as a gauge in the consultants understanding of the scope...ie if the level of effort varies considerably there is a question as to whether the RFP was vague/unclear or the particular consultant understood the scope. By copy I am asking Ghassan and staff to comment further.

Jeff

Jeffrey J Mantes
Jeffrey J. Mantes P.E.
Commissioner of Public Works
City of Milwaukee
Room 501
841 N Broadway
Milwaukee, WI 53202
414 286 3301
414 286 3953 fax
jeffrey.mantes@milwaukee.gov

-----Original Message-----

From: Intergovernmental
Sent: Tuesday, January 12, 2010 10:59 AM
To: Mantes, Jeffrey; Kelsey, Rhonda
Cc: Gonda, Jennifer
Subject: SB-442 Relating to: requiring local units of government to use the qualifications-based selection process for certain public works consulting contracts.

<http://www.legis.state.wi.us/2009/data/SB-442.pdf>

SB-442 was recently introduced.

Please review the proposed legislation for its impact on the City of Milwaukee and respond below by email ('Reply to All') as soon as possible.

Please include the following information:

Is this germane to the City of Milwaukee?

Recommended position:

Specific reason for this position:

Estimated fiscal cost or revenue:

The information you provide will be helpful to the Judiciary and Legislation Committee in formulating the City's position.

Thank you.

From: Kelsey, Rhonda
Sent: Tuesday, January 19, 2010 1:29 PM
To: Intergovernmental; Gonda, Jennifer
Cc: Gonda, Jennifer; Pulenski, Jeffrey; Cole, Preston; Lewis, Carrie;
Krug, Shirley; Mantes, Jeffrey; Korban, Ghassan
Subject: RE: SB-442 Relating to: requiring local units of government to use the qualifications-based selection process for certain public works consulting contracts.

Jennifer, my responses are listed below:

Is this germane to the City of Milwaukee?

Yes.

Recommended position:

Oppose.

Specific reason for this position:

Factoring in costs based on an objective scoring methodology allows for a more transparent and clear cut RFP selection process. Our RFP process is such that the cost is evaluated in conjunction with other factors such as experience, qualifications, and project plan. A set number of points are assigned to costs and that number is calculated based on an objective formula. So, the proposal will include cost information, but the proposed cost can still be negotiated during the negotiation process with the highest ranked proposer. If negotiations are unsuccessful with the initial highest ranked proposer, we can enter into negotiations with the next highest ranked proposer.

Estimated fiscal cost or revenue:

Note.

Rhonda U. Kelsey, City Purchasing Director | Department of Administration | Business Operations Division | 200 East Wells - Room 601 | 414.286.3501 F | 414.286.5976 F | rkelse@milwaukee.gov

-----Original Message-----

From: Mantes, Jeffrey
Sent: Thursday, January 14, 2010 9:52 AM
To: Intergovernmental; Kelsey, Rhonda; Korban, Ghassan
Cc: Gonda, Jennifer; Pulenski, Jeffrey; Cole, Preston; Lewis, Carrie; Krug, Shirley
Subject: RE: SB-442 Relating to: requiring local units of government to use the qualifications-based selection process for certain public works consulting contracts.

I believe we follow this procedure in contracts using state and/or federal funding. The only difference in strictly City funded projects is that we do ask for fee related info, such as hourly rates, overhead, level of effort as a matter of comparison and as a gauge in the consultants understanding of the scope. *ie* if the level of effort varies considerably there is a question as to whether the RFP was vague/unclear or the particular consultant understood the scope. By copy I am asking Ghassan and staff to comment further.

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Jeffrey J Mantes
Jeffrey J Mantes P.E.
Commissioner of Public Works
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Room 501
841 N Broadway
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414 286 3101
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jeffrey.mantes@milwaukee.gov

-----Original Message-----

From: Intergovernmental
Sent: Tuesday, January 12, 2010 10:59 AM
To: Mantes, Jeffrey; Kelsey, Rhonda
Cc: Gonda, Jennifer
Subject: SB-442 Relating to: requiring local units of government to use the qualifications-based selection process for certain public works consulting contracts.

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Recommended position:

Specific reason for this position:

Estimated fiscal cost or revenue:

The information you provide will be helpful to the Judiciary and Legislation Committee in formulating the City's position.

Thank you.

