



# 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, 286-2232**

**Fax: 286-3456, [lelmer@milwaukee.gov](mailto:lelmer@milwaukee.gov)**

**Legislative Liaison, Richard Withers, 286-8532,  
[rwithe@milwaukee.gov](mailto:rwithe@milwaukee.gov)**

---

Monday, December 13, 2010

1:30 PM

Room 301-B, City Hall

---

The Judiciary and Legislation Committee may convene into closed session at 1:30 P.M. on Monday, December 13, 2010 in Room 301-B, City Hall, 200 E. Wells St., Milwaukee, Wisconsin, pursuant to s. 19.85(1)(g), Wis. Stats., for the purpose of conferring with the City Attorney who will render oral or written advice with respect to litigation in which the city is or is likely to become involved and then will go into open session for the regular agenda.

1. [100991](#) An ordinance relating to revision of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.  
**Sponsors:** THE CHAIR  
**Attachments:** [Hearing Notice List](#)
  
2. [100810](#) Substitute resolution authorizing the return of real estate located at 4375 N. 15th St., in the 1st Aldermanic District to its former owner. (Stonecrest Income and Opportunity Fund I, LLC)  
**Sponsors:** THE CHAIR  
**Attachments:** [Application](#)  
[Health Dept](#)  
[Dept of City Development](#)  
[Treasurer's Office - Updated](#)  
[Treasurer's Office](#)  
[Dept of Neighborhood Services](#)  
[Hearing Notice List](#)

3.     [100826](#)     Substitute resolution authorizing the return of real estate located at 7311 W. Sheridan Ave., in the 2nd Aldermanic District to its former owner. (John Serwe)
- Sponsors:     THE CHAIR
- Attachments:   [Application](#)  
                              [Health Dept](#)  
                              [Dept of City Development](#)  
                              [Treasurer's Office - Updated](#)  
                              [Treasurer's Office](#)  
                              [Dept of Neighborhood Services](#)  
                              [Hearing Notice List](#)
4.     [100583](#)     Substitute resolution authorizing the return of real estate located at 2663 N. 6th St., in the 6th Aldermanic District to its former owner. (Leland Lofton)
- Sponsors:     THE CHAIR
- Attachments:   [Application](#)  
                              [Treasurer's Office - Updated 12/3/10](#)  
                              [Treasurer's Office - Updated 11/8/10](#)  
                              [Treasurer's Office - Updated](#)  
                              [Treasurer's Office](#)  
                              [Health Dept](#)  
                              [Dept of Neighborhood Services](#)  
                              [Dept of City Development](#)  
                              [Hearing Notice List](#)
5.     [100803](#)     Substitute resolution authorizing the return of real estate located at 3353 N. 22nd St., in the 6th Aldermanic District to its former owner. (Raphael Clayton)
- Sponsors:     THE CHAIR
- Attachments:   [Application](#)  
                              [Treasurer's Office - Updated](#)  
                              [Treasurer's Office](#)  
                              [Health Dept](#)  
                              [Dept of City Development](#)  
                              [Dept of Neighborhood Services](#)  
                              [Hearing Notice List](#)

6.     [100787](#)     Substitute resolution authorizing the return of real estate located at 8801 W. Portage St., in the 9th Aldermanic District to its former owner. (James B. Nutter & Company)
- Sponsors:     THE CHAIR
- Attachments:   [Application](#)  
                              [Health Dept](#)  
                              [Dept of City Development](#)  
                              [Treasurer's Office - Updated](#)  
                              [Treasurer's Office](#)  
                              [Dept of Neighborhood Services](#)  
                              [Hearing Notice List](#)
7.     [100809](#)     Substitute resolution authorizing the return of real estate located at 2037 N. 33rd St., in the 15th Aldermanic District to its former owner. (Rochelle Wells on behalf of Magen Wells)
- Sponsors:     THE CHAIR
- Attachments:   [Application](#)  
                              [Health Dept](#)  
                              [Dept of City Development](#)  
                              [Treasurer's Office - Updated](#)  
                              [Treasurer's Office](#)  
                              [Dept of Neighborhood Services](#)  
                              [Hearing Notice List](#)
8.     [100815](#)     Substitute resolution authorizing the return of real estate located at 2740 N. 10th St., in the 15th Aldermanic District to its former owner. (Constance Holman)
- Sponsors:     THE CHAIR
- Attachments:   [Application](#)  
                              [Health Dept](#)  
                              [Dept of City Development](#)  
                              [Treasurer's Office - Updated](#)  
                              [Treasurer's Office](#)  
                              [Dept of Neighborhood Services](#)  
                              [Hearing Notice List](#)

1:45 P.M.

9. [100967](#) Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 and 2009 tax rolls, plus interest applicable to date of repayment, if appropriate.  
**Sponsors:** THE CHAIR  
**Attachments:** [Table of Assessment Reductions](#)  
[Claim Forms.pdf](#)  
[Cover Letter](#)  
[Fiscal Note.doc](#)  
[Hearing Notice List](#)
10. [100963](#) Resolution providing for continuance of deferred payment of assessments for worthy indigent resident property owners and appropriating funds for this purpose with the City cost to be \$2,300.22 with a six-year total of the deferred properties being \$13,996.93.  
**Sponsors:** THE CHAIR  
**Attachments:** [Fiscal Impact Statement](#)  
[Hearing Notice List](#)
11. [100962](#) Resolution deferring payments of the special assessments and appropriating funds for this purpose.  
**Sponsors:** THE CHAIR  
**Attachments:** [Fiscal Impact Statement](#)  
[Hearing Notice List](#)
12. [101011](#) Communication from the Comptroller's Office relating to a report relative to the creation of a City website to report potential fraud, waste and abuse within City government.  
**Sponsors:** THE CHAIR  
**Attachments:** [Report](#)  
[Hearing Notice List](#)
13. [100620](#) Communication from the Comptroller's Office relating to the Annual Outstanding Receivables report.  
**Sponsors:** THE CHAIR  
**Attachments:** [Report](#)  
[Hearing Notice List](#)

2:00 P.M.

14. [100919](#) Resolution relating to the claim of Atty. Mark Thomsen on behalf of Vicky and Kenneth Bontempo for personal injuries. (13th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
---\$100,000.00
15. [100941](#) Resolution relating to an appeal from Leonel Ortiz for property damage. (8th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter](#)  
[Appeal](#)  
[Hearing Notice List](#)  
---3,572.37
16. [100901](#) Resolution relating to an appeal from Miguel Sandoval for property damage. (14th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letters](#)  
[Claim](#)  
[Hearing Notice List](#)  
---\$817.90
17. [100906](#) Resolution relating to the claim of Starmonneeka Evans for property damage. (7th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
---\$5,021.10
18. [100924](#) Resolution relating to an appeal from LoRoy Turner for property damage. (15th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter](#)  
[Appeal](#)  
[Hearing Notice List](#)  
---\$581.94

19. [100898](#) Resolution relating to an appeal from Kelly Kincaid for property damage. (2nd Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter](#)  
[Appeal](#)  
[Hearing Notice List](#)  
---\$2,994.41
20. [100998](#) Resolution relating to an appeal from Daniel Sweeney for property damage. (15th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter](#)  
[Appeal](#)  
[Hearing Notice List](#)  
---\$1,638.00
21. [100907](#) Resolution relating to the claim of Karen Schellenger, Agent for AFNI Insurance Services on behalf of American Family Insurance and Sarah Winkler for property damage.  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
---\$5,506.56
22. [100918](#) Resolution relating to the claim of Beth Jensen, Agent for Park Terrace, LLC for property damage. (12th Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
---\$8,278.81
23. [100920](#) Resolution relating to the claim of Linda Charles for property damage. (1st Aldermanic District)  
**Sponsors:** THE CHAIR  
**Attachments:** [City Attorney Letter.doc](#)  
[Claim](#)  
[Hearing Notice List](#)  
---\$5,134.27

24. [100836](#) Resolution relating to the claim of Susan Fink for personal injuries.

**Sponsors:** THE CHAIR

**Attachments:** [City Attorney Letter.doc](#)

[Claim](#)

[Hearing Notice List](#)

---\$7,046.34

2:30 P.M.

25. [100912](#) Resolution expressing the City of Milwaukee's support for development of a high-speed passenger rail network in the Midwest, including an extension of Amtrak's Hiawatha service from Milwaukee to Madison.

**Sponsors:** Ald. Coggs, Ald. Bauman and Ald. Hines Jr.

**Attachments:** [Hearing Notice List](#)

26. [101004](#) Resolution relative to the 2011 City of Milwaukee Federal Legislative Package.

**Sponsors:** THE CHAIR

**Attachments:** [Federal Legislative Agenda](#)

[Hearing Notice List](#)

27. [101005](#) Substitute resolution authorizing alternative executive representation on the League of Wisconsin Municipalities' Urban Alliance.

**Sponsors:** Ald. Witkowski

**Attachments:** [Hearing Notice List](#)

091347

Communication relating to the 2010 activities of the Administrative Review Appeals Board.

Sponsors: THE CHAIR

Attachments: [Minutes of the 12/1 Meeting](#)  
[Recording of the 12/1 Meeting](#)  
[Minutes of the 10/5 Meeting](#)  
[Recording of the 10/5 Meeting](#)  
[Minutes of the 9/20 Meeting](#)  
[Recording of the 9/20 Meeting](#)  
[Minutes of the 7/21 Meeting](#)  
[Recording of the 7/21 Meeting](#)  
[Recording of the 6/8 Meeting](#)  
[Minutes of the 6/8 Meeting](#)  
[Recording of the 4/23 Meeting](#)  
[Minutes of the 4/23 Meeting](#)  
[Recording of the 4/23 Meeting](#)  
[Recording of the 3/30 Meeting Part 2](#)  
[Recording of the 3/30 Meeting Part 1](#)  
[Minutes of the 3/30 Meeting](#)  
[Recording of the 2/26 Meeting](#)  
[Minutes of the 2/26 Meeting](#)  
[Minutes of the 1/29 Meeting](#)  
[Recording of the 1/29 Meeting](#)

*---May be placed on file as no longer needed.*

This meeting will be webcast live at [www.milwaukee.gov/channel25](http://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.

Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code of Ordinances are required to register with the City Clerk's Office License Division. Registered lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at [www.milwaukee.gov/lobby](http://www.milwaukee.gov/lobby).



## Legislation Details (With Text)

---

**File #:** 100991      **Version:** 0

**Type:** Ordinance      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** An ordinance relating to revision of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

**Sponsors:** THE CHAIR

**Indexes:** REVISORS BILL

**Attachments:** Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

100991

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

An ordinance relating to revision of various provisions of the code for purposes of correcting errors, clarifying language and eliminating obsolete provisions.

**Requestor**

**Drafter**

LRB123577-1

TW:lp

11/18/10

**NOTICES SENT TO FOR FILE 100991:**

[illegible]



## Legislation Details (With Text)

**File #:** 100810 **Version:** 1

**Type:** Resolution **Status:** In Committee

**File created:** 11/3/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:** **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 4375 N. 15th St., in the 1st Aldermanic District to its former owner. (Stonecrest Income and Opportunity Fund I, LLC)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Application, Health Dept, Dept of City Development, Treasurer's Office - Updated, Treasurer's Office, Dept of Neighborhood Services, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/3/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/9/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/15/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100810

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 4375 N. 15th St., in the 1st Aldermanic District to its former owner. (Stonecrest Income and Opportunity Fund I, LLC)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 4375 N. 15th St., previously owned by Stonecrest Income and Opportunity Fund I, LLC, has delinquent taxes for 2007-2009 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26100810; and

Whereas, Stonecrest Income and Opportunity Fund I, LLC would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26; and

Whereas, Stonecrest Income and Opportunity Fund I, LLC has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 4375 N. 15th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 10CV005385 known as the 2010-01 In Rem Parcel 186, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

lme

**WAYNE F. WHITTOW**  
City Treasurer



**James L. Hanna**  
Deputy City Treasurer

**James F. Klajbor**  
Special Deputy City Treasurer

**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

October 22, 2010

To: Milwaukee Common Council  
City Hall, Room 205

From:  Wayne F. Whittow  
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 244-9973-000-0  
Address: 4375 N 15TH ST  
Applicant/Requester: STONECREST INCOME AND  
OPPORTUNITY FUND I LLC  
2010-01 Inrem File  
Parcel: 186  
Case: 10CV005385

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 7/26/2010.

WFW/slk

## FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

## APPLICANT INFORMATION:

A. PROPERTY ADDRESS 4375 N. 15<sup>th</sup> Street, Milwaukee, WI 53209  
TAXKEY NUMBER 244-9973-000  
NAME OF APPLICANT Stonecrest Income and Opportunity Fund I, LLC  
MAILING ADDRESS 4300 Stevens Creek #275  
San Jose CA 95129 408-557-0700  
CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES X NO \_\_\_\_\_

If no, describe interest in this property \_\_\_\_\_

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

NONE

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES X NO \_\_\_\_\_

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES \_\_\_\_\_ NO X

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.

APPLICANT'S SIGNATURE [Signature]

DATE 10/18/2010



## Payment Receipt

CT-11

Office of the City Treasurer • City Hall, Room 103  
200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240

Received of: Stoncrest Mortgage

Tax Account No.: 244-9973-0

Property Address: 4375 N 15th St  
Cashier's #1000352201

Cash \$ \_\_\_\_\_ Check \$ 1,370.00

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: \_\_\_\_\_

Current Collection Tax Payment ☐

Duplicate Tax Bill Fee ☐ Other ☒

*Apt to vacate Judgment*

Received by: SK

Date: 10/22/10

Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collection	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00 ✓
	1914 City Attorney Costs	500.00
	Grand Total	<b>1,370.00</b>

Date 10/22/2010

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2010 - 01

Taxkey Number: 244-9973-000 - 0

Property Address: 4375 4375 N 15TH ST

Applicant: STONECREST INCOME AND OPPORTUNITY FUND I,  
LLC

Parcel Number: 186

CaseNumber: 10CV005385

**Stonecrest**  
INCOME AND OPPORTUNITY FUND I, LLC

October 15, 2010

Re: 4375 N 15TH STREET, MILWAUKEE, WI 53209

Parcel: 244-9973-000 - 0

The above listed property has past the tax sale date and we would like to start the process to appeal, and pay the taxes. Enclosed is a cashier's check for \$1370.00 to start the process.

Please contact me at your earliest convenience for the next step.

Thanks,



Shawna Christenberry

408-557-0700 x204

800-557-7720 toll free

408-557-9761 fax

**From:** Binder, Rosemary  
**Sent:** Wednesday, October 27, 2010 4:37 PM  
**To:** Elmer, Linda  
**Subject:** RE: The in-rem deadline approacheth...  
[The lead program has nothing on any of these. Have a great night.](#)

Rose Binder  
Office Assist. III  
City of Milwaukee Health Department  
Ziedler Municipal Building 1st Fl  
841 N Broadway  
Milwaukee, WI 53202  
phone: 414-286-0387  
fax: 414-286-0715  
[WWW.Milwaukee.gov/health](http://WWW.Milwaukee.gov/health)

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

---

**From:** Elmer, Linda  
**Sent:** Wednesday, October 27, 2010 9:05 AM  
**To:** Binder, Rosemary; Koepsel, Sandra; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry  
**Subject:** The in-rem deadline approacheth...

*much like Halloween (and with the same amount of fear on my part!)*



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

Rocky Marcoux  
Commissioner

Martha L. Brown  
Deputy Commissioner

November 3, 2010

Ms. Linda Elmer, Staff Assistant  
Judiciary & Legislation Committee  
Room 205, City Hall  
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 100810  
4375 North 15th Street

The Department of City Development reports that the tax foreclosed property located at 4375 North 15th Street, Tax Key No. 244-9973-000-0, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied. Administrative costs incurred by our Department total \$548.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller  
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service  
M. Crump, City Attorney's Office

December 3, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100810 Reopening and Vacating InRem Judgment  
Tax Key No.: 244-9973-000-0  
Address: 4375 N 15TH ST  
Applicant/Requester: STONECREST INCOME AND OPPORTUNITY  
FUND I LLC  
2010-01 in rem, Parcel: 186  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN DEC</b>	<b>IF PAID IN JAN</b>
2007-2009	\$4,993.88	\$4,993.88
Interest	\$1,098.43	\$1,147.03
Penalty	\$549.21	\$573.51
<b>TOTAL*</b>	<b>\$6,641.52</b>	<b>\$6,714.42</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk

November 8, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100810 Reopening and Vacating InRem Judgment  
Tax Key No.: 244-9973-000-0  
Address: 4375 N 15TH ST  
Applicant/Requester: STONECREST INCOME AND OPPORTUNITY  
FUND I LLC  
2010-01 in rem, Parcel: 186  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN NOV</b>	<b>IF PAID IN DEC</b>
2007-2009	\$4,993.88	\$4,993.88
Interest	\$1,049.85	\$1,098.43
Penalty	\$524.92	\$549.21
<b>TOTAL*</b>	<b>\$6,568.65</b>	<b>\$6,641.52</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk



**Department of Neighborhood Services**  
Inspectional services for health, safety and neighborhood improvement

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

November 4, 2010

Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

Re: File No. 100810  
Address 4375 N 15<sup>th</sup> St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen  
Business Operations Manager

**NOTICES SENT TO FOR FILE 100810:**

[illegible]



## Legislation Details (With Text)

**File #:** 100826      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 11/3/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 7311 W. Sheridan Ave., in the 2nd Aldermanic District to its former owner. (John Serwe)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Application, Health Dept, Dept of City Development, Treasurer's Office - Updated, Treasurer's Office, Dept of Neighborhood Services, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/3/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/9/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/15/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100826

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 7311 W. Sheridan Ave., in the 2nd Aldermanic District to its former owner. (John Serwe)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 7311 W. Sheridan Ave., previously owned by John Serwe, has delinquent taxes for 2005-2009 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26100826; and

Whereas, John Serwe would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26; and

Whereas, John Serwe has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 7311 W. Sheridan Ave., a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 10CV005385 known as the 2010-01 In Rem Parcel 64, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

lme

11/8/10

**WAYNE F. WHITTOW**  
City Treasurer



**James L. Hanna**  
Deputy City Treasurer

**James F. Klajbor**  
Special Deputy City Treasurer

**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

October 26, 2010

To: Milwaukee Common Council  
City Hall, Room 205

From:  Wayne F. Whittow  
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 188-0100-000-9  
Address: 7311 7311 W SHERIDAN AV  
Applicant/Requester: JOHN E SERWE  
2010-01 Inrem File  
Parcel: 64  
Case: 10CV005385

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 7/26/2010.

WFW/ku

# REQUEST FOR VACATION OF IN REM JUDGMENT

## FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

## APPLICANT INFORMATION:

A. PROPERTY ADDRESS 7311 W. Sheridan Ave.

TAXKEY NUMBER 188-0100-9

NAME OF APPLICANT John E. Senuwe

MAILING ADDRESS 7329 W. Tallmadge Place

Milwaukee  
CITY

WI  
STATE

53218  
ZIP CODE

414-453-1122  
TELEPHONE NUMBER

B. FORMER OWNER

YES ☒

NO ☐

If no, describe interest in this property \_\_\_\_\_

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

NONE

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES ☒

NO ☐

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES ☐

NO ☒

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE John E. Senuwe

DATE 10-25-16



## Payment Receipt

CT-11

Office of the City Treasurer • City Hall, Room 103  
200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240

Received of: John E Serwe

Tax Account No.: 188-0100-9

Property Address: 7311 W Sheridan

Cash \$ 1370.00 Check \$ \_\_\_\_\_

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: \_\_\_\_\_

Current Collection Tax Payment ☐ Vacated  
Judgment

Duplicate Tax Bill Fee ☐ Other ☒

Received by: Kerry

Date: 10/25/10

Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collections	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	<b>1,370.00</b>

Date: 10/26/2010

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2010 - 01  
Taxkey Number: 188-0100-000 - 9  
Property Address: 7311 7311 W SHERIDAN AV  
Applicant: JOHN E SERWE

Parcel Number: 64  
CaseNumber: 10CV005385

**From:** Binder, Rosemary  
**Sent:** Monday, November 01, 2010 1:47 PM  
**To:** Elmer, Linda  
**Subject:** RE: Speak of the devil....  
[Nothing on any of these from the lead program.](#)

Rose Binder  
Office Assist. III  
City of Milwaukee Health Department  
Ziedler Municipal Building 1st Fl  
841 N Broadway  
Milwaukee, WI 53202  
phone: 414-286-0387  
fax: 414-286-0715  
[WWW.Milwaukee.gov/health](http://WWW.Milwaukee.gov/health)

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

---

**From:** Elmer, Linda  
**Sent:** Thursday, October 28, 2010 8:43 AM  
**To:** Binder, Rosemary; Koepsel, Sandra; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry  
**Subject:** Speak of the devil....

**WAYNE F. WHITTOW**  
City Treasurer



**James L. Hanna**  
Deputy City Treasurer

**James F. Klajbor**  
Special Deputy City Treasurer

**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

October 26, 2010

To: Milwaukee Common Council  
City Hall, Room 205

From:  Wayne F. Whittow  
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 188-0100-000-9  
Address: 7311 7311 W SHERIDAN AV  
Applicant/Requester: JOHN E SERWE  
2010-01 Inrem File  
Parcel: 64  
Case: 10CV005385

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 7/26/2010.

WFW/ku

# REQUEST FOR VACATION OF IN REM JUDGMENT

## FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

## APPLICANT INFORMATION:

A. PROPERTY ADDRESS 7311 W. Sheridan Ave.

TAXKEY NUMBER 188-0100-9

NAME OF APPLICANT John E. Senuwe

MAILING ADDRESS 7329 W. Tallmadge Place

Milwaukee  
CITY

WI  
STATE

53218  
ZIP CODE

414-453-1122  
TELEPHONE NUMBER

B. FORMER OWNER

YES ☒

NO ☐

If no, describe interest in this property \_\_\_\_\_

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

NONE

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASRUER'S OFFICE? (Documentation must be attached)

YES ☒

NO ☐

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES ☐

NO ☒

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE John E. Senuwe

DATE 10-25-16



## Payment Receipt

CT-11

Office of the City Treasurer • City Hall, Room 103  
200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240

Received of: John E Serwe

Tax Account No.: 188-0100-9

Property Address: 7311 W Sheridan

Cash \$ 1370.00 Check \$ \_\_\_\_\_

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: \_\_\_\_\_

Current Collection Tax Payment ☐ Vacated  
Judgment

Duplicate Tax Bill Fee ☐ Other ☒

Received by: Kerry

Date: 10/25/10

Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collections	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	<b>1,370.00</b>

Date: 10/26/2010

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2010 - 01  
Taxkey Number: 188-0100-000 - 9  
Property Address: 7311 7311 W SHERIDAN AV  
Applicant: JOHN E SERWE

Parcel Number: 64  
CaseNumber: 10CV005385

December 3, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100826 Reopening and Vacating InRem Judgment  
Tax Key No.: 188-0100-000-9  
Address: 7311 W SHERIDAN AV  
Applicant/Requester: JOHN E SERWE  
2010-01 in rem, Parcel: 64  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN DEC</b>	<b>IF PAID IN JAN</b>
2005-2009	\$24,787.81	\$24,787.81
Interest	\$8,653.49	\$8,891.51
Penalty	\$4,326.74	\$4,445.77
<b>TOTAL*</b>	<b>\$37,768.04</b>	<b>\$38,125.09</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk

November 8, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100826 Reopening and Vacating InRem Judgment  
Tax Key No.: 188-0100-000-9  
Address: 7311 W SHERIDAN AV  
Applicant/Requester: JOHN E SERWE  
2010-01 in rem, Parcel: 64  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN NOV</b>	<b>IF PAID IN DEC</b>
2005-2009	\$24,787.81	\$24,787.81
Interest	\$8,415.46	\$8,653.49
Penalty	\$4,207.73	\$4,326.74
<b>TOTAL*</b>	<b>\$37,411.00</b>	<b>\$37,768.04</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk



**Department of Neighborhood Services**  
Inspectional services for health, safety and neighborhood improvement

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

November 11, 2010

Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

Re: File No. 100826  
Address 7311 W Sheridan Av

Dear Alderman Hamilton:


The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services recommends that this property not be returned to the former owner.

This property has a substantial history of violations of the building and zoning codes. Since the year 2000, we have received 11 verified complaints and have issued 18 orders for numerous violations related to the building's exterior, the garage, defective sewer system, defective heating system, litter nuisance, nuisance vehicles, boardup, unsanitary conditions, storage of combustible waste materials and illegal outdoor storage. In May of this year the building was declared unfit for human habitation.

The former owner has shown a lack of cooperation in complying with our orders, as we have prosecuted 4 orders in Municipal Court, have boarded the building 3 times, and have assessed special charges of almost \$19,000.00.

For the reasons stated above, the Department of Neighborhood Services does not believe it is in the best interest of the City to return this property to the former owner.

Sincerely,

  
Lynne Steffen  
Business Operations Manager

**NOTICES SENT TO FOR FILE 100826:**

[illegible]



## Legislation Details (With Text)

<b>File #:</b>	100583	<b>Version:</b>	1
<b>Type:</b>	Resolution	<b>Status:</b>	In Committee
<b>File created:</b>	9/21/2010	<b>In control:</b>	JUDICIARY & LEGISLATION COMMITTEE
<b>On agenda:</b>		<b>Final action:</b>	
<b>Effective date:</b>			
<b>Title:</b>	Substitute resolution authorizing the return of real estate located at 2663 N. 6th St., in the 6th Aldermanic District to its former owner. (Leland Lofton)		
<b>Sponsors:</b>	THE CHAIR		
<b>Indexes:</b>	IN REM JUDGMENTS		
<b>Attachments:</b>	Application, Treasurer's Office - Updated 12/3/10, Treasurer's Office - Updated 11/8/10, Treasurer's Office - Updated, Treasurer's Office, Health Dept, Dept of Neighborhood Services, Dept of City Development, Hearing Notice List		

Date	Ver.	Action By	Action	Result	Tally
9/21/2010	0	COMMON COUNCIL	ASSIGNED TO		
9/23/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/23/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/23/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/4/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

100583

**Version**

SUBSTITUTE 1

**Sponsor**

THE CHAIR

**Title**

Substitute resolution authorizing the return of real estate located at 2663 N. 6th St., in the 6th Aldermanic District to its former owner. (Leland Lofton)

**Analysis**

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

**Body**

Whereas, The property located at 2663 N. 6th St., previously owned by Leland Lofton, has delinquent taxes for 2007-2009 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26; and

Whereas, Leland Lofton would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26; and

Whereas, Leland Lofton has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2663 N. 6th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 10CV005385 known as the 2010-01 In Rem Parcel 601, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

**Drafter**

CC CC

lme

9/22/10

**WAYNE F. WHITTOW**  
City Treasurer



**James L. Hanna**  
Deputy City Treasurer

**James F. Klajbor**  
Special Deputy City Treasurer

**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

September 9, 2010

To: Milwaukee Common Council  
City Hall, Room 205

From:  Wayne F. Whittow  
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 323-0412-000-1  
Address: 2663 2663 N 6TH ST  
Applicant/Requester: LELAND LOFTON  
2010-01 Inrem File  
Parcel: 601  
Case: 10CV005385

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 7/26/2010.

WFW/ku

# REQUEST FOR VACATION OF IN REM JUDGMENT

## FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

## APPLICANT INFORMATION:

A. PROPERTY ADDRESS 2663 N. 6th  
TAXKEY NUMBER 32304121  
NAME OF APPLICANT Lofton, Leland  
MAILING ADDRESS 2663 N. 6th St.  
mil wi 53212 698-9870  
CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES ☒ NO ☐

If no, describe interest in this property \_\_\_\_\_

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

no

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES ☒ NO ☐

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES ☐ NO ☒

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE Leland Lofton DATE 9-7-2010



## Payment Receipt

CT-11

Office of the City Treasurer • City Hall, Room 103  
200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240

Received of: Leland Lofton

Tax Account No.: 323-0412-1

Property Address: 2463 N 6<sup>th</sup>

Cash \$ 1370.00 Check \$ \_\_\_\_\_

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: \_\_\_\_\_

Current Collection Tax Payment ☐ Vacated  
Judgment

Duplicate Tax Bill Fee ☐ Other ☒

Received by: King

Date: 9/7/10

Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collections	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	<b>1,370.00</b>

Date: 9/9/2010

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2010 - 01  
Taxkey Number: 323-0412-000 - 1  
Property Address: 2663 2663 N 6TH ST  
Applicant: LELAND LOFTON  
  
Parcel Number: 601  
CaseNumber: 10CV005385

December 2, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100583 Reopening and Vacating InRem Judgment  
Tax Key No.: 323-0412-000-1  
Address: 2663 N 6TH ST  
Applicant/Requester: LELAND LOFTON  
2010-01 in rem, Parcel: 601  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN DEC</b>	<b>IF PAID IN JAN</b>
2007-2009	\$4,333.98	\$4,333.98
Interest	\$810.96	\$852.95
Penalty	\$405.48	\$426.48
<b>TOTAL*</b>	<b>\$5,550.42</b>	<b>\$5,613.41</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk

October 18, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100583 Reopening and Vacating InRem Judgment  
Tax Key No.: 323-0412-000-1  
Address: 2663 N 6TH ST  
Applicant/Requester: LELAND LOFTON  
2010-01 in rem, Parcel: 601  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN NOV</b>	<b>IF PAID IN DEC</b>
2007-2009	\$4,333.98	\$4,333.98
Interest	\$768.97	\$810.96
Penalty	\$384.49	\$405.48
<b>TOTAL*</b>	<b>\$5,487.44</b>	<b>\$5,550.42</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk

October 18, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100583 Reopening and Vacating InRem Judgment  
Tax Key No.: 323-0412-000-1  
Address: 2663 N 6TH ST  
Applicant/Requester: LELAND LOFTON  
2010-01 in rem, Parcel: 601  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN NOV</b>	<b>IF PAID IN DEC</b>
2007-2009	\$4,333.98	\$4,333.98
Interest	\$768.97	\$810.96
Penalty	\$384.49	\$405.48
<b>TOTAL*</b>	<b>\$5,487.44</b>	<b>\$5,550.42</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk

September 23, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100583 Reopening and Vacating InRem Judgment  
Tax Key No.: 323-0412-000-1  
Address: 2663 N 6TH ST  
Applicant/Requester: LELAND LOFTON  
2010-01 in rem, Parcel: 601  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN OCT</b>	<b>IF PAID IN NOV</b>
2007-2009	\$4,333.98	\$4,333.98
Interest	\$726.98	\$768.97
Penalty	\$363.49	\$384.49
<b>TOTAL*</b>	<b>\$5,424.45</b>	<b>\$5,487.44</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk

**From:** Binder, Rosemary  
**Sent:** Wednesday, September 15, 2010 11:32 AM  
**To:** Elmer, Linda; Koepsel, Sandra; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry  
**Subject:** RE: In-rem files -- part 2  
[The lead program has nothing open on any of these 5 addresses.](#)

Rose Binder  
Office Assist. III  
City of Milwaukee Health Department  
Ziedler Municipal Building 1st Fl  
841 N Broadway  
Milwaukee, WI 53202  
phone: 414-286-0387  
fax: 414-286-0715  
[WWW.Milwaukee.gov/health](http://WWW.Milwaukee.gov/health)

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

---

**From:** Elmer, Linda  
**Sent:** Tuesday, September 14, 2010 10:11 AM  
**To:** Binder, Rosemary; Koepsel, Sandra; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry  
**Subject:** In-rem files -- part 2



**Department of Neighborhood Services**  
Inspectional services for health, safety and neighborhood improvement

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

September 17, 2010

Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

Re: File No. 100583  
Address 2663 N 6<sup>th</sup> St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services does not object to the return of this property provided the applicant pays \$841.56 in Razing charges.

Sincerely,

Lynne Steffen  
Business Operations Manager



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

September 29, 2010

Ms. Linda Elmer, Staff Assistant  
Judiciary & Legislation Committee  
Room 205, City Hall  
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 100583  
2663 North 6th Street

The Department of City Development reports that the tax foreclosed property located at 2663 North 6th Street, Tax Key No. 323-0412-000-1, is not suitable for use by a public agency or community based organization. The property is located in the Brooks Targeted Investment Neighborhood. Returning the house for owner occupancy is consistent with TIN goals.

This residential structure is occupied. Administrative costs incurred by our Department total \$450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller  
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service  
M. Crump, City Attorney's Office

**NOTICES SENT TO FOR FILE 100583:**

[illegible]



## Legislation Details (With Text)

**File #:** 100803      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 11/3/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 3353 N. 22nd St., in the 6th Aldermanic District to its former owner. (Raphael Clayton)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Application, Treasurer's Office - Updated, Treasurer's Office, Health Dept, Dept of City Development, Dept of Neighborhood Services, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/3/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/9/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/15/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

100803

**Version**

SUBSTITUTE 1

**Sponsor**

THE CHAIR

**Title**

Substitute resolution authorizing the return of real estate located at 3353 N. 22nd St., in the 6th Aldermanic District to its former owner. (Raphael Clayton)

**Analysis**

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

**Body**

Whereas, The property located at 3353 N. 22nd St., previously owned by Raphael Clayton, has delinquent taxes for 2007-2009 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26100803; and

Whereas, Raphael Clayton would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26; and

Whereas, Raphael Clayton has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 3353 N. 22nd St., a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 10CV005385 known as the 2010-01 In Rem Parcel 348, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

**Drafter**

CC CC

lme

11/8/10

Technical correction made 11/15/10

**WAYNE F. WHITTOW**  
City Treasurer



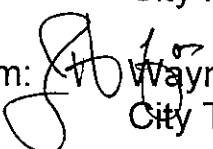
**James L. Hanna**  
Deputy City Treasurer

**James F. Klajbor**  
Special Deputy City Treasurer

**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

October 21, 2010

To: Milwaukee Common Council  
City Hall, Room 205

From:  Wayne F. Whittow  
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 285-0458-000-X  
Address: 3353 3353 N 22ND ST  
Applicant/Requester: RAPHAEL CLAYTON  
2010-01 Inrem File  
Parcel: 348  
Case: 10CV005385

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 7/26/2010.

WFW/ku

# REQUEST FOR VACATION OF IN REM JUDGMENT

Due 10-25-10

## FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

## A. APPLICANT INFORMATION:

A. PROPERTY ADDRESS 3353 N. 22nd St  
 TAXKEY NUMBER 2850458000  
 NAME OF APPLICANT Raphael Clayton  
 MAILING ADDRESS 4051 N. 88th St  
Milwaukee WI 53222 414-530-2009  
 CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES X NO \_\_\_\_\_

If no, describe interest in this property \_\_\_\_\_

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

N/A

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES X NO \_\_\_\_\_

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES X NO \_\_\_\_\_

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.

APPLICANT'S SIGNATURE Raphael Clayton DATE 10/19/10



## Payment Receipt

CT-11

Office of the City Treasurer • City Hall, Room 103  
200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240

Received of: Raphael Clayton

Tax Account No.: 285-0458-V

Property Address: 3353 W 22nd

Cash \$ \_\_\_\_\_ Check \$ 1370.00

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: \_\_\_\_\_

Current Collection Tax Payment ☐ Vacated  
Judgment

Duplicate Tax Bill Fee ☐ Other ☒

Received by: Kerry

Date: 10/21/10

Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collections	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	<b>1,370.00</b>

Date: 10/21/2010

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2010 - 01  
Taxkey Number: 285-0458-000 - X  
Property Address: 3353 3353 N 22ND ST  
Applicant: RAPHAEL CLAYTON

Parcel Number: 348  
CaseNumber: 10CV005385

December 3, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100803 Reopening and Vacating InRem Judgment  
Tax Key No.: 285-0458-000-X  
Address: 3353 N 22ND ST  
Applicant/Requester: RAPHAEL CLAYTON  
2010-01 in rem, Parcel: 348  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN DEC</b>	<b>IF PAID IN JAN</b>
2007-2009	\$17,555.87	\$17,555.87
Interest	\$3,935.23	\$4,109.44
Penalty	\$1,967.62	\$2,054.72
<b>TOTAL*</b>	<b>\$23,458.72</b>	<b>\$23,720.03</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk

November 4, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100803 Reopening and Vacating InRem Judgment  
Tax Key No.: 285-0458-000-X  
Address: 3353 N 22ND ST  
Applicant/Requester: RAPHAEL CLAYTON  
2010-01 in rem, Parcel: 348  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN NOV</b>	<b>IF PAID IN DEC</b>
2007-2009	\$17,555.87	\$17,555.87
Interest	\$3,761.02	\$3,935.23
Penalty	\$1,880.52	\$1,967.62
<b>TOTAL*</b>	<b>\$23,197.41</b>	<b>\$23,458.72</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk

**From:** Binder, Rosemary  
**Sent:** Wednesday, October 27, 2010 1:39 PM  
**To:** Elmer, Linda; Koepsel, Sandra; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry  
**Subject:** RE: Yeap, they just keep a'comin!  
[Nothing open with the lead program on any of these](#)

Rose Binder  
Office Assist. III  
City of Milwaukee Health Department  
Ziedler Municipal Building 1st Fl  
841 N Broadway  
Milwaukee, WI 53202  
phone: 414-286-0387  
fax: 414-286-0715  
[WWW.Milwaukee.gov/health](http://WWW.Milwaukee.gov/health)

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

---

**From:** Elmer, Linda  
**Sent:** Monday, October 25, 2010 11:43 AM  
**To:** Binder, Rosemary; Koepsel, Sandra; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry  
**Subject:** Yeap, they just keep a'comin!



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

November 3, 2010

Ms. Linda Elmer, Staff Assistant  
Judiciary & Legislation Committee  
Room 205, City Hall  
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 100803  
3353 North 22nd Street

The Department of City Development reports that the tax foreclosed property located at 3353 North 22nd Street, Tax Key No. 285-0458-000-X, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied. Administrative costs incurred by our Department total \$450.00.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller  
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service  
M. Crump, City Attorney's Office



**Department of Neighborhood Services**  
Inspectional services for health, safety and neighborhood improvement

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

November 4, 2010

Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

Re: File No. 100803  
Address 3353 N 22<sup>nd</sup> St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department has no objection to the return of the property, provided the applicant pays \$3,500.00 for pending Reinspection Fees. If the Common Council approves the return of the property, a Property Recording application will need to be filed at that time.

Sincerely,

Lynne Steffen  
Business Operations Manager

**NOTICES SENT TO FOR FILE 100803:**

[illegible]



## Legislation Details (With Text)

**File #:** 100787 **Version:** 1

**Type:** Resolution **Status:** In Committee

**File created:** 11/3/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:** **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 8801 W. Portage St., in the 9th Aldermanic District to its former owner. (James B. Nutter & Company)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Application, Health Dept, Dept of City Development, Treasurer's Office - Updated, Treasurer's Office, Dept of Neighborhood Services, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/3/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/9/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/15/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100787

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 8801 W. Portage St., in the 9th Aldermanic District to its former owner. (James B. Nutter & Company)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 8801 W. Portage St., previously owned by James B. Nutter & Company, has delinquent taxes for 2007-2009 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26100787; and

Whereas, James B. Nutter & Company would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26; and

Whereas, James B. Nutter & Company has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 8801 W. Portage St., a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 10CV005385 known as the 2010-01 In Rem Parcel 22, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

lme

11/8/10

**WAYNE F. WHITTOW**  
City Treasurer




**James L. Hanna**  
Deputy City Treasurer

**James F. Klajbor**  
Special Deputy City Treasurer

**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

October 13, 2010

To: Milwaukee Common Council  
City Hall, Room 205

From:  Wayne F. Whittow  
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 108-0249-000-9  
Address: 8801 8801 W PORTAGE ST  
Applicant/Requester: JAMES B NUTTER & CO.  
2010-01 Inrem File  
Parcel: 22  
Case: 10CV005385

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 7/26/2010.

WFW/ku

# REQUEST FOR VACATION OF IN REM JUDGMENT

## FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

## APPLICANT INFORMATION:

☒ PROPERTY ADDRESS 8801 W. Portage St.  
TAXKEY NUMBER 108-0249-9  
NAME OF APPLICANT James B. Nutter & Company Mortgage Bankers  
MAILING ADDRESS 4153 Broadway Kansas City MO 64111

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_ TELEPHONE NUMBER \_\_\_\_\_

☒ FORMER OWNER YES \_\_\_\_\_ NO X

If no, describe interest in this property James B. Nutter and Company is the mortgage company.

☒ LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

None

(Use reverse side, if additional space is needed)

☒ HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES X NO \_\_\_\_\_

Cashier's check Attached

☒ DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES \_\_\_\_\_ NO X

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.

APPLICANT'S SIGNATURE

Valerie Reace

DATE

10/11/10

James B. Nutter & Company Attn: Suzette  
4153 Broadway - Kansas City, MO 64111



## Payment Receipt

CT-11

Office of the City Treasurer • City Hall, Room 103  
200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240

Received of: James B Mutter & Co.

Tax Account No.: 108-0249-9

Property Address: 8801 W Portage

Cash \$ \_\_\_\_\_ Check \$ 1370.00

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: \_\_\_\_\_

Current Collection Tax Payment ☐ Vacated Judgment

Duplicate Tax Bill Fee ☐ Other ☒

Received by: Ken

Date: 10/13/10

Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collections	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	<b>1,370.00</b>

Date: 10/13/2010

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2010 - 01  
Taxkey Number: 108-0249-000 - 9  
Property Address: 8801 8801 W PORTAGE ST  
Applicant: JAMES B NUTTER & CO

Parcel Number: 22  
CaseNumber: 10CV005385

## Elmer, Linda

---

**From:** Binder, Rosemary  
**Sent:** Tuesday, October 19, 2010 1:55 PM  
**To:** Elmer, Linda; Koepsel, Sandra; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry  
**Subject:** RE: All good things come in threes...

These 3 addresses have no open orders to deal with so carry on my good friend!

Rose Binder  
Office Assist. III  
City of Milwaukee Health Department  
Ziedler Municipal Building 1st Fl  
841 N Broadway  
Milwaukee, WI 53202  
phone: 414-286-0387  
fax: 414-286-0715  
[WWW.Milwaukee.gov/health](http://WWW.Milwaukee.gov/health)

Notice: This e-mail and any attachments may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you receive this e-mail in error, please notify the sender, delete the e-mail, and do not use, disclose or store the information it contains.

---

**From:** Elmer, Linda  
**Sent:** Monday, October 18, 2010 4:42 PM  
**To:** Binder, Rosemary; Koepsel, Sandra; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry  
**Subject:** All good things come in threes..

*or at least that's what my mother-of-three always said!  
Three more bouncing, baby in-rem's for Nov. 15th*



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

November 2, 2010

Ms. Linda Elmer, Staff Assistant  
Judiciary & Legislation Committee  
Room 205, City Hall  
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 100787  
8801 West Portage Street

The Department of City Development reports that the tax foreclosed property located at 8801 West Portage Street, Tax Key No. 108-0249-000-9, is not suitable for use by a public agency or community based organization. Although the property is in the Northwest side planning area, the property is not needed for implementation of the plan.

This residential structure is occupied. Administrative costs incurred by our Department total \$668.41.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller  
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service  
M. Crump, City Attorney's Office

December 3, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100787 Reopening and Vacating InRem Judgment  
Tax Key No.: 108-0249-000-9  
Address: 8801 W PORTAGE ST  
Applicant/Requester: JAMES B NUTTER & CO  
2010-01 in rem, Parcel: 22  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN DEC</b>	<b>IF PAID IN JAN</b>
2007-2009	\$10,722.28	\$10,722.28
Interest	\$2,449.48	\$2,555.34
Penalty	\$1,224.74	\$1,277.67
<b>TOTAL*</b>	<b>\$14,396.50</b>	<b>\$14,555.29</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk

November 8, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100787 Reopening and Vacating InRem Judgment  
Tax Key No.: 108-0249-000-9  
Address: 8801 W PORTAGE ST  
Applicant/Requester: JAMES B NUTTER & CO  
2010-01 in rem, Parcel: 22  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN NOV</b>	<b>IF PAID IN DEC</b>
2007-2009	\$10,722.28	\$10,722.28
Interest	\$2,343.61	\$2,449.48
Penalty	\$1,171.81	\$1,224.74
<b>TOTAL*</b>	<b>\$14,237.70</b>	<b>\$14,396.50</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk



**Department of Neighborhood Services**  
Inspectional services for health, safety and neighborhood improvement

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

November 4, 2010

Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

Re: File No.        100787  
      Address        8801 W Portage St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department of Neighborhood Services has no outstanding orders or charges and does not object to the request.

Sincerely,

Lynne Steffen  
Business Operations Manager

**NOTICES SENT TO FOR FILE 100787:**

[illegible]



## Legislation Details (With Text)

**File #:** 100809 **Version:** 1

**Type:** Resolution **Status:** In Committee

**File created:** 11/3/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:** **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 2037 N. 33rd St., in the 15th Aldermanic District to its former owner. (Rochelle Wells on behalf of Magen Wells)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Application, Health Dept, Dept of City Development, Treasurer's Office - Updated, Treasurer's Office, Dept of Neighborhood Services, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/3/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/9/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/15/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100809

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 2037 N. 33rd St., in the 15th Aldermanic District to its former owner. (Rochelle Wells on behalf of Magen Wells)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 2037 N. 33rd St., previously owned by Rochelle Wells on behalf of Magen Wells, has delinquent taxes for 2007-2009 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26100809; and

Whereas, Rochelle Wells on behalf of Magen Wells would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26; and

Whereas, Rochelle Wells on behalf of Magen Wells has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2037 N. 33rd St., a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 10CV005385 known as the 2010-01 In Rem Parcel 719, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

lme

11/8/10

**WAYNE F. WHITTOW**  
City Treasurer



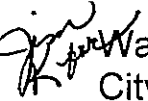
**James L. Hanna**  
Deputy City Treasurer

**James F. Klajbor**  
Special Deputy City Treasurer

**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

October 25, 2010

To: Milwaukee Common Council  
City Hall, Room 205

From:  Wayne F. Whittow  
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 349-0355-100-5  
Address: 2037 2037 N 33RD ST  
Applicant/Requester: MAGEN WELLS,  
C/O ROCHELLE WELLS, POA  
2010-01 Inrem File  
Parcel: 719  
Case: 10CV005385

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 7/26/2010.

WFW/ku

# REQUEST FOR VACATION OF IN REM JUDGMENT

## FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

## APPLICANT INFORMATION:

A. PROPERTY ADDRESS 2037 N. 33rd St.  
TAXKEY NUMBER 349-0355-100-5  
NAME OF APPLICANT Magen Wells / Rochelle Wells POA  
MAILING ADDRESS 2619 N 29th St 53216  
414873-1108  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_ TELEPHONE NUMBER \_\_\_\_\_

B. FORMER OWNER YES X NO \_\_\_\_\_

If no, describe interest in this property \_\_\_\_\_

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

NONE

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES X NO \_\_\_\_\_

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES \_\_\_\_\_ NO X

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE Rochelle Wells DATE 10-22-2010



## Payment Receipt

CT-11

Office of the City Treasurer • City Hall, Room 103  
200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240

Received of: Magen Wells / Rochelle Wells  
POA

Tax Account No.: 349-0355-100-5

Property Address: 2037 W 33rd St

Cash \$ \_\_\_\_\_ Check \$ 1370.00

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: \_\_\_\_\_

Current Collection Tax Payment ☐ Vocated Judgment

Duplicate Tax Bill Fee ☐ Other ☒

Received by: [Signature]

Date: 10/25/10

Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collections	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	<b>1,370.00</b>

Date: 10/25/2010

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2010 - 01  
Taxkey Number: 349-0355-100 - 5  
Property Address: 2037 2037 N 33RD ST  
Applicant: MAGEN WELLS  
C/O ROCHELLE WELLS, POA  
  
Parcel Number: 719  
CaseNumber: 10CV005385



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

**Rocky Marcoux**  
Commissioner

**Martha L. Brown**  
Deputy Commissioner

November 1, 2010

Ms. Linda Elmer, Staff Assistant  
Judiciary & Legislation Committee  
Room 205, City Hall  
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 100809  
2037 North 33rd Street

The Department of City Development reports that the tax foreclosed property located at 2037 North 33rd Street, Tax Key No. 349-0355-100-5, is not suitable for use by a public agency or community based organization. Although the property is in the 30<sup>th</sup> Street Corridor, the house is not needed for implantation of the plan.

This residential structure is vacant. Administrative costs incurred by our Department total \$667.11.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller  
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service  
M. Crump, City Attorney's Office

December 3, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100809 Reopening and Vacating InRem Judgment  
Tax Key No.: 349-0355-100-5  
Address: 2037 N 33RD ST  
Applicant/Requester: MAGEN WELLS  
C/O ROCHELLE WELLS, POA  
2010-01 in rem, Parcel: 719  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN DEC</b>	<b>IF PAID IN JAN</b>
2007-2009	\$7,626.59	\$7,626.59
Interest	\$1,668.76	\$1,743.67
Penalty	\$834.38	\$871.85
<b>TOTAL*</b>	<b>\$10,129.73</b>	<b>\$10,242.11</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk

November 8, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100809 Reopening and Vacating InRem Judgment  
Tax Key No.: 349-0355-100-5  
Address: 2037 N 33RD ST  
Applicant/Requester: MAGEN WELLS  
C/O ROCHELLE WELLS, POA  
2010-01 in rem, Parcel: 719  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN NOV</b>	<b>IF PAID IN DEC</b>
2007-2009	\$7,626.59	\$7,626.59
Interest	1,593.84	\$1,668.76
Penalty	\$796.93	\$834.38
<b>TOTAL*</b>	<b>\$10,017.36</b>	<b>\$10,129.73</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk



Department of Neighborhood Services  
Inspectional services for health, safety and neighborhood improvement

Art Dahlberg  
Commissioner

Thomas G. Mishefske  
Operations Manager

November 4, 2010

Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

Re: File No. 100809  
Address 2037 N 33<sup>rd</sup> St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department has no objection to the return of the property, provided the applicant pays \$675.00 for pending Recording Enforcement Fees. If the Common Council approves the return of the property, a Property Recording application will need to be filed at that time.

Sincerely,

Lynne Steffen  
Business Operations Manager

**NOTICES SENT TO FOR FILE 100809:**

[illegible]



## Legislation Details (With Text)

**File #:** 100815      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 11/3/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing the return of real estate located at 2740 N. 10th St., in the 15th Aldermanic District to its former owner. (Constance Holman)

**Sponsors:** THE CHAIR

**Indexes:** IN REM JUDGMENTS

**Attachments:** Application, Health Dept, Dept of City Development, Treasurer's Office - Updated, Treasurer's Office, Dept of Neighborhood Services, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/3/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/9/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/15/2010	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
11/23/2010	1	COMMON COUNCIL	REFERRED TO	Pass	15:0
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100815

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 2740 N. 10th St., in the 15th Aldermanic District to its former owner. (Constance Holman)

Analysis

Permits return of property owned by the City under conditions imposed by s. 304-50, Milw. Code of Ordinances

Body

Whereas, The property located at 2740 N. 10th St., previously owned by Constance Holman, has delinquent taxes for 2008-2009 and was foreclosed upon pursuant to Sec. 75.521, Wis. Stats., and a fee simple absolute was obtained in favor of the City of Milwaukee dated July 26100815; and

Whereas, Constance Holman would like to reclaim said property by paying all City and County real estate taxes, plus accrued interest and penalties to date of payment, and all costs as sustained by the City in the foreclosing and management of said property since July 26; and

Whereas, Constance Holman has agreed to pay all related city charges up until the point that the property is returned, as well as all charges and conditions which are detailed in the letters submitted by the Department of Neighborhood Services, Department of City Development, the Health Department and the Treasurer's Office, as though set forth in this resolution; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that in order to return the property at 2740 N. 10th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within thirty (30) calendar days of the adoption of this resolution; and, be it

Further Resolved, That the City Attorney is then authorized to enter into a stipulation with the former owner to reopen and vacate the City's judgment in Milwaukee County Circuit Court Case No. 10CV005385 known as the 2010-01 In Rem Parcel 509, securing the court's order and recording said order with the Milwaukee County Register of Deeds; and, be it

Further Resolved, That if the above delinquent taxes, interest, and penalties are not paid within thirty (30) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

lme

11/8/10

**WAYNE F. WHITTOW**  
City Treasurer



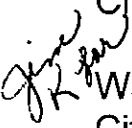
**James L. Hanna**  
Deputy City Treasurer

**James F. Klajbor**  
Special Deputy City Treasurer

**OFFICE OF THE CITY TREASURER**  
Milwaukee, Wisconsin

October 25, 2010

To: Milwaukee Common Council  
City Hall, Room 205

From:  Wayne F. Whittow  
City Treasurer

Re: Request for Vacation of Inrem Judgment  
Tax Key No.: 312-1209-000-2  
Address: 2740 2740 N 10TH ST  
Applicant/Requester: CONSTANCE HOLMAN  
2010-01 Inrem File  
Parcel: 509  
Case: 10CV005385

Attached is a completed application for Vacation of Inrem Judgment and documentation of payment of costs.

The City of Milwaukee acquired this property on 7/26/2010.

WFW/ku

## REQUEST FOR VACATION OF IN REM JUDGMENT

### FOLLOW THE INSTRUCTIONS LISTED BELOW:

1. Type or print firmly with ball point pen.
2. Use separate form for each property.
3. Check the copy of the attached ordinance for guidelines and eligibility. No written request to proceed under the ordinance may be submitted for consideration to the Common Council where more than 90 days has elapsed from the date of entry of the in rem judgment to the date of receipt of the request by the City Clerk.
4. **Administrative costs totaling \$1,370.00, must be paid by Cashiers Check or cash to the City Treasurer's Office prior to acceptance of this application.**
5. Complete boxes a, b c, d, and e.
6. Forward completed application to City Treasurer, 200 East Wells Street, Room 103, Milwaukee, WI 53202

### APPLICANT INFORMATION:

A. PROPERTY ADDRESS 2740 N. 10TH ST  
TAXKEY NUMBER 312-1209-2  
NAME OF APPLICANT Constance Holman  
MAILING ADDRESS 2740 N 10th  
Milwaukee WI 53206 414-265-5254  
CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES K NO \_\_\_\_\_

If no, describe interest in this property \_\_\_\_\_

C. LIST ALL OTHER REAL PROPERTY IN THE CITY OF MILWAUKEE THAT THE FORMER OWNER HAS AN OWNERSHIP INTEREST IN (If not applicable, write NONE).

N/A

(Use reverse side, if additional space is needed)

D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE? (Documentation must be attached)

YES X NO \_\_\_\_\_

E. DEPT OF NEIGHBORHOOD SERVICES FILING:

Have applications to record the subject property and any other unrecorded properties in which the former owner has an ownership interest been filed with the Department of Neighborhood Services per s. 200-51.5.

YES X NO \_\_\_\_\_

Applicant warrants and represents that all of the information provided herein is true and correct and agrees that if title to the property is restored to the former owner, applicant will indemnify and hold City harmless from and against any cost or expense which may be asserted against City as a result of its being in the chain of title to the property. **All charges incurred such as Water usage, city services, etc. while the City held title to the property are the responsibility of the applicant if request to vacate is approved. Applicant understands that if this request is withdrawn or denied the City shall retain all of the administrative costs applicant paid.**

APPLICANT'S SIGNATURE Constance Holman DATE 10/22/2010



## Payment Receipt

CT-11

Office of the City Treasurer • City Hall, Room 103  
200 East Wells Street • Milwaukee, Wisconsin 53202  
Telephone: (414) 286-2240

Received of: Constance Holmer

Tax Account No.: 312-1209-2

Property Address: 2740 N 10<sup>th</sup> St

Cash \$ \_\_\_\_\_ Check \$ 1370.00

Installment Payment ☐ Bond Payment ☐

Delinquent Tax Payment ☐ Year: \_\_\_\_\_

Current Collection Tax Payment ☐ Vested Judgment

Duplicate Tax Bill Fee ☐ Other ☒

Received by: Kenny

Date: 10/25/18

Office of the City Treasurer - Milwaukee, Wisconsin  
Administration Division  
Cash Deposit of Delinquent Tax Collection

<u>Cashier Category</u>	<u>Cashier Payclass</u>	<u>Dollar Amount</u>
1910	Delinquent Tax Collections	
	1911 City Treasurer Costs	220.00
	1912 DCD Costs	450.00
	1913 City Clerk Costs	200.00
	1914 City Attorney Costs	500.00
	Grand Total	<b>1,370.00</b>

Date: 10/25/2010

**Comments for Treasurer's Use Only**

Administrative Costs - Request for Vacation of Judgment

File Number: 2010 - 01  
Taxkey Number: 312-1209-000 - 2  
Property Address: 2740 2740 N 10TH ST  
Applicant: CONSTANCE HOLMAN

Parcel Number: 509  
CaseNumber: 10CV005385



Department of City Development

City Plan Commission  
Historic Preservation Commission  
Neighborhood Improvement  
Development Corporation  
Redevelopment Authority

Rocky Marcoux  
Commissioner

Martha L. Brown  
Deputy Commissioner

November 3, 2010

Ms. Linda Elmer, Staff Assistant  
Judiciary & Legislation Committee  
Room 205, City Hall  
City of Milwaukee

Dear Ms. Elmer:

Re: File Number 100815  
2740 North 10th Street

The Department of City Development reports that the tax foreclosed property located at 2740 North 10th Street, Tax Key No. 312-1209-000-2, is not suitable for use by a public agency or community based organization. Also, said property is not located in an existing or planned project area.

This residential structure is occupied. Administrative costs incurred by our Department total \$619.29.

If you have any questions, feel free to contact Ms. Karen Taylor at Extension 5738.

Sincerely,

Elaine M. Miller  
Manager, Real Estate Services

c: K. Urban, City Treasurer/Customer Service  
M. Crump, City Attorney's Office

December 3, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100815 Reopening and Vacating InRem Judgment  
Tax Key No.: 312-1209-000-2  
Address: 2740 N 10TH ST  
Applicant/Requester: CONSTANCE HOLMAN  
2010-01 in rem, Parcel: 509  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN DEC</b>	<b>IF PAID IN JAN</b>
2008-2009	\$9,593.50	\$9,593.50
Interest	\$1,516.62	\$1,612.54
Penalty	\$758.30	\$806.27
<b>TOTAL*</b>	<b>\$11,868.42</b>	<b>\$12,012.31</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk

November 8, 2010

To: Milwaukee Common Council  
Room 205, City Hall

From: Wayne F. Whittow, City Treasurer  
Office of the City Treasurer

Re: 100815 Reopening and Vacating InRem Judgment  
Tax Key No.: 312-1209-000-2  
Address: 2740 N 10TH ST  
Applicant/Requester: CONSTANCE HOLMAN  
2010-01 in rem, Parcel: 509  
Case: 10CV005385, Acquired: 7/26/2010

---

Listed below are the outstanding taxes on the above parcel. Since interest and penalties accrue monthly, figures are listed for two months. The administrative costs in the amount of \$1,370.00 have been paid.

<b>TAX YEARS</b>	<b>IF PAID IN NOV</b>	<b>IF PAID IN DEC</b>
2008-2009	\$9,593.50	\$9,593.50
Interest	\$1,420.67	\$1,516.62
Penalty	\$710.34	\$758.30
<b>TOTAL*</b>	<b>\$11,724.51</b>	<b>\$11,868.42</b>

**\*The above figures may change prior to payment due to possible additional costs.**

WFW/slk



**Department of Neighborhood Services**  
Inspectional services for health, safety and neighborhood improvement

**Art Dahlberg**  
Commissioner

**Thomas G. Mishefske**  
Operations Manager

November 4, 2010

Alderman Ashanti Hamilton, Chair  
Judiciary and Legislation Committee  
Office of the City Clerk  
Room 205, City Hall

Re: File No. 100815  
Address 2740 N 10<sup>th</sup> St

Dear Alderman Hamilton:

The owner of the above-referenced property has applied for a Vacation of In Rem Judgment. The Department has no objection to the return of the property, provided the applicant pays \$3,150.00 for pending Reinspection Fees.

Sincerely,

Lynne Steffen  
Business Operations Manager

**NOTICES SENT TO FOR FILE 100815:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 100967      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/23/2010      **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 and 2009 tax rolls, plus interest applicable to date of repayment, if appropriate.

**Sponsors:** THE CHAIR

**Indexes:** TAX CANCELLATIONS

**Attachments:** Table of Assessment Reductions, Claim Forms.pdf, Cover Letter, Fiscal Note.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number  
100967  
Version  
ORIGINAL  
Reference

Sponsor  
THE CHAIR  
Title

Resolution to cancel real estate taxes levied against certain parcels bearing various key numbers on the 2008 and 2009 tax rolls, 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 years 2008 and 2009 as contained in Common Council Resolution File No. 100967; and

Whereas, The Board of Review has decreased these assessments as shown in this file; and

Whereas, Claims were filed on or before November 1, 2010 and must be paid by January 31, 2011; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, That the proper city officers are authorized and 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 2011 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 authorized and directed to reflect the reduction in State Tax Credits as shown in this file by means of journal entries, charging the 2011 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  
11/17/2010

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
<b><u>2008</u></b>						
174-0771-000-2 6410 W, Silver Spring Dr. May 15, 2008	Multani Real Estate 64 SS LLC	\$ 277,100	\$ 6,659.30	\$ 338.05	\$ 97.83	\$ 435.88
174-9999-000-6 6330 W. Silver Spring Dr. May 15, 2008	Multani Real Estate 63 SS LLC	\$ 241,000	\$ 5,791.74	\$ 294.01	\$ 85.08	\$ 379.09
192-0904-000-2 4010 W. Villard Av. May 9, 2008	Makbul Sajan	\$ 29,100	\$ 699.34	\$ 35.50	\$ 10.27	\$ 45.77
192-0905-000-8 5206 N. Hopkins St. May 9, 2008	Javad Inc.	\$ 7,600	\$ 182.64	\$ 9.27	\$ 2.68	\$ 11.95
245-2322-000-0 2320 W. Capitol Dr. May 9, 2008	Makbul Sajan	\$ 94,000	\$ 2,259.01	\$ 114.68	\$ 33.19	\$ 147.87
268-1223-000-9 3501 W. Capitol Dr. May 9, 2008	Makbul Sajan Zera Jaffereli	\$ 36,000	\$ 865.15	\$ 43.92	\$ 12.71	\$ 56.63
270-0305-110-8 2411 W. Capitol Dr. May 9, 2008	Javad Inc.	\$ 46,400	\$ 1,115.09	\$ 56.61	\$ 16.38	\$ 72.99

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
<b><u>2009</u></b>						
042-0041-100-0 8501 W. Brown Deer Rd. May 12, 2009	Dayton Hudson Corp. '57 nka Target Corp. T 0057	\$ 1,226,000	\$ 31,856.14	\$ 1,644.81	\$ 463.91	\$ 2,108.72
078-0173-00-5 7980 N. 107th St. #3 October 26, 2009	Thomas M. McCue Lucy M. McCue	\$ 13,700	\$ 355.97	\$ 18.37	\$ 5.19	\$ 23.56
271-1003-100-4 3727-39 N. Teutonia Av. May 6, 2009	Paula Garber	\$ 83,300	\$ 2,164.44	\$ 111.75	\$ 31.53	\$ 143.28
319-0743-000-9 2426 N. Farwell Av. May 16, 2009	Gurdev Singh	\$ 280,500	\$ 7,288.46	\$ 376.32	\$ 106.14	\$ 482.46
359-0221-210-6 1650 N. Farwell Av. May 1, 2009	SCP 2006-C23-115 LLC # 8763	\$ 436,000	\$ 11,328.94	\$ 584.93	\$ 164.99	\$ 749.92
361-0814-122-5 501 W. Michigan St. May 18, 2009	Time Insurance Company nka Fortes Insurance Co.	\$ 572,000	\$ 14,862.74	\$ 767.40	\$ 216.44	\$ 983.84
392-0411-000-3 753-757 N. Water St. May 18, 2009	Dermond Associates LLC	\$ 175,000	\$ 4,547.17	\$ 234.77	\$ 66.23	\$ 301.00
392-0683-000-3 225 E. Mason St May 18, 2009	225 East Mason Property LLC	\$ 349,000	\$ 9,068.34	\$ 468.21	\$ 132.07	\$ 600.28

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
392-0848-100-6 507-525 E. Michigan St. May 18, 2009	Johnson Controls Inc.	\$ 4,275,000	\$ 111,080.76	\$ 5,735.36	\$ 1,617.64	\$ 7,353.00
392-1304-210-X 252 E. Highland Av. May 18, 2009	GG 252 Highland LLC	\$ 48,000	\$ 1,247.23	\$ 64.38	\$ 18.18	\$ 82.56
392-1809-112-5 404 E. Lyon St. May 18, 2009	USL Land LLC	\$ 93,700	\$ 2,434.67	\$ 125.72	\$ 35.45	\$ 161.17
461-0604-000-1 1101-13 W. Historic Mitchell St. May 13, 2009	Phrankless Investment LLC	\$ 172,000	\$ 4,469.20	\$ 230.75	\$ 65.09	\$ 295.84
466-1522-100-7 1955 S. Hilbert St. May 11, 2009	MJP Prop LLC	\$ 241,300	\$ 6,269.89	\$ 323.74	\$ 91.30	\$ 415.04
623-9662-111-3 4950 S. 27th St. May 18, 2009	Sigma Properties Inc. Dunkin Brands Inc., Tenant	\$ 337,000	\$ 8,756.54	\$ 452.13	\$ 127.51	\$ 579.64
		<b>\$ 9,033,700</b>	<b>\$ 233,302.76</b>	<b>\$ 12,030.68</b>	<b>\$ 3,399.81</b>	<b>\$ 15,430.49</b>
<b>TOTAL GROSS</b>	<b>\$ 248,733.25</b>					

Assessor's Office  
November 17, 2010  
mpr/kat

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

2010 AUG 11 PM 11:22

Dear Members of the Common Council:

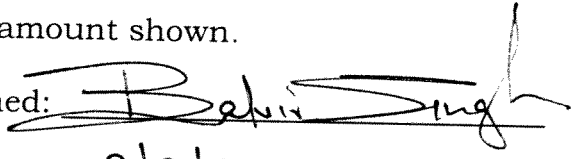
In re: **174-0771-000-2**  
**6410 W. Silver Spring Dr.**  
**Multani Real Estate 64 SS LLC**

**Year: 2008**

**Amount of Assessment Reduction: \$277,100**

**Amount of Tax Reduction: \$6,659.30**

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: 8/9/10

---

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: **174-9999-000-6**  
**6330 W. Silver Spring Dr.**  
**Multani Real Estate 63 SS LLC**

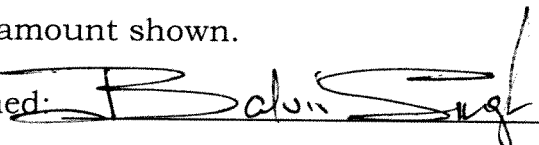
**Year: 2008**

**Amount of Assessment Reduction: \$241,000**

**Amount of Tax Reduction: \$5,791.74**

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: 8/9/10

---

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

2010 AUG 27 AM 11:16

Dear Members of the Common Council:

In re: **192-0904-000-2**  
**4010 W. Villard Av.**  
**Makbul Sajan**

**Year: 2008**

**Amount of Assessment Reduction: \$29,100**

**Amount of Tax Reduction: \$699.34**

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: M. SATAN

Date: 8-25-2010

---

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: **192-0905-000-8**  
**5206 N. Hopkins St.**  
**Javad Inc.**

**Year: 2008**

**Amount of Assessment Reduction: \$7,600**

**Amount of Tax Reduction: \$182.64**

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: M. SAJAN

Date: 8-25-2010

---

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: **245-2322-000-0**  
**2320 W. Capitol Dr.**  
**Makbul Sajan**

**Year: 2008**

**Amount of Assessment Reduction: \$94,000**

**Amount of Tax Reduction: \$2,259.01**

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: M. SATAN

Date: 8-25-2010

---

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: **268-1223-000-9**  
**3501 W. Capitol Dr.**  
**Makbul Sajan**  
**Zera Jaffereli**

**Year: 2008**

**Amount of Assessment Reduction: \$36,000**

**Amount of Tax Reduction: \$865.15**

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: M. SAJAN

Date: 8-25-2010

---

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: **270-0305-110-8**  
**2411 W. Capitol Dr.**  
**Javad Inc.**

**Year: 2008**

**Amount of Assessment Reduction: \$46,400**

**Amount of Tax Reduction: \$1,115.09**

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: M SATAN

Date: 8-25-2010

---

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: **042-0041-100-0**  
**8501 W. Brown Deer Rd.**  
**Dayton Hudson Corp.'57 nka**  
**Target Corp T 0057**

**Year: 2009**

**Amount of Assessment Reduction: \$1,226,000**

**Amount of Tax Reduction: \$31,856.14**

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: 3-23-10

---

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: **078-0173-000-5**  
**7980 N. 107th St. #3**  
**Thomas M. McCue & Lucy M. McCue**

**Year: 2009**

**Amount of Assessment Reduction: \$13,700**

**Amount of Tax Reduction: \$355.97**

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: Thomas M. McCue Lucy McCue

Date: 8-27-10

---

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:           **271-1003-100-4**  
                  **3727-39 N. Teutonia Av.**  
                  **Paula Garber**

**Year:           2009**

**Amount of Assessment Reduction: \$83,300**

**Amount of Tax Reduction: \$2,164.44**

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: 9/28/10

---

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:

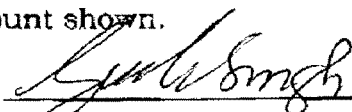
In re: **319-0743-000-9**  
**2426 N. Farwell Avenue**  
**Gurdev Singh**

**Year: 2009**

**Amount of Assessment Reduction: \$280,500**

**Amount of Tax Reduction: \$7,288.46**

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.

X Signed:   
Date: 3-17-10

---

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: **359-0221-210-6**  
**1650 N. Farwell Av.**  
**SCP 2006-C23-115 LLC #8763**

**Year: 2009**

**Amount of Assessment Reduction: \$436,000**

**Amount of Tax Reduction: \$11,328.94**

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: Robert A. Hill  
Date: 8/18/10

---

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**.

Please note new address for Robert Hill Law, LLC

TO THE HONORABLE, THE COMMON COUNCIL

RECEIVED

City of Milwaukee

2010 JUL -6 PM 11:36

Dear Members of the Common Council:

ASSESSMENT  
CITY OF MILWAUKEE

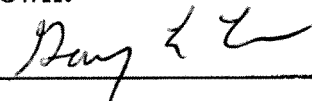
In re: **361-0814-122-5**  
**501 W. Michigan St.**  
**Time Insurance Company**  
**NKA Fortes Insurance Co.**

**Year: 2009**

**Amount of Assessment Reduction: \$572,000**

**Amount of Tax Reduction: \$14,862.74**

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: 6/29/2010

---

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: **392-0411-000-3**  
**753-757 N. Water Street**  
**Dermond Associates LLC**

**Year: 2009**

**Amount of Assessment Reduction: \$175,000**

**Amount of Tax Reduction: \$4,547.1**

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: \_\_\_\_\_

*Director of Finance*

Date: 10/22/2010

---

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: **392-0683-000-3**  
**225 E. Mason St.**  
**225 East Mason Property LLC**

**Year: 2009**

**Amount of Assessment Reduction: \$349,000**

**Amount of Tax Reduction: \$9,068.34**

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: \_\_\_\_\_

*[Signature]*  
**DIRECTOR OF FINANCE**  
**225 East Mason Property**  
**10/20/2010**

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: **392-0848-100-6**  
**507-525 E. Michigan St.**  
**Johnson Controls Inc.**

**Year: 2009**

**Amount of Assessment Reduction: \$4,275,000**

**Amount of Tax Reduction: \$111,080.76**

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: Melanie Roberts

Date: 10/4/10

---

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: **392-1304-210-X**  
**252 E. Highland Avenue**  
**GG 252 Highland LLC**

**Year: 2009**

**Amount of Assessment Reduction: \$48,000**

**Amount of Tax Reduction: \$1,247.23**

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: 10/13/10

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 OCT 15 PM 1:54  
CITY OF MILWAUKEE

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

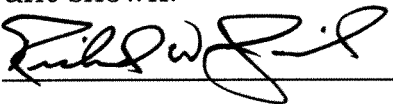
In re:           **392-1809-112-5**  
                      **404 E. Lyon St.**  
                      **USL Land LLC**

**Year:           2009**

**Amount of Assessment Reduction: \$93,700**

**Amount of Tax Reduction: \$2,434.67**

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: October 11, 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 OCT 20 PM 12:30  
ASSESSMENT'S OFFICE  
CITY OF MILWAUKEE

TO THE HONORABLE, THE COMMON COUNCIL

City of Milwaukee

Dear Members of the Common Council:

RECEIVED  
2010 OCT 22 AM 11:35  
ASSESSOR'S OFFICE  
CITY OF MILWAUKEE

In re: **461-0604-000-1**  
**1101-1113 W. Historic Mitchell Street**  
**Phrankless Investment LLC**

**Year: 2009**

**Amount of Assessment Reduction: \$172,000**

**Amount of Tax Reduction: \$4,469.20**

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: *Sheanne R. Malman, managing member*  
Phrankless Investment, LLC

Date: October 20, 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: **466-1522-100-7**  
**1955 S. Hilbert St.**  
**MJP Prop LLC**

**Year: 2009**

**Amount of Assessment Reduction: \$241,300**

**Amount of Tax Reduction: \$6,269.89**

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**.

TO THE HONORABLE, THE COMMON COUNCIL

2010 OCT -6 PM 11:30

City of Milwaukee

Dear Members of the Common Council:

In re: **623-9662-111-3**  
**4950 S. 27th St.**  
**Sigma Properties Inc.**

**Year: 2009**

**Amount of Assessment Reduction: \$337,000**

**Amount of Tax Reduction: \$8,756.54**

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: *Sandy Payne* *CORPORATE REPRESENTATIVE, DUNKIN' BRANDS INC.*

Date: *09/28/10*

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**.

November 17, 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 and 2009 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:** November 17, 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 & 2009 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
<b>SALARIES/WAGES:</b>					
<b>SUPPLIES:</b>					
<b>MATERIALS:</b>					
<b>NEW EQUIPMENT:</b>					
<b>EQUIPMENT REPAIR:</b>					
<b>OTHER 0001 Org 9990</b>	<i>Remission of Taxes Fund</i>		<b>\$248,733.25</b>		
<i>Prog 0001 Sub-cl S163</i>					
<i>Acct 006300</i>					
<b>TOTALS:</b>			<b>\$248,733.25</b>		

**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 ☐

**NOTICES SENT TO FOR FILE 10967:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 100963      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution providing for continuance of deferred payment of assessments for worthy indigent resident property owners and appropriating funds for this purpose with the City cost to be \$2,300.22 with a six-year total of the deferred properties being \$13,996.93.

**Sponsors:** THE CHAIR

**Indexes:** DEFERRED ASSESSMENTS

**Attachments:** Fiscal Impact Statement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

100963

**Version**

ORIGINAL

**Sponsor**

THE CHAIR

**Title**

Resolution providing for continuance of deferred payment of assessments for worthy indigent resident property owners and appropriating funds for this purpose with the City cost to be \$2,300.22 with a six-year total of the deferred properties being \$13,996.93.

**Analysis**

This resolution grants continuation of deferred payment of certain special assessments and directs the current year's installments be paid. The City cost to be \$2,300.22 with a six-year total of the deferred properties being \$13,996.93.

**Body**

Whereas, The Common Council previously confirmed certain resident property owners as Worthy Indigents; and

Whereas, the following applications were reviewed and qualify:

311-1879-100-5, Robert Noble, 2740 N. 18th St., 15th District;  
669-0115-2, Diane Krall, 2270 W. Ramsey Av., 13th District;  
468-0941-5, Gilbert Golder, 2226 S. 12th St., 12th District;  
270-0204-5, Marilyn Huddleston, 3747 N. 26th St., 7th District  
512-1210-9, Arthur Kaszubowski, 2948 S. 47th St., 8th District;  
209-1225-100-5, Diane Moore, 5021 N. 47th St., 1st District  
231-0057-9, William Neal, Jr., 4437-41 N. 25th St., 1st District  
229-0714-200-4, Rhonda Sprewer, 4780 N. 42nd St., 7th District  
248-0541-7, Sandra Sykes, 4108 N. 46th St., 7th District  
287-1439-9, Nicole Toombs, 3370 N. 36th St., 7th District

Whereas, The Deferred Assessment Board has completed its annual review of the resident owners confirmed in prior years; no, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that after December 22, 2010, and upon receipt of the tax bills for the listed properties from the City Treasurer, the Department of Public Works shall process necessary documents to have checks issued to the City Treasurer in the amount listed to pay the 2010 special assessment installments so indicated for confirmed Worthy Indigent resident property owners:

Tax Key Number	Original Amount	Bond Number	Installment Number
468-0941-5	\$ 44.05	HK002223	6
270-0204-5	\$263.45	JL004251	5
512-1210-9	\$269.20	JF001449	5
209-1225-100-5	\$191.41	KP04482	4
231-0057-9	\$661.13	LF002483	3

229-0714-200-4	\$345.94	LL001503	3
248-0541-7	\$195.23	MJ000243	2
287-1439-9	\$329.81	LF000378	3

; and, be it

Further Resolved, That the following of said checks the deferred special assessments shall be processed in the manner specified in File Number 74-1975;

and, be it

Further Resolved, That the following previously granted deferred assessments for confirmed Worthy Indigent resident property owners shall remain in force:

Tax Key Number	Bond Number
311-1879-100-5	RF001388
669-0115-2	DF000258
468-0941-5	HK002223
270-0204-5	JL004251
512-1210-9	JF001449
209-1225-100-5	KP004482
231-0057-9	LE002483
229-0714-200-4	LL001503
287-1439-9	LF000378
248-0541-7	MJ000243

; and, be it

Further Resolved, That said Department is also authorized to expend a sum equal to the recording fee needed for special assessments deferred; and, be it.

Further Resolved, That a copy of this resolution be furnished to the City Comptroller and the City Treasurer.

**Requestor**

Infrastructure Services Division

**Drafter**

MLD:dr

WINIT 2010

11/16/2010



# City of Milwaukee Fiscal Impact Statement

A

Date

File Number

☐ Original

☐ Substitute

Subject

B

Submitted By (Name/Title/Dept./Ext.)

C

This File

☐ Increases or decreases previously authorized expenditures.

☐ Suspends expenditure authority.

☐ Increases or decreases city services.

☐ Authorizes a department to administer a program affecting the city's fiscal liability.

☐ Increases or decreases revenue.

☐ Requests an amendment to the salary or positions ordinance.

☐ Authorizes borrowing and related debt service.

☐ Authorizes contingent borrowing (authority only).

☐ Authorizes the expenditure of funds not authorized in adopted City Budget.

D

This Note

☐ Was requested by committee chair

E

Charge To

☐ Department Account

☐ Capital Projects Fund

☐ Debt Service

☐ Other (Specify)

☐ Contingent Fund

☐ Special Purpose Accounts

☐ Grant & Aid Accounts

F

Purpose	Specify Type/Use	Expenditure	Revenue
Salaries/Wages			
Supplies/Materials			
Equipment			
Services			
Other			
TOTALS			

G

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="radio"/> 1-3 Years	<input type="radio"/> 3-5 Years	
<input type="radio"/> 1-3 Years	<input type="radio"/> 3-5 Years	
<input type="radio"/> 1-3 Years	<input type="radio"/> 3-5 Years	

H

List any costs not included in Sections E and F above.

I

Assumptions used in arriving at fiscal estimate.

J

Additional information.

**NOTICES SENT TO FOR FILE 100963:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 100962      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution deferring payments of the special assessments and appropriating funds for this purpose.

**Sponsors:** THE CHAIR

**Indexes:** DEFERRED ASSESSMENTS, SPECIAL ASSESSMENTS

**Attachments:** Fiscal Impact Statement, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

100962

**Version**

ORIGINAL

**Sponsor**

THE CHAIR

**Title**

Resolution deferring payments of the special assessments and appropriating funds for this purpose.

**Analysis**

This resolution grants the requests of Worthy Indigents for deferred payments of special assessments under Section 115-44 of the Milwaukee Code.

**Body**

Whereas, The Deferred Assessment Board of the City of Milwaukee considered the applications of Worthy Indigents for deferred payments of special assessments and recommended the same be granted; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the following property owners, being the owners of the properties described, are hereby confirmed as Worthy Indigent residents as provided in Section 115-44 of the Milwaukee Code of Ordinances, and that payments of the special assessments are hereby deferred:

Property Owner: Jerome Betley

Property Address: 4744 South 7th Street

Special Assessment Serial Number: NF00838

Tax Key Number: 645-0018-0

Legal Description: GREENWOOD PARK IN NW ¼ SEC 29-6-22  
BLOCK 1, LOT 24, BID 40

; and, be it

Further Resolved, That after December 22, 2010, and upon receipt of said property tax bill from the City Treasurer, the City Comptroller shall issue to the City Treasurer a check in the amount of \$347.34 for NF000838 to pay the 1st installment of said special assessments, and that following the issuance of the check, the deferred special assessments shall be processed in the manner specified in File Number 74-1975: and, be it

Further Resolved, That a six-year total of \$1,966.54 shall be deferred; and, be it

Further Resolved, That said Comptroller is also authorized to expend a sum equal to the recording fees in excess of the amounts deferred.

**Requestor**

Infrastructure Services Division

**Drafter**

MLD:dr

WINDIT 10  
11/16/2010



# City of Milwaukee Fiscal Impact Statement

A

Date

File Number

☐ Original

☐ Substitute

Subject

B

Submitted By (Name/Title/Dept./Ext.)

C

This File

☐ Increases or decreases previously authorized expenditures.

☐ Suspends expenditure authority.

☐ Increases or decreases city services.

☐ Authorizes a department to administer a program affecting the city's fiscal liability.

☐ Increases or decreases revenue.

☐ Requests an amendment to the salary or positions ordinance.

☐ Authorizes borrowing and related debt service.

☐ Authorizes contingent borrowing (authority only).

☐ Authorizes the expenditure of funds not authorized in adopted City Budget.

D

This Note

☐ Was requested by committee chair

E

Charge To

☐ Department Account

☐ Capital Projects Fund

☐ Debt Service

☐ Other (Specify)

☐ Contingent Fund

☐ Special Purpose Accounts

☐ Grant & Aid Accounts

F

Purpose	Specify Type/Use	Expenditure	Revenue
Salaries/Wages			
Supplies/Materials			
Equipment			
Services			
Other			
TOTALS			

G

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="radio"/> 1-3 Years	<input type="radio"/> 3-5 Years	
<input type="radio"/> 1-3 Years	<input type="radio"/> 3-5 Years	
<input type="radio"/> 1-3 Years	<input type="radio"/> 3-5 Years	

H

List any costs not included in Sections E and F above.

I

Assumptions used in arriving at fiscal estimate.

J

Additional information.

**NOTICES SENT TO FOR FILE 100962:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 101011      **Version:** 0

**Type:** Communication-Report      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Communication from the Comptroller's Office relating to a report relative to the creation of a City website to report potential fraud, waste and abuse within City government.

**Sponsors:** THE CHAIR

**Indexes:** COMPTROLLER, REPORTS AND STUDIES

**Attachments:** Report, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

101011

**Version**

Original

**Reference**

040063

**Sponsor**

The Chair

**Title**

Communication from the Comptroller's Office relating to a report relative to the creation of a City website to report potential fraud, waste and abuse within City government.

**Drafter**

Comptroller

WWM

11/22/10



Office of the Comptroller

W. Martin Morics, C.P.A.  
Comptroller

Michael J. Daun  
Deputy Comptroller

John M. Egan, C.P.A.  
Special Deputy Comptroller

Craig D. Kammholz  
Special Deputy Comptroller

November 18, 2010

The Honorable,  
The Common Council  
City Hall, Room 205  
Milwaukee, WI 53202

RE: Fraud, Waste and Abuse Hotline

Council Members:

On June 15, 2004, the Common Council adopted Resolution 040063 authorizing the creation of a City website to report potential fraud, waste and abuse within City government. The enclosed report summarizes Hotline operations for the year ended August 17, 2010.

The Hotline has proven to be a benefit by providing citizens with the means to report fraud, waste and abuse in the City of Milwaukee government. The established process of follow-up on these contacts has provided positive results through timely and appropriate actions. For the 2010 reporting period, 80 contacts were made to the Hotline. The majority of these contacts involved employee conduct, potential fraud, waste and abuse, and alleged criminal activity. Nearly 76 percent of all Hotline contacts were made via the City Hotline Web Page, which can be found at [www.city.milwaukee.gov](http://www.city.milwaukee.gov).

In addition to the 2010 Hotline results, the report includes results from 2009, 2008 and 2007 for comparative purposes, and also describes the Hotline reporting process. Attachments II and III provide Hotline contacts by City department, by type of concern and by action taken for each of the four years.

I encourage you to review this report and contact me with any questions or comments.

Sincerely,



W. MARTIN MORICS  
Comptroller

WMM:amr

**Office of the Comptroller**  
**Fraud Hotline Report**  
**For the Year Ended**  
**August 17, 2010**

This is the fifth report of the City of Milwaukee's Fraud, Waste and Abuse Hotline. The period reported is from August 18, 2009 through August 17, 2010 (referred to as 2010). Information for 2007, 2008 and 2009 is provided for comparative purposes.

**Background**

On June 15, 2004, the Common Council adopted Resolution 040063, authorizing and directing the Comptroller to establish an Internet accessible "Hotline" web page linked to the City's homepage to report fraud, waste, or abuse in City government. The "Hotline" web page was developed with the assistance of the Information and Technology Management Division in the Department of Administration. On August 17, 2004, this "Hotline" web page was made available for public use. On December 15, 2004 a Hotline telephone number was added. As indicated on the "Hotline" web page, citizens can report fraud, waste and abuse using the on-line form, email, mail, telephone, fax, or by meeting with Comptroller staff in-person.

**Hotline Activity**

Hotline staff received 80 new contacts in 2010. This compares to 68 contacts in 2009, 96 contacts in 2008 and 89 contacts in 2007 (Figure 1).

**Method of Contact**

In 2010, 76 percent or (61) Hotline contacts were generated through the on-line submission form or direct email. Another method of contact is the City Hotline phone-in line where a caller can speak directly with hotline staff. The on-line and telephone complaints are a majority of the Hotline calls at 96 percent overall. The portion of the Hotline contacts that were attributed to the call-in complaints was 20 percent (16). In addition 4 percent of the remaining complaints were sent by mail or dropped off in person. Over time, the percentages for on-line/direct mail have decreased, while the percentages for telephone contacts have increased.

## Hotline Report For the Year Ended August 17, 2010

**Figure 1**

### Method of Contact by Year

	2007		2008		2009		2010	
<b>Web Page/Email</b>	67	75%	70	73%	60	88%	61	76%
<b>Mail</b>	5	6%	6	6%	1	2%	2	3%
<b>Phone</b>	14	16%	18	19%	7	10%	16	20%
<b>In Person</b>	3	3%	2	2%	0	0%	1	1%
<b>Fax</b>	0	0%	0	0%	0	0%	0	0%
<b>Total</b>	<b>89</b>	<b>100%</b>	<b>96</b>	<b>100%</b>	<b>68</b>	<b>100%</b>	<b>80</b>	<b>100%</b>

### Source of Contact

Of the new 80 contacts received in 2010, 52 percent (41) were made by citizens. City employees generated 24 percent (19) of the new Hotline contacts. Of the remaining 24 percent of contacts, 15 percent (13) were from unidentified sources and 9 percent (7) were referrals from the Milwaukee County Hotline staff. Of all new Hotline contacts in 2010, 60 percent (48) contacts were made by parties requesting confidentiality.

### Type of Concerns

All Hotline contacts are categorized as one of the following seven types:

1. Potential Fraud/Abuse
2. Waste & Inefficiencies
3. Ethics Issues
4. Employee Conduct
5. Criminal Conduct – (Employee and Non-Employee Allegations)
6. Service Requests
7. Non-City Issues

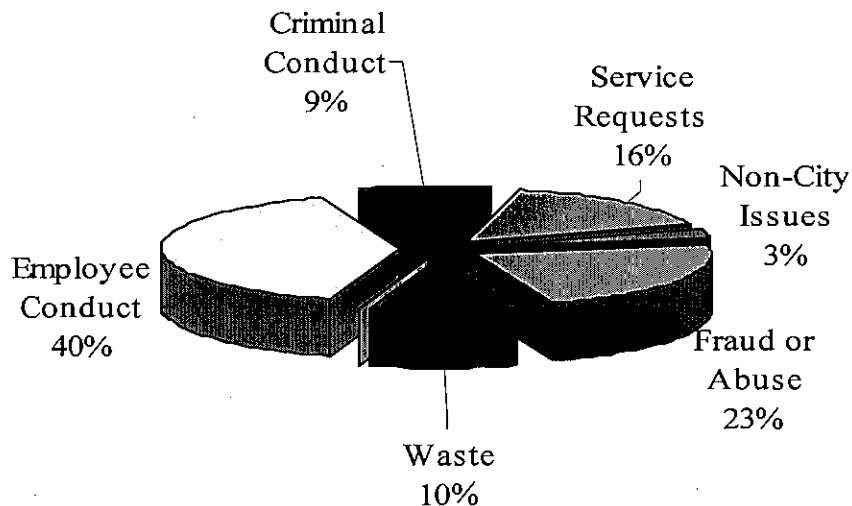
The pie chart on the next page shows that the largest category of contacts was City Employee Conduct with 40 percent. Examples of this type of complaint include misuse of City vehicles, computers or telephones, and unsafe driving. The next largest category of contacts with 23 percent is Potential Fraud or Abuse Allegations. These complaints include potential employee residency violations, misappropriation, procurement abuse, and rent assistance abuse. The third largest category is Service Requests, accounting for 16 percent. These include requests for sanitation collection, parking enforcement, building code enforcement, and identity theft reports.

## Hotline Report For the Year Ended August 17, 2010

The fourth largest category is contacts involving Waste and Inefficiencies which are 10 percent of Hotline contacts. Examples of these complaints include the number of workers on a street repair, the quality of street repairs, and misuse of City time by City employees. All complaints including waste and inefficiencies are forwarded to the respective department for substantiation and discipline as needed.

Criminal Conduct allegations accounted for 9 percent, including complaints about, drug offenses, domestic violence and child abuse. These complaints were investigated and referred to law enforcement agencies, City departments for investigation and out of jurisdiction where necessary. Non-City issues accounted for 3 percent; these included out of jurisdiction complaints which were referred to other agencies (Also, see Attachment II, for a summary of concerns by City department).

**Type of Concerns at initial point of Contact**



Of the six complaint categories, most require at least some follow-up by Comptroller audit staff as many of the initial categories will not be the same when they are sent to the departments for follow up. Contacts classified as Non-City Issues were referred to other government agencies with minimal audit staff involvement. Of the 80 contacts in 2010, 15 contacts, or 18 percent, were Non-City issues or requests for City Service.

### Actions Taken

Of the 80 Hotline contacts made in 2010, 67 contacts (or 83 percent) were sent to City departments for follow-up action. Departments responded to all 67 referrals (one turned out to be a service request for another jurisdiction) and 3 remain under review by the departments. In response to complaints about employee conduct, departments indicated that affected employees were counseled and in some cases were disciplined. Two contacts regarding residency rules resulted in on-going investigations.

Departments also responded that requested services were provided, including trash removal, health hazards due to unsafe living conditions, and property inspections for lack of permits pulled. The Housing Authority indicated that it investigated and took action on several complaints about Rent Assistance Program abuse. There were a number of complaints regarding identity theft which occurred in the City of Milwaukee. Parties sending these calls and emails were directed to obtain an identity theft Packet from the MPD website and follow the instructions regarding making an appointment with the proper parties. Figure II, below is a schedule of actions for 2010 and the three years of comparison data for 2007, 2008, and 2009.

**Figure II**

**Actions taken once determination made as to what the call actually is as opposed to what it is initially considered to be by initial call.**

	2007		2008		2009		2010	
<b>Department Referral</b>	50	56%	48	50%	33	49%	67	83%
<b>Internal Audit</b>	3	3%	7	7%	1	1%	0	0%
<b>Criminal Referral</b>	14	16%	11	11%	2	3%	0	0%
<b>Non-City</b>	9	10%	5	5%	13	19%	11	14%
<b>Investigated No Further</b>	11	13%	18	19%	18	27%	2	3%
<b>No Action</b>	2	2%	7	7%	1	1%	0	0%
<b>Total</b>	<b>89</b>	<b>100%</b>	<b>96</b>	<b>100%</b>	<b>68</b>	<b>100%</b>	<b>80</b>	<b>100%</b>

Actions taken have also been broken out by department (See: Attachment III). The Department of Public Works accounts for the largest share of contacts (35). Other departments receiving contacts requiring follow-up were the Department of Neighborhood Services with (4) contacts, and the Fire and Police Commission with (8) contacts in 2010.

### **Benefits**

The City Hotline has proven to be a benefit by providing citizens and City employees with the means to report fraud, waste and abuse in City government. The established process of follow-up on these contacts has provided positive results through timely and appropriate actions.

Based on the diverse nature of the contacts that were received during the first six years of operation, it is clear the public is utilizing the City Hotline. Over the last fiscal year there was an increasing number of Hotline complaints received from City Employees, indicating that it is used as a Whistleblower, a good tool for Internal Control risk mitigation. Although the Hotline has not yet resulted in an easily quantifiable cost recovery or cost avoidance for the City, the potential exists in that should there become an actual economic recovery due to a Hotline tip it would be reported in the subsequent Hotline report.

### **The Hotline Process**

#### **Hotline Web Page**

The City web site at [www.milwaukee.gov](http://www.milwaukee.gov) provides a link to the Hotline web page labeled "Report Fraud, Waste and Abuse of City Resources". The department web page for the Office of the Comptroller also contains this link. When a person enters and submits information through the Hotline web page, the information is converted to an email message and sent to a Hotline email account, with access restricted to Lead Auditor in charge of Hotline Complaints and the Audit Division Manager. These emails indicate that they are sent from an anonymous sender unless the sender voluntarily provides an email address on the web page form. Parties submitting information to the Hotline web page cannot be identified unless they choose to provide contact information.

#### **Direct Email**

The public can bypass the Hotline web page and send messages directly to the Hotline email account at [hotline@milwaukee.gov](mailto:hotline@milwaukee.gov). The sender's email address is included on these direct emails, so this type of contact is not anonymous.

## **Hotline Report For the Year Ended August 17, 2010**

### **Mail**

Letters on Hotline issues can be sent anonymously or with contact information to the address below.

Office of the Comptroller  
Attention: Audit Hotline  
200 E. Wells Street, Room 404  
Milwaukee, WI 53202

### **Phone and Fax**

The public can contact Hotline staff by phone at (414) 286-3440 or send a fax to the Hotline at (414) 286-3281. Hotline staff can often obtain more complete information through interactive phone contacts. A caller wanting to remain anonymous is given a Hotline case number so they can call again to learn how the matter was handled. A fax identifies the sender's fax number and therefore may not be anonymous which is probably why it is rarely used.

### **In-Person**

Hotline matters can be discussed in-person by visiting the Office of the Comptroller during business hours. Hotline staff will meet with the party to discuss the matter, or schedule an appointment to do so at a later time, as schedules permit.

All Hotline contacts have been in English, but if any are received in another language the Office of the Comptroller will strive to obtain translation or interpreter services.

### **Hotline Follow-up**

Each Hotline contact is given a unique case number beginning with the year the month the day and time in military hours called, for example a call on March 12, 2010 at 3:10 pm would have a case number of 201003121510. The record is entered into the Hotline database where it is tracked until a final disposition is entered. Every Hotline complaint received is handled in the same manner; an initial assessment is done to determine whether the case has merit and how it should be handled. Hotline cases are referred to appropriate parties for follow-up action within a few moments of receiving it if it is during normal business hours. Parties providing contact information are notified about the disposition of their Hotline cases.

- Referrals to City departments: Complaints about City employee conduct, such as excessive break time or misuse of City equipment are referred to City departments. Sometimes the Hotline receives routine service requests for sanitation pick-ups or infrastructure repairs, which are also referred to the appropriate department. However

## Hotline Report For the Year Ended August 17, 2010

routing Service requests are sent to the City service desk with a Courtesy Copy to the department head, and Hotline staff request that we only receive back a copy of the assigned ticket number assigned. Responses are received from departments indicating actions taken on the Hotline referrals.

- Referrals to non-City agencies: Complaints are often received that do not pertain to City government. For example, a complaint about Food-Stamp Program abuse and Daycare fraud would be referred to the Division of Healthcare Access and Accountability and the Milwaukee Police Department Respectively.
- Referrals to law enforcement agencies: Complaints about illegal activity are referred to the Milwaukee Police Department or the appropriate Federal, State or municipal law enforcement agency.
- Referrals to Internal Audit: Some Hotline cases are referred to audit staff in the Office of the Comptroller for additional investigation or formal audit.

# ATTACHMENT ONE

## Attachment I

	2007	2008	2009	2010	Total
<b>Method of Contacts</b>					
Web Page/Email	67	70	60	61	258
Mail	5	6	1	2	14
Phone	14	18	7	16	55
In Person	3	2	0	1	6
Fax	0	0	0	0	0
<b>Total</b>	<b>89</b>	<b>96</b>	<b>68</b>	<b>80</b>	<b>333</b>
<b>Source of Contacts</b>					
Employee	21	24	7	19	71
Vendor	2	2	0	0	4
Citizen	51	49	31	41	172
Unknown	0	10	30	13	53
City Departments	2	0	0	0	2
Other Agencies	13	11	0	7	31
<b>Total</b>	<b>89</b>	<b>96</b>	<b>68</b>	<b>80</b>	<b>333</b>
Requested Confidentiality	18	58	35	48	159
<b>Type of Concerns</b>					
Potential Fraud/Abuse	23	20	25	18	86
Waste & Inefficiencies	8	4	1	8	21
Ethics Issues	0	2	2	0	4
Employee Conduct	14	26	18	32	90
Criminal Conduct	14	11	6	7	38
<b>Subtotal</b>	<b>59</b>	<b>63</b>	<b>52</b>	<b>65</b>	<b>239</b>
Service Requests	27	31	14	13	85
Non-City Issues	3	2	2	2	9
<b>Total</b>	<b>89</b>	<b>96</b>	<b>68</b>	<b>80</b>	<b>333</b>
<b>Actions Taken</b>					
Departmental Referrals	50	48	33	67	198
Internal Audit - Follow-up	3	7	1	0	11
Criminal Referrals	14	11	2	0	27
Non-City Referral	9	5	13	11	38
Investigated NFA	11	18	18	2	49
No Action	2	7	1	0	10
<b>Total</b>	<b>89</b>	<b>96</b>	<b>68</b>	<b>80</b>	<b>333</b>

Attachment II

Audit Hotline - Statistics  
Types of Concerns by Department

For Years Ended August 17, 2010, 2009, 2008 and 2007

Department	Total	C. At.	DOA	CC	DCD	Comp	Election	DER	ERS	MFD	FPC	MHD	HACM	Library	Mayor	MPD	DNS	DPW	Non-City
<b>2010</b>																			
Type of Concern																			
Potential F & A	48		1					1					6					3	7
Waste & Ineff.	8		1									2						5	
Ethics	0																		
Emp. Cond.	32					1		1	1		6				1	3	1	19	2
Criminal Cond.	7							1			1						3	1	1
Service Req.	13										1	1					3	7	2
Non-City	2										1							1	1
Total	80	0	2	0	0	1	0	3	1	0	8	3	6	0	1	3	4	35	13
<b>2009</b>																			
Type of Concern																			
Potential F & A	25					1	1											7	12
Waste & Ineff.	1																	1	
Ethics	2							1			1							10	2
Emp. Cond.	18										2	1	1		1	2	1	2	2
Criminal Cond.	6										2						3	5	4
Service Req.	14										1								2
Non-City	2																		
Total	68	0	0	0	0	1	1	1	0	0	5	2	5	0	1	3	4	25	20
<b>2008</b>																			
Type of Concern																			
Potential F & A	20																	9	2
Waste & Ineff.	4																		
Ethics	2																	22	1
Emp. Cond.	26																	11	
Criminal Cond.	11																	5	14
Service Req.	31											3			1				5
Non-City	2																		
Total	96	0	0	2	0	3	2	0	0	2	1	4	1	0	2	11	13	47	8
<b>2007</b>																			
Type of Concern																			
Potential F & A	23																	11	
Waste & Ineff.	8																		
Ethics	11																		
Emp. Cond.	14																	14	11
Criminal Cond.	27																	5	11
Service Req.	3																		6
Non-City	3																		3
Total	89	0	3	3	2	0	1	0	0	3	0	1	4	0	4	17	9	33	9

**Audit Hotline - Statistics**  
**Actions Taken by Department**  
**For Years Ended August 17, 2010, 2009, 2008 and 2007**

Department	Total	C. At.	DOA	CC	DCD	CDBG	Comp	Election	DER	ERS	MFD	FPC	MHD	HACM	Library	Mayor	MPD	DNS	DPW	Non-City
<b>2010</b>																				
<b>Actions Taken</b>																				
Depl. Ref.	67		1				1		3	1		8	3	6		1	3	4	35	1
I.A. Follow-up																				
Criminal Ref.	11																			
Inv. NFA	2		1																	
No Action																				
<b>Total</b>	<b>80</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>8</b>	<b>3</b>	<b>6</b>	<b>0</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>35</b>	<b>13</b>
<b>2009</b>																				
<b>Actions Taken</b>																				
Depl. Ref.	33																			
I.A. Follow-up	1						1		1			5	2	4			2	3	12	4
Criminal Ref.	2											0					0		1	1
Non-City	13																			13
Inv. NFA	18								1					1		1	1	1	12	2
No Action	1						0							0				0	0	0
<b>Total</b>	<b>68</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>2</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>25</b>	<b>20</b>
<b>2008</b>																				
<b>Actions Taken</b>																				
Depl. Ref.	48						1		2			1	3					9	34	3
I.A. Follow-up	7																		1	
Criminal Ref.	11					1														11
Non-City	5																			5
Inv. NFA	18			2							1		1			1	1	3	10	
No Action	7						2							1				1	2	
<b>Total</b>	<b>96</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>11</b>	<b>13</b>	<b>47</b>	<b>8</b>
<b>2007</b>																				
<b>Actions Taken</b>																				
Depl. Ref.	50		2								1							3	9	32
I.A. Follow-up	3			2															1	
Criminal Ref.	14																			14
Non-City	9																			9
Inv. NFA	11		1	1	2				1		2		1	1		2				
No Action	2															2				
<b>Total</b>	<b>89</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>4</b>	<b>17</b>	<b>9</b>	<b>33</b>	<b>9</b>

**NOTICES SENT TO FOR FILE 101011:**

[illegible]



## Legislation Details (With Text)

**File #:** 100620      **Version:** 0

**Type:** Communication-Report      **Status:** In Committee

**File created:** 9/21/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Communication from the Comptroller's Office relating to the Annual Outstanding Receivables report.

**Sponsors:** THE CHAIR

**Indexes:** COMPTROLLER, REPORTS AND STUDIES

**Attachments:** Report, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/21/2010	0	COMMON COUNCIL	ASSIGNED TO		
9/23/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/23/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/4/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
10/15/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/25/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

100620

**Version**

ORIGINAL

**Reference**

**Sponsor**

051296

**Title**

Communication from the Comptroller's Office relating to the Annual Outstanding Receivables report.

**Requestor**

**Drafter**

cc

dkf

9/20/10



Ron Leonhardt  
City Clerk

Office of the Comptroller

W. Martin Morics, C.P.A.  
Comptroller

Michael J. Daun  
Deputy Comptroller

John M. Egan, C.P.A.  
Special Deputy Comptroller

Craig D. Kammholz  
Special Deputy Comptroller

September 17, 2010

To the Honorable, The Common Council  
City of Milwaukee

RE: Annual Outstanding Receivables Report

Dear Council Members:

Attached you will find the Comptroller's 2010 Report on Outstanding Receivables as of December 31, 2009. This is the second annual report being issued as required by Ordinance 304-1-5. The report provides summary information on City outstanding receivables. These receivables include:

- Delinquent Taxes;
- Parking Violations;
- Municipal Court Judgments; and
- Miscellaneous Accounts Receivable.

Should you have any questions or need further information, please feel free to contact Craig Kammholz of my staff at extension 2304.

Sincerely,

W. MARTIN MORICS  
Comptroller

CC: Alderman Terry L. Witkowski

**City of Milwaukee**

**Outstanding Receivables Report**



**W. Martin Morics**  
**Comptroller**

**September 2010**

# Table of Contents

	<u>Page</u>
<b>I. Introduction</b>	<b>1</b>
<b>II. Total Accounts Receivable at Year End 2009</b>	<b>2</b>
<b>III. Outstanding Receivables Trends, 2005-2009</b>	<b>3</b>
<b>IV. Parking Fund Receivables - Aging by Trends, 2005-2009</b>	<b>4</b>
<b>V. Outstanding Miscellaneous Receivables Trends, 2005-2009</b>	<b>5</b>

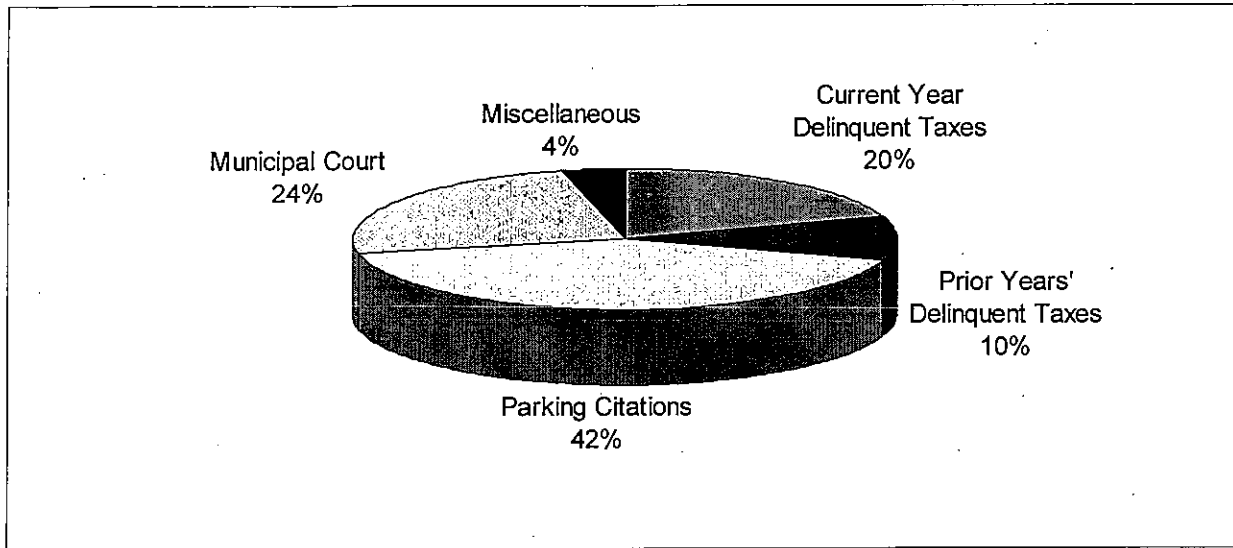
## **Introduction**

The City of Milwaukee Outstanding Debt Task Force was created in April 2005, by Common Council File Number 041446, to evaluate and make recommendations related to the collection of delinquent taxes, forfeitures, judgments and fees owed to the City. The Task Force submitted its final report and recommendations, contained in File 051098, to the Common Council in December 2005.

The report included a recommendation that the Comptroller's Office provide reports annually analyzing delinquent outstanding debt. This recommendation resulted in the adoption of ordinance 304-1-5, which requires the City Comptroller to submit a written annual report to the Common Council analyzing outstanding delinquent debt.

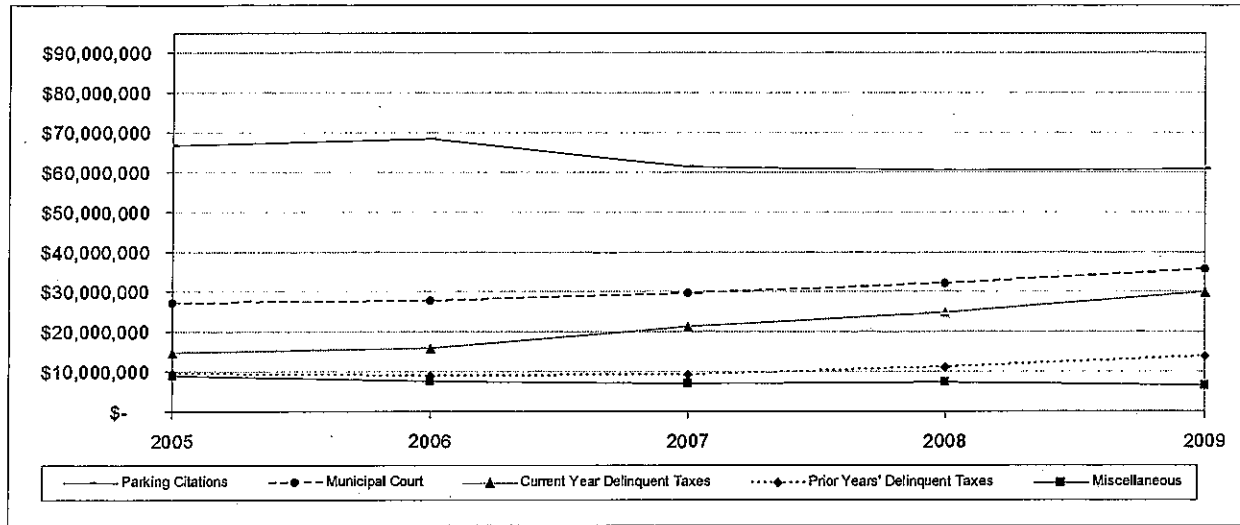
The Comptroller's 2010 Report on Outstanding Receivables as of December 31, 2009, is being issued as required by Ordinance 304-1-5. The report provides summary information on City outstanding receivables including Delinquent Taxes; Parking Fund Citations; Municipal Court Judgments; and Miscellaneous Accounts Receivable.

## Outstanding Receivables as of December 31, 2009



Outstanding receivables for the City of Milwaukee as of December 31, 2009, total approximately \$146.4 million. The largest category of outstanding receivables is Parking Citations at 42%, followed by Delinquent Taxes totaling 30%. Of the Delinquent Taxes total, 20% is related to current year Delinquent Taxes (2008 taxes for 2009 purposes) and 10% to prior years' Delinquent Taxes (2007 taxes and prior). Municipal Court outstanding judgments make up 24% of total outstanding receivables. Miscellaneous Accounts Receivable is the smallest category totaling 4%.

## Outstanding Receivables at Year End 2005-2009



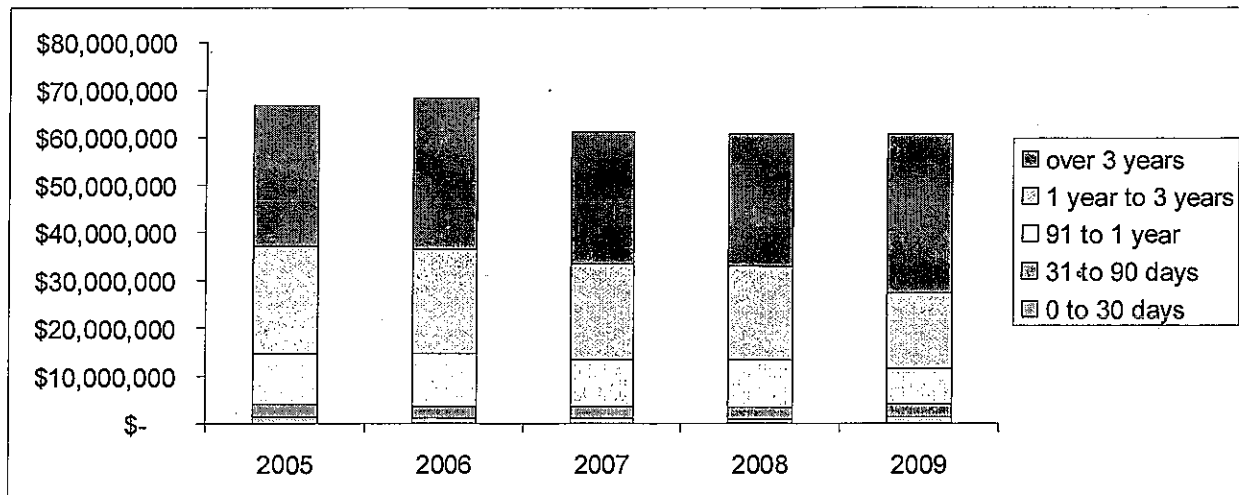
	2005	2006	2007	2008	2009
Parking Citations	\$ 66,645,000	\$ 68,400,000	\$ 61,212,000	\$ 60,606,000	\$ 60,679,000
Municipal Court	27,059,000	27,650,000	29,494,000	32,076,000	35,487,000
Current Year Delinquent Taxes	14,741,000	15,615,000	21,079,000	24,675,000	29,872,000
Prior Years' Delinquent Taxes	9,463,000	8,929,000	9,297,000	11,004,000	13,940,000
Miscellaneous	8,915,000	7,508,000	6,937,000	7,250,000	6,439,000
<b>TOTAL</b>	<b>\$ 126,823,000</b>	<b>\$ 128,102,000</b>	<b>\$ 128,019,000</b>	<b>\$ 135,611,000</b>	<b>\$ 146,417,000</b>

The chart and table above show outstanding receivables by category from 2005 through 2009. Current year delinquent tax receivables have increased at the greatest rate over time, going from \$14.7 million in 2005 to \$29.9 million in 2009. Prior years' delinquent taxes have also increased over time, but at a slower rate, going from \$9.5 million in 2005 to \$13.9 million in 2009. Outstanding Municipal Court judgments including fees, fines and forfeitures increased from \$27 million in 2005 to \$35.5 million in 2009.

Miscellaneous accounts receivable, which include various billings by general city departments, have decreased from \$8.9 million in 2005 to \$6.4 million in 2009. Parking citation outstanding receivables decreased from \$66.6 million in 2005 to \$60.7 million in 2009.

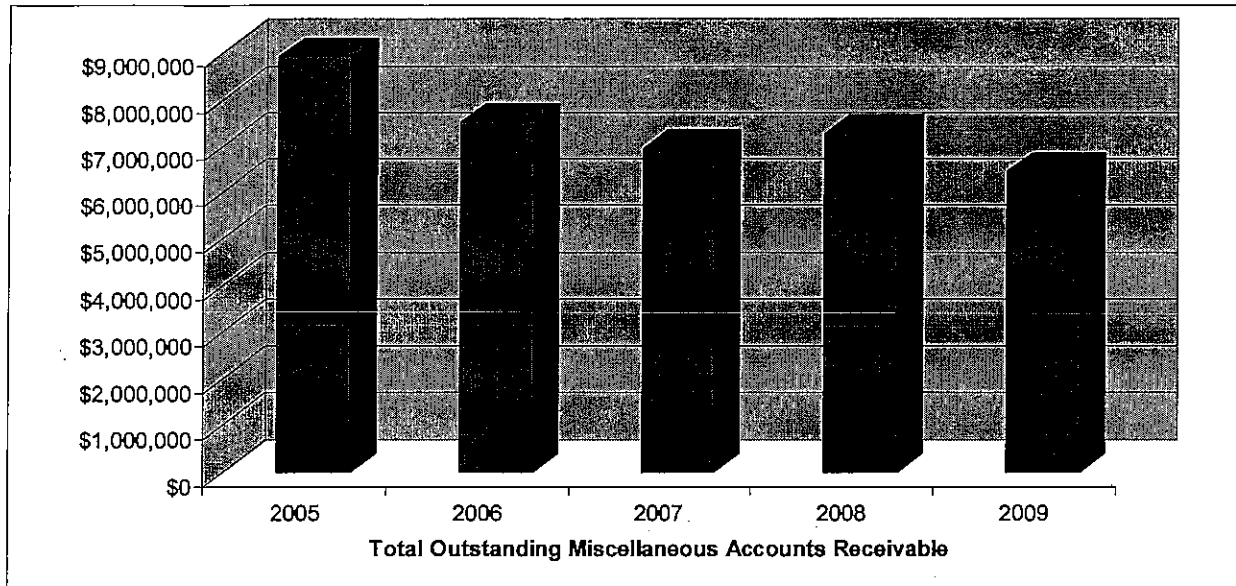
The Parking Fund writes off delinquencies that are six years old or older, due to the statute of limitations rendering these uncollectible. Miscellaneous accounts receivable and tax delinquencies of \$5,000 may be cancelled or adjusted through Common Council action. An interdepartmental process is followed for delinquencies less than \$5,000. Municipal Court judgments are settled either through cash fines, jail time or community service. Judgments that are at least seven years old, and meet City Attorney criteria, may be written off pursuant to Common Council resolution authorizing such write-offs.

## Parking Fund Receivables Aging



The chart above shows the aging of parking citation outstanding receivables from 2005 through 2009. More than half of the current outstanding balance for parking citation receivables is considered uncollectible due to lack of registered owner information, citations issued to out of state vehicles, and the age of outstanding citations.

## Outstanding Miscellaneous Accounts Receivable



	2005	2006	2007	2008	2009	Change 2005-2009
City Clerk	\$ 71,000	\$ -	\$ 151,000	\$ 80,000	\$ -	\$ (71,000)
City Attorney	66,000	129,000	79,000	-	38,000	(28,000)
City Development	296,000	299,000	297,000	297,000	297,000	(1,000)
Comptroller*	311,000	105,000	258,000	195,000	193,000	(118,000)
Employee Relations*	494,000	1,011,000	698,000	352,000	620,000	426,000
Dept of Administration	3,000	29,000	21,000	23,000	94,000	91,000
Fire Department	877,000	97,000	89,000	137,000	92,000	(585,000)
Health Department	781,000	957,000	163,000	92,000	101,000	(680,000)
Police Department	1,643,000	1,645,000	1,645,000	1,652,000	1,640,000	(3,000)
Port of Milwaukee	641,000	919,000	1,602,000	2,234,000	994,000	353,000
Public Works	3,922,000	2,409,000	1,998,000	2,196,000	2,055,000	(1,667,000)
City Treasurer	9,000	9,000	9,000	10,000	15,000	7,000
<b>TOTAL</b>	<b>\$ 8,915,000</b>	<b>\$ 7,508,000</b>	<b>\$ 8,937,000</b>	<b>\$ 7,250,000</b>	<b>\$ 6,436,000</b>	<b>\$ (2,476,000)</b>

\*Totals differ from 2009 report due to exclusion of Worker's Compensation billings to MPS and Comptroller's billings to ERS.

The above chart and table show the change in outstanding miscellaneous accounts receivable by year for various city departments. In total, the year end balance for outstanding miscellaneous receivables decreased by approximately \$2.5 million, or 27.8%, from 2005 to 2009.

Outstanding miscellaneous receivable balances decreased for most city departments between 2005 and 2009. The largest decrease between 2005 and 2009 was in the Department of Public Works. The Health and Fire Departments also had significant decreases from 2005 to 2009. These decreases were due to substantial write offs of uncollectible invoices. The miscellaneous accounts receivable balance for the Port and the Department of Employee Relations increased overall from 2005 to 2009. These increases were mainly due to invoices issued late in 2009, with associated payments not received until the following year.

**NOTICES SENT TO FOR FILE 100620:**

[illegible]



## Legislation Details (With Text)

**File #:** 100919 **Version:** 0

**Type:** Resolution **Status:** In Committee

**File created:** 11/23/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:** **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Atty. Mark Thomsen on behalf of Vicky and Kenneth Bontempo for personal injuries. (13th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS

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

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

100919

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Atty. Mark Thomsen on behalf of Vicky and Kenneth Bontempo for personal injuries. (13th Aldermanic District)

**Requestor**

City Attorney

**Drafter**

JAS:ms

November 5, 2010

1032-2010-2179:163020

**GRANT F. LANGLEY**  
City Attorney

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



**THOMAS O. GARTNER**  
**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**  
**JARELY M. RUIZ**  
**ROBIN A. PEDERSON**  
**DANIELLE M. BERGNER**  
**CHRISTINE M. QUINN**  
Assistant City Attorneys

November 5, 2010

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

Re: Resolution Relating to the Claim of Vicky and Kenneth Bontempo  
By Their Attorney, Mark Thomsen  
C.I. File No. 10-L-65

Dear Council Members:

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

Claimants, Vicky and Kenneth Bontempo, by their attorney, Mark Thompson, Cannon & Dunphy, S.C., P.O. Box 1750, Brookfield, WI 53008-1750, allege that on April 16, 2010 and while jogging, Ms. Bontempo was attacked by an off duty Milwaukee Police Department (MPD) police dog at 1904 West Grange Avenue. They claim damages in the amount of \$100,000.00.

Our investigation reveals that on the date in question, MPD Canine Officer Christina Marshall and her husband, MPD Sgt. Christopher Marshall, were in the front yard of their home conducting daily obedience training with MPD dog, "Kenny". Ms. Bontempo was jogging towards the Marshall's home. She stopped suddenly and began to scream.

This alerted Kenny, he perceived this as a threat and he barked, which caused Ms. Bontempo to panic, scream louder, turn and run. Kenny then made contact with Ms. Bontempo by securing her right arm and she fell. Kenny then made contact with Ms. Bontempo's back causing an abrasion and a tear in her jacket. Kenny was immediately called off of Ms. Bontempo by Officer Marshall. Throughout this incident Officer Marshall directed Ms. Bontempo not to scream, to remain calm and not to run, but Ms. Bontempo did not follow any of these directives.

To the Honorable Common Council  
Of the City of Milwaukee  
November 5, 2010  
Page 2

Kenny was then placed in the Marshall residence and Sgt. Marshall assisted Ms. Bontempo and assessed her injuries. Ms. Bontempo refused medical attention and stated she was just shaken up. She noted she had been attacked by a German Shepard and she was aware that her behavior contributed to the incident.

Since the canine officers were not negligent and were appropriately engaged in daily continuing canine maintenance training, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:ms  
Enclosure  
1032-2010-2179:163018

1100 AM 8-10-10  
By Post Dyl

**NOTICE OF INJURY AND CLAIM FOR MONEY DAMAGES  
PURSUANT TO WISCONSIN STATUTE SEC. 893.80**

**To:** City of Milwaukee  
200 East Wells Street  
Milwaukee, WI 53202

Milwaukee Police Department  
749 W. State Street  
Milwaukee, WI 53233

Officer Christina Marshall  
Milwaukee Police Department  
749 W. State Street  
Milwaukee, WI 53233

Sgt. Christopher Marshall  
Milwaukee Police Department  
749 W. State Street  
Milwaukee, WI 53233

**cc:** City Clerk  
City of Milwaukee  
200 East Wells Street  
Milwaukee, WI 53202

**NAME AND ADDRESS OF CLAIMANTS:**

Ms. Vicky Bontempo  
Mr. Kenneth Bontempo  
2101 West Grange Avenue  
Milwaukee, WI 53221

**DATE AND TIME OF EVENT GIVING RISE TO CLAIM:**

April 16, 2010 at approximately 11:50 a.m.

**LOCATION OF EVENT GIVING RISE TO CLAIM:**

On the street in front of 1904 W. Grange Avenue, Milwaukee, WI 53221.

CITY OF MILWAUKEE  
10 AUG 10 AM 11:00  
RONALD D. LEONHARDT  
CITY CLERK

CITY OF MILWAUKEE  
RECEIVED  
2010 AUG 10 PM 3:29  
OFFICE OF  
CITY ATTORNEY

### **CIRCUMSTANCES OF EVENTS GIVING RISE TO CLAIM:**

On April 16, 2010, Vicky was out jogging and as she was running by 1904 W. Grange Avenue (about a block and a half from her home), a large dark German Shepherd looking dog attacked her. Vicky put up her right arm to protect her face and the dog bit her elbow. The dog knocked her down in the street and then bit her right lower back side through her jacket just above her right buttock. The dog was an off duty canine unit attack dog as part of the Milwaukee Police Department. The incident was investigated by Sgt. Richard Jack. The attack dog was not on a leash or under control in violation of regulations.

Vicky Bontempo suffered a puncture wound to her right arm, abrasions on her left arm, and deep scratches and abrasions to her mid and lower right side of her back with additional puncture wounds on the lower right side of her back. Photographs taken by the Milwaukee Police Department depicting Ms. Bontempo's injuries are attached as Exhibit 1.

### **ITEMIZED STATEMENT OF RELIEF SOUGHT:**


Money damages in the amount of \$50,000.00 for the property damage and personal injury to Vicky Bontempo, and damages in the amount of \$50,000.00 for the loss of society, companionship and other losses suffered by Kenneth Bontempo as a result of the injuries sustained by his wife.

Executed this 9<sup>th</sup> day of August, 2010, at Brookfield, Wisconsin.

**CANNON & DUNPHY, S.C.**

Attorneys for Claimant

By:



Mark L. Thomsen

State Bar No. 01018839

### **P.O. ADDRESS:**

595 North Barker Road

P.O. Box 1750

Brookfield, WI 53008-1750

Telephone: (262) 796-3703

Facsimile: (262) 796-3713



**NOTICES SENT TO FOR FILE 100919:**

[illegible]





## Legislation Details (With Text)

---

**File #:** 100941      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to an appeal from Leonel Ortiz for property damage. (8th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS APPEAL

**Attachments:** City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100941

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to an appeal from Leonel Ortiz for property damage. (8th Aldermanic District)

Drafter

CC-CC

dkf

11/16/10

**GRANT F. LANGLEY**  
City Attorney

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



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

October 26, 2010

Leonel Ortiz  
707 South 23rd Street  
Milwaukee, WI 53204

RE: Leonel Ortiz  
C.I. File No.: 10-V-137

Dear Mr. Ortiz:

We have received your claim in the amount of \$3,572.37, relating to the damage sustained to your vehicle on April 12, 2010 when it was involved in an automobile accident with a Milwaukee Police Department (MPD) squad at South Chavez Drive and West Mineral Street.

The Wisconsin Motor Vehicle Accident Report completed as a result of this accident noted the MPD squad had its red/blue lights and siren activated. You turned left into the path of the emergency vehicle, failing to yield the right-of-way, as such, 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 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,

A handwritten signature in dark ink, appearing to read "Grant F. Langley", written over a horizontal line.

**GRANT F. LANGLEY**  
City Attorney

A handwritten signature in dark ink, appearing to read "Robert Overholt", written over a horizontal line.

**ROBERT OVERHOLT**  
Investigator Adjuster

RMO:ms

c: Attorney Jason D. Hermersmann  
Kohn File No.: T623226

1032-2010-2790:162659

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

November 13<sup>th</sup> 2010

CITY OF MILWAUKEE  
RECEIVED

NOV 15 PM 2:11

OFFICE OF  
CITY ATTORNEY

To: Milwaukee City Clerk  
200 East Well Street  
Room 205  
Milwaukee WI 53202

From: Leonel Ortiz  
707 South 23<sup>rd</sup> Street  
Milwaukee WI 53204

RE: Leonel Ortiz  
C.I. File No.: 10-V-137

I am requesting a hearing to to appeal your decision in this case.  
I am also requesting the presence of a Spanish interpretor at the appeal hearing.

Thank You,



Leonel Ortiz

CITY OF MILWAUKEE  
10 NOV 15 AM 9:57  
RONALD D. LEONHARDT  
CITY CLERK

October 8, 2010

CITY OF MILWAUKEE  
RECEIVED

2010 OCT 11 PM 2:50

City of Milwaukee

City Clerk

205 E. Wells St.

Milwaukee, WI 53202

OFFICE OF  
CITY ATTORNEY

CITY OF MILWAUKEE  
10 OCT -8 PM 3:13  
RONALD D. LEONHARDT  
CITY CLERK

To whom it may concern:

I am writing to you regarding a traffic accident in which I was involved in the city of Milwaukee on April 12, 2010 (Agency Accident Number 101022064).

In connection with the traffic accident I went to a Wisconsin Department of Transportation hearing in Madison on August 30, 2010 (Case number SR145570). I am including a copy of the decision from the hearing issued on September 15, 2010.

Based on the decision of the hearing that found the other party in the accident, Gregory K. Sousek, more negligent, I would like to make a claim to the city of Milwaukee for damages to my vehicle suffered in the aforementioned accident of April 12. **I am claiming \$3,572.37 to repair my vehicle.** The estimate of repair costs from Tender Care Auto Body is included with this letter. I am only claiming vehicle repair costs, and not the additional associated costs of work loss, time investment, and medical expenses.

Thank you for your consideration. Please contact me at 414-491-3686 if you have any questions. My address is 707 S. 23<sup>rd</sup> St. Milwaukee, WI 53204.

Sincerely,

Mr. Leonel Ortiz

LENDER CAR AUTO BODY  
 1825 S KINNICKINNIC AVE, MILWAUKEE, WI. 53204  
 1381 S 59TH ST. WEST ALLIS, WI. 53214  
 6030 W. GREENFIELD AVE. WEST ALLIS, WI. 53214  
 PH. 414-389-1014 PH. 414-474-5620 PH. 414-778-1206

\*\*\* PRELIMINARY ESTIMATE \*\*\*

08/09/2010 02:07 PM

Owner

Owner: Leonel Ortiz  
 Address: 707 s 33rd  
 City State Zip: Milwaukee, WI 53204

Work/Day: (414)491-3686  
 FAX:

Inspection

Inspection Date: 08/09/2010 02:07 PM

Inspection Type:

Vehicle

1996 Mercury Mystique GS 4 DR Sedan  
 4cyl Gasoline 2.0  
 5 Speed Manual

Veh Insp# :  
 Condition:  
 Ext. Refinish: Two-Stage

Mileage Type: Actual  
 Code: R1743A  
 Int. Refinish:

Options

AM/FM Stereo  
 Intermittent Wipers  
 Power Steering  
 Tilt Steering Wheel

Center Console  
 Power Brakes  
 Rem Trunk-L/Gate Release  
 Tinted Glass

Dual Airbags  
 Power Mirrors  
 Tachometer  
 Velour/Cloth Seats

Damages

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ%	B%	Hours	R
1	E	6	02	Cover,Front Bumper	F5RY17757A	\$267.00*			0.9	SM
2	L	6	13	Cover,Front Bumper	Refinish				3.7	RF
					2.6 Surface					
					0.6 Two-stage setup					
					0.5 Two-stage					
3	E	40	02	Filler,Front Bumper	F5RY8419A	\$254.00*			0.3	SM
4	E	41	02	Headlamp Assy,Halogen LT	F5RY13007B	\$100.00*			INC	SM
5	E	52	02	Panel,Headlamp Mtg	F5RY13100A	\$166.28			2.4	SM
6	E	55	02	Lamp,Side Marker LT	F5RY13201A	\$68.00*			INC	SM
7	E	103	02	Fender,Front LT	F5RY16006A	\$125.65*			2.0	SM
8	L	103		Fender,Front LT	Refinish				3.3	RF
					2.3 Surface					
					0.5 Edge					
					0.5 Two-stage					
9	N	974		Suspension Align,Frt	Additional Labor				1.0	ME
10	E	651	02	Shaft Assembly,Axle L/F	F8RZ3B437AB	\$200.00*			1.7	ME
11	E	706	02	Gear Assy,Steering	F7RZ3L547AA	\$350.00*			3.3	ME
12	I	207		Door Shell,Front LT	Repair				3.9*	SM
13	L	207		Door Shell,Front LT	Refinish				2.3	RF
					1.9 Surface					
					0.4 Two-stage					
14	I			frame work on left fender	Repair				2.0*	SM*
14		Items								

MC

Message

02 PART NO. DISCONTINUED, CALL DEALER FOR EXACT PART NO.  
13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

**Estimate Total & Entries**

Gross Parts				\$1,530.93	
Paint Materials				\$260.40	
Parts & Material Total					\$1,791.33
Tax on Parts & Material		@ 5.600%			\$100.31
Labor	Rate	Replace Hrs	Repair Hrs	Total Hrs	
Sheet Metal (SM)	\$52.00	5.6	5.9	11.5	\$598.00
Mech/Elec (ME)	\$85.00	5.0	1.0	6.0	\$510.00
Frame (FR)	\$52.00				
Refinish (RF)	\$52.00	9.3		9.3	\$483.60
Paint Materials	\$28.00				
Labor Total				26.8 Hours	\$1,591.60
Tax on Labor		@ 5.600%			\$89.13
Gross Total					\$3,572.37
Net Total					\$3,572.37

Audatex Estimating 6.0.353 ES 09/02/2010 11:07 AM REL 6.0.353 DT 07/01/2010  
Copyright (C) 2009 Audatex North America, Inc.

2.0 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S 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.

**Op Codes**

* = User-Entered Value	E = Replace OEM	NG = Replace NAGS
EC = Replace Economy	OE = Replace PXN OE Srpls	UE = Replace OE Surplus
ET = Partial Replace Labor	EP = Replace PXN	EU = Replace Recycled
TE = Partial Replace Price	PM = Replace PXN Reman/Rebit	UM = Replace Reman/Rebuilt
L = Refinish	PC = Replace PXN Reconditioned	UC = Replace Reconditioned
TT = Two-Tone	SB = Sublet Repair	N = Additional Labor
BR = Blend Refinish	I = Repair	IT = Partial Repair
CG = Chipguard	RI = R & I Assembly	P = Check
AA = Appearance Allowance	RP = Related Prior Damage	



This report contains proprietary information of Audatex and may not be disclosed to any third party (other than the Insured, claimant and others on a need to know basis in order to effectuate the claims process) without Audatex's prior written consent.

Copyright (C) 2009 Audatex North America, Inc.  
Audatex Estimating is a trademark of Audatex North America, Inc.



Division of Motor Vehicles  
Driver Information Section  
PO Box 7983  
Madison, WI 53707-7983

Internet: [www.dot.wisconsin.gov](http://www.dot.wisconsin.gov)

Teletypewriter (TTY): 608-266-0824

Facsimile (FAX): 608-267-0606

E-mail: [dotuninsuredmotorist@dot.wi.gov](mailto:dotuninsuredmotorist@dot.wi.gov)

---

September 15, 2010

LEONEL ORTIZ  
707 S 23 ST  
MILWAUKEE WI 53204

**TELEPHONE:**  
(608) 266-1249  
File No: SR-145570

We are enclosing a copy of the Decision rendered as a result of your Safety Responsibility hearing before the Administrative Hearing Examiner, Department of Transportation.

If the decision sets a scheduled suspension date, the suspension order will be issued unless you meet one of the Safety Responsibility compliance requirements prior to the suspension date. There can be no extensions on this time.

The compliance requirements are (1) File releases or installment agreements signed by the persons named in the decision who verified damages or injuries; or (2) Deposit security in the amount indicated in the decision. Your certified check or money order should be payable to Registration Fee Trust.

#### Notice of Appeal Rights

Set out below are the alternative methods by which a person may request review of the above final decision. This notice is provided pursuant to Wis. Stats. s. 227.48(2).

Any person aggrieved by this decision may petition for rehearing as provided in Wis. Stats. 227.49. A petition for rehearing must be filed with the Department of Transportation, Uninsured Motorist Hearing Unit within 20 days after service of this decision. The petition must specify in detail the grounds for relief sought and supporting authorities. Rehearing may only be granted for the reasons set out in Wis. Stats. s. 227.49(3). A petition for rehearing is not a prerequisite to judicial review under Wis. Stats. ss. 227.52 and 227.53. A request for rehearing will not delay or stop a suspension order.

Any person aggrieved by this decision also has a right to petition for judicial review in Circuit Court, as provided in Wis. Stats. ss. 227.52 and 227.53. The petition for judicial review must name the Department of Transportation, Uninsured Motorist Hearing Unit as respondent, must be filed in Circuit Court, and must be served on the Department of Transportation, Uninsured Motorist Hearing Unit either in person or by certified mail. The petition for judicial review must be served and filed within thirty (30) days after service of this decision. If a rehearing is requested as noted in the preceding paragraph, any party seeking judicial review must serve and file a petition for judicial review within thirty (30) days after service of the order disposing of the rehearing request or within thirty (30) days after final disposition by operation of law of the rehearing request. Persons wishing to petition for judicial review are advised to closely examine and strictly comply with all the requirements of Wis. Stats. ss. 227.52 and 227.53. A request for judicial review will not delay or stop a suspension order.

BEFORE THE WISCONSIN DEPARTMENT OF TRANSPORTATION

---

IN THE MATTER OF SUSPENSION OF  
THE OPERATING PRIVILEGE OF  
LEONEL ORTIZ AND ALL  
REGISTRATIONS OF GERARDO  
ALARCON HUERTA

FINDINGS OF FACT  
CONCLUSIONS OF LAW  
AND DECISIONS  
SR-145570

---

Pursuant to due notice, Hearing Examiner Karen Roscoe held a hearing in Madison on August 30, 2010, for the Department of Transportation. Leonel Ortiz appeared in person and represented Gerardo Alarcon Huerta who did not appear. Reynaldo Cruz from DMV translated. Brian Banach, Hearing Examiner, observed.

Having considered all of the evidence submitted at the hearing, the Department of Transportation finds and decides as follows:

FINDINGS OF FACT

1. A motor vehicle accident occurred on April 12, 2010, on West Mineral Street in Milwaukee, Wisconsin, involving an auto driven by Leonel Ortiz and owned by Leonel Ortiz and Gerardo Alarcon Huerta and an auto driven by Gregory K. Sousek and owned by City of Milwaukee.
2. An entrance runs north of West Mineral Street. The accident occurred during the hours of darkness in a lighted area. It was raining and the roads were wet.
3. The Ortiz auto, northbound on South Cesar E. Chavez Boulevard, turned right on West Mineral Street, braked, slowed and attempted to turn left. The Sousek auto with its grill emergency lights activated, southbound on South Cesar E. Chavez

Boulevard, turned left to West Mineral Street, activated its emergency siren and side swiped the Ortiz auto.

4. A judgment including approximate court costs for the damage to the property owned by City of Milwaukee could total \$2,755.

5. There is no reasonable possibility that Leonel Ortiz would be found causally negligent in the operation of his motor vehicle at the time of the accident which resulted in the aforementioned property damage.

#### MEMORANDUM ACCOMPANYING FINDINGS OF FACT

The record consists of four exhibits, a police accident report, an evaluation of motor vehicle damage, a sheet of four digital photographs of the Ortiz auto, and an estimate of repairs for the Ortiz auto from Audatex. The latter two exhibits submitted by Leonel Ortiz. Additionally, it contains the testimony of Leonel Ortiz.

Leonel Ortiz testified that his auto had turned right to West Mineral Street from South Cesar E. Chavez Boulevard. He stated he activated his auto's left turn signal after it turned right. He stated he did not see the Sousek auto, its emergency lights or hear a siren. He stated as his auto began to turn left it was struck from the Sousek auto traveling eastbound in the westbound lane of traffic. He stated the entrance from the corner is approximately 30 to 35 feet. He stated he was looking at the westbound lane of traffic on West Mineral Street checking for traffic at impact.

We find the record contains substantial, credible evidence to suggest a reasonable possibility exists a jury would find both Leonel Ortiz and Gregory K. Sousek negligent. We find, however, in balance, and viewing the record in its entirety Gregory K. Sousek

more negligent. Under Wisconsin law, a person with greater negligence cannot recover his loss from a person with lesser negligence, s. 895.045(1), Stats.

We also find Gerardo Alarcon Huerta is not subject to the provisions of s. 344.14, Stats.

#### CONCLUSIONS OF LAW

1. No reasonable possibility exists of a judgment being rendered against Leonel Ortiz for the damage to property owned by City of Milwaukee.
2. Leonel Ortiz is not subject to the security requirements of Wisconsin's Safety Responsibility Law.
3. Gerardo Alarcon Huerta, as vehicle co-owner, is not subject to the security requirements of Wisconsin's Safety Responsibility Law under s. 344.14, Stats.

#### DECISION

1. The suspension proceedings under the Safety Responsibility Law shall be terminated for good cause against Leonel Ortiz and Gerardo Alarcon Huerta.

Dated this 15th day of September, 2010.

  
Karen Roscoe, Hearing Examiner

clm

**NOTICES SENT TO FOR FILE 100941:**

[illegible]





## Legislation Details (With Text)

---

**File #:** 100901      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to an appeal from Miguel Sandoval for property damage. (14th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS APPEAL

**Attachments:** City Attorney Letters, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100901

Version

ORIGINAL

Reference

100412

Sponsor

THE CHAIR

Title

Resolution relating to an appeal from Miguel Sandoval for property damage. (14th Aldermanic District)

Drafter

CC-CC

dkf

11/10/10

**GRANT F. LANGLEY**  
City Attorney

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



THOMAS O. GARTNER  
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  
JARELY M. RUIZ  
ROBIN A. PEDERSON  
DANIELLE M. BERGNER  
CHRISTINE M. QUINN  
Assistant City Attorneys

November 3, 2010

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

Re: Miquel Sandoval  
C.I. File No. 10-S-160  
Previous Common Council File No. 100412

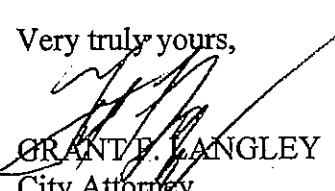
Dear Alderman Hamilton:


A notice was originally filed on June 11, 2010 that failed to list a dollar demand for damage allegedly done to Mr. Sandoval's vehicle during the towing process. Our office denied the matter on July 13, 2010 and the appeal was heard by your committee on September 13, 2010. The committee was unable to rule due to the absence of a dollar demand. The matter was placed on file until or if Mr. Sandoval filed this information. Mr. Sandoval subsequently filed the enclosed damage estimate in the amount of \$817.90.

Our office maintains its original denial of this claim based upon the fact that there is no evidence the City caused any damage to this vehicle. We have included a copy of Mr. Sandoval's original notice and our denial letter dated July 13, 2010 for your reference. Our office requests that you please reschedule this matter before the Judiciary & Legislation Committee and have provided Deb Fowler of your office a copy of these documents. Please call our office with any questions or concerns.

Thank you for your assistance in this matter.

Very truly yours,

  
GRANT F. LANGLEY  
City Attorney

  
ROBERT M. OVERHOLT  
Investigator Adjuster

RMO:162825  
Enclosures  
c: Deb Fowler  
1044-2010-1626

OFFICE OF THE CITY ATTORNEY

**GRANT F. LANGLEY**  
City Attorney

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



**Milwaukee's Future: IT'S IN OUR HANDS**

[www.milwaukee.gov/2010census](http://www.milwaukee.gov/2010census)

THOMAS O. GARTNER  
BRUCE D. SCHRIMPF  
SUSAN D. BICKERT  
STUART S. MUKAMAL  
THOMAS J. BEAMISH  
MAURITA F. HOUREN  
JOHN J. HEJEN  
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

July 13, 2010

Miguel Sandoval  
3840A South Whitnall Avenue  
Milwaukee, WI 53207

RE: Miguel Sandoval  
C.I. File No.: 10-S-160

Dear Mr. Sandoval:

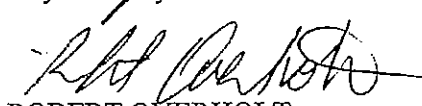
We have received your claim regarding alleged damage to your vehicle's rear bumper and light. You also alleged there was oil and grease along the edge of the hood and rear of the vehicle.

Our investigation reveals that your 1998 Mitsubishi was towed on June 5, 2010 to the City of Milwaukee Tow Lot due to it being displayed for sale without a permit on public property. Our office reviewed the tow lot intake disc, reviewed the PT-27 form completed prior to the tow and the tow lot intake/exit forms. This review revealed none of the items you are alleging. Since there is no evidence the City caused any damage, it 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 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  
c: David Lawrence  
1044-2010-1626:159489

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

REFRAISED ONLY

CUSTOMER INFORMATION

TOW #: 1454083  
DATE: 06-05-10  
CLERK ID: 3

NAME: MIGUEL SANDOVAL  
ADDRESS: 3840 AS. WHITNALL AVE.  
PHONE #: MILWAUKEE WI 53207  
(414) 747-4739

PHOTOS TAKEN ☐ YES ☒ NODATE FILED: 06-07-10PHOTOS ATTACHED ☐ YES ☒ NOALL FORMS COMPLETED ☐ YES ☐ NO

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

## CITIZEN'S STATEMENT

4A3AJ56GOWE 10686412485060550R8052RA0025AUTO WHITE 4 PUERTAS367KMP1998 MITS. GALANT

CITY OF MILWAUKEE  
RECEIVED  
2010 JUN 11 PM 3:07  
OFFICE OF  
CITY ATTORNEY

CITY OF MILWAUKEE  
2010 JUN 10 PM 12:08  
RONALD D. LECHMAN  
CITY CLERK

Miguel Sandoval  
\*\*\*SIGNATURE

6-7-10  
DATE

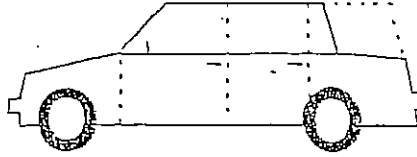
-OVER-

FRONT

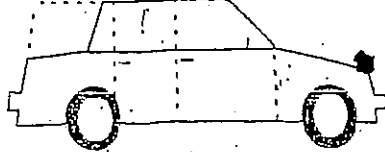
BACK



DRIVER'S SIDE



PASSENGER'S SIDE



File a claim for \*DAMAGE TO or THEFT FROM\* your vehicle, Write a detailed letter and send to:

CITY CLERK'S OFFICE,  
200 EAST WELLS STREET  
CITY HALL, ROOM 205  
MILWAUKEE, WI 53202  
414-286-2221

**TO USE ONLY**

**INVESTIGATION RESULTS**

NOTE TO: ☐ D. LAWRENCE ☐ L. BLACK ☐ RETURN TO LINDA


SIGNATURE:

DATE:

Formstowlot/complaintandinvestigationform/revised: 07/06 lmb

**NOTICES SENT TO FOR FILE 100901:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 100906      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Starmonneeka Evans for property damage. (7th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS

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

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

100906

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Starmonееka Evans for property damage. (7th Aldermanic District)

**Requestor**

City Attorney

**Drafter**

JAS:ms

October 26, 2010

1048-2010-2566:162650

**GRANT F. LANGLEY**  
City Attorney

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



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

October 26, 2010

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

Re: Resolution Relating to the Claim of Starmoneeka Evans  
C.I. File No. 10-L-103

Dear Council Members:

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

Claimant, Starmoneeka Evans, 3906 North Sherman Boulevard, Apt. #1, Milwaukee, WI 53216, alleges that on August 24, 2010, the gate at the Department of Public Works (DPW) Facility at 3850 North 35<sup>th</sup> Street closed on her vehicle as the driver of her vehicle was going through the gate. She claims damages in the amount of \$5,021.10.

Our investigation reveals that the Wisconsin Motor Vehicle Accident Report completed by the Milwaukee Police Department noted the driver of the vehicle may have sped up to beat the closing gate. The DPW records relative to this incident noted the gate did not malfunction on this date. Since the City was not negligent in this matter, we recommend denial of this claim.

Very truly yours,

**GRANT F. LANGLEY**  
City Attorney

**JAN A. SMOKOWICZ**  
Assistant City Attorney

JAS:ms  
Enclosure  
1048-2010-2566:162649

Upon picking up a Water Company, Employee  
the Closten Gate Ran open and closed on  
the rear passenger side of my Auto -  
mobil, ~~Caused~~ Caused damage to my  
panel and Bumper, I've Taken all  
the proper Channels to get to this  
point of the Clam. Given the  
Custom paint Job of my Auto-Mobile  
I could only find one person  
that would fix the damages, I -  
would find it very convenient if you  
Guys would also like to send some-  
one out to apraise the damages.

Sincerely  
yours  
Steve

CITY OF MILWAUKEE  
10 SEP 14 PM 3:36  
RONALD D. LEONHARDT  
CITY CLERK

CITY OF MILWAUKEE  
RECEIVED  
2010 SEP 15 PM 3:54  
OFFICE OF  
CITY ATTORNEY

# JOB INVOICE

TO: Stormonekia EVANS  
ADDRESS: 3906 W Sherman Apt 1  
mil w/ 53216 (414) 795-4636  
ATTENTION: 795-4265

DATE ORDERED 9-5-10	ORDER TAKEN BY Derek Pette
PHONE NO. 414 795-1299	CUSTOMER ORDER #
JOB LOCATION 7 Big Dipper	
JOB PHONE 323	STARTING DATE
TERMS	

[illegible]

DESCRIPTION OF WORK			
OVERHAUL IN EAR QUARTER PAINT CANNOT BE BLEND CUSTOM KAMIGAWA			
MISCELLANEOUS CHARGES			
LABOR	HRS.	RATE	AMOUNT
OVERHAUL	8	54	432
REB	10	54	540
PAINT	15	54	810

WORK ORDERED BY
DATE ORDERED
DATE COMPLETED

CUSTOMER APPROVAL  
SIGNATURE \_\_\_\_\_

AUTHORIZED SIGNATURE \_\_\_\_\_

TOTAL LABOR	1782
TOTAL MATERIALS	3000
TOTAL MISCELLANEOUS	
SUBTOTAL	4782
TAX	239.50
GRAND TOTAL	5021.10

**NOTICES SENT TO FOR FILE 100906:**

[illegible]



## Legislation Details (With Text)

**File #:** 100924      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to an appeal from LoRoy Turner 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
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

100924

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

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

Drafter

CC-CC

dkf

11/15/10

**GRANT F. LANGLEY**  
City Attorney

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



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

October 20, 2010

LoRoy Turner  
2526 North 18th Street  
Milwaukee, WI 53206

RE: LoRoy Turner  
C.I. File No.: 10-S-299

Dear Mr. Turner:


We have received your claim in the amount of \$581.94, relating to destruction of perennial plants that were allegedly in your garden at 2526 West 18<sup>th</sup> Street on/about June, 2010.

Our investigation reveals that your property was the subject of a nuisance weed complaint. The property was inspected and a notice was posted on May 18, 2010 regarding the violation of § 80-17, Milwaukee Code of Ordinances. A re-inspection was completed and the area was found to be in feral condition due to weed/grass overgrowth. A contractor was hired and the flower beds were cut on May 26, 2010. Since the Forestry Section followed its standard procedures and the City was not negligent, it 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 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  
1068-2010-2472:162269

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

November 3, 2010

Milwaukee City Clerk, Attn: Robert Overholt  
200 East Wells Street  
Room 205  
Milwaukee, WI  
53202

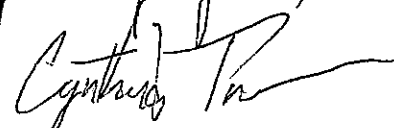
RE: Request for Hearing  
C.I. File No.: 10-5-299

Dear Sir:

We received your decision regarding the damage to our perennial beds at 2526 North 18<sup>th</sup> Street in June of 2010. We are appealing the decision and request a hearing. Please send notification to LoRoy Turner at:

LoRoy Turner  
2526 N. 18<sup>th</sup> St.  
Milwaukee, WI  
53206

(414) 372-3109

Very Truly Yours,  


CITY OF MILWAUKEE  
2010 NOV -9 AM 9:01  
RONALD D. LEONARD  
CITY CLERK

August 31, 2010

CITY OF MILWAUKEE  
2010 SEP -7 PM 1:09  
RONALD D. LECH  
CITY CLERK

To Whom It May Concern:

On or about the first week of June, we were awakened by the sound of a weed wacker in our yard. I went to the hall window and there were three men using the tools all over our garden. They destroyed many plants. The garden has been a perennial garden for well over ten years.

There has been no sign of regrowth so perennial specialists have told us that they will not return. We are requesting restitution for replacement. The following prices for replacement, based on this years' costs, are listed below.

Geranium	one	\$4.99
Tulips	seven	\$34.93
Lilies	twelve	\$179.98
Bellflower	one	\$4.99
Roses	two	\$50.00
Phlox	one	\$4.99
Spiderwort	one	\$15.99
Hibiscus	two	\$31.98
Moonflower	one	\$9.99
Poppies	three	\$29.97
Daisies	four	\$19.96
Helinium	one	\$9.99
Monarda	one	\$9.99
Galardia	one	\$9.99
Meadow Sage	one	\$9.99
Lupine	two	\$19.98
Selenium	one	\$4.99
Crocus sets	two	\$9.78
Daffodil sets	two	\$9.78
Windflower	one	\$4.89
Peonies	two	\$31.98
Russian Sage	one	\$9.99
Mums	four	\$31.96
Subtotal		\$551.08
Tax		\$30.86
Total		\$581.94

If you have any questions, please call:

CITY OF MILWAUKEE  
RECEIVED  
2010 SEP -7 PM 3:15  
OFFICE OF  
CITY ATTORNEY

LoRoy Turner  
2526 N 18<sup>th</sup> St  
Milwaukee, WI  
53206

(414) 372-3109

**NOTICES SENT TO FOR FILE 100924:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 100898      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to an appeal from Kelly Kincaid 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
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

100898

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

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

**Drafter**

CC-CC

dkf

11/5/10

**GRANT F. LANGLEY**  
City Attorney

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



THOMAS O. GARTNER  
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 CONRAOSON CLEARY  
THOMAS D. MILLER  
JARELY M. RUIZ  
ROBIN A. PEDERSON  
DANIELLE M. BERGNER  
Assistant City Attorneys

October 18, 2010

Kelly Kincaid  
4931 North 66th Street  
Milwaukee, WI 53218

RE: Kelly Kincaid  
C.I. File No.: 10-S-322

Dear Ms. Kincaid:

We have received your claim in the amount of \$2,994.41, relating to damage sustained to your vehicle on September 7, 2010 when branches from a City tree allegedly fell on it at 4931 North 66<sup>th</sup> Street.

Our investigation reveals that the Forestry Section (FS) responded to a call of a tree branch down. Upon arrival, the crew found the down branch, but it was not on top of any vehicle. The branch was removed by the crew. The crew leader recalled that the branch was alive and subsequent review by the FS showed no decay at the point of the branch's attachment to the tree. The FS records noted the trees in the area were last pruned in March, 2008 pursuant to the City's programmed pruning schedule. They also searched their records for the last five years and found no notice of potential hazardous conditions or requests for service for this tree. The section followed its standard procedures and this loss occurred during windy conditions, as such, we are denying your claim.


Kelly Kincaid  
October 18, 2010  
Page 2

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 E. LANGLEY  
City Attorney



ROBERT OVERHOLT  
Investigator Adjuster

RMO:ms  
1068-2010-2620:162405

CITY OF MILWAUKEE

2010 NOV -1 AM 10:00

RONALD D. LEONHARDT  
CITY CLERK

October 28, 2010


Kelly Kincaid  
4931 N. 66<sup>th</sup> Street  
Milwaukee, WI 53218

C.I. File NO.:10-S-322

To Whom It May Concern:

This is a letter to appeal the decision made on October 18, 2010 by Grant F. Langley and Robert Overholt regarding city tree that fell and hit my vehicle on September 7, 2010. Although I submitted to two different estimates for the damaged cause to my vehicle, somehow because the car was not there when the crew arrived it never occurred. The winds were extremely high and I moved my vehicle to prevent in further damage! There should be two records of calls from my residence; the first call was about the tree branch falling. Then second about an hour later from myself request information about filling a claim. I spoke to the person (male, black) who removed the tree out of street/sidewalk and I helped him. They were about four people at my residence from the Forestry Section so why was just one person interviewed? The person I told that the tree branch hit my vehicle directed me to call the city back and file a claim, and that is what I did. The city claims that no there were potential hazardous conditions request made in five years. However, the same branch that they cut on September 7, 2010 had another branch which was recently cut by the city.

Sincerely Your,

  
Kelly Kincaid

OFFICE OF  
CITY ATTORNEY

2010 NOV -1 PM 3:20

CITY OF MILWAUKEE  
RECEIVED

September 19, 2010

CITY OF MILWAUKEE  
RECEIVED  
2010 SEP 22 AM 11:04

OFFICE OF  
CITY ATTORNEY

City Clerk with the City of Milwaukee

My name is Kelly Kincaid and on September 7, 2010 during a usual windstorm in city of Milwaukee several branches of a city tree fell. The branches fell on my vehicle and onto my front lawn. I was not able to move most of the branches because of their weight but I was able to drive my vehicle from under the tree. I was in my backyard and never heard the crash but I walked up to the front of my yard to discover the damages. This occurred about 3pm on that afternoon. I immediately contacted the city that then sent the Forest Department to my residence at 4931 N. 66<sup>th</sup> Street within the next hour.

I then requested the instructions for filing a claim and how to contact the claims Department regarding the damages done to my vehicle. I have enclosed 2 itemized estimates for the repairs needed to restore my vehicle. The estimates do not include the cost to obtain a rent a car. During business hours I can be reached on my cell phone at (414) 628-6607 or at my office at (414) 229-0562. My home number is (414) 536-1099 and messages can be left at that number. I look forward to hearing from the claims Department as soon as possible.

Sincerely,



Kelly Kincaid



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 at the bottom 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

### 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

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. (1g), (1m), (1p) and (8), no action may be brought or maintained against any volunteer fire company organized under ch. 213, political corporation, governmental subdivision or agency thereof nor against any officer, official, agent or 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.

AMATO COLLISION CENTER  
5200 N PORT WASHINGTON ROAD  
GLENDALE, WISCONSIN 53217  
OFFICE: 414-964-4400 FAX: 414-964-1433

\*\*\* PRELIMINARY ESTIMATE \*\*\*

09/17/2010 01:07 PM

Owner

Owner: KELLY KINCAID  
Address: 4931 N 66TH  
City State Zip: Milwaukee, WI 53218

Work/Day:  
FAX:

Inspection

Inspection Date: 09/17/2010 01:07 PM

Inspection Type:

Appraiser Name: Steve Italiano

Appraiser License #:

Repairer

Repairer: AMATO COLLISION CENTER  
EAST  
Address: 5200 N. PORT WASHINGTON RD.  
City State Zip: GLENDALE, WI 53217

Contact: STEVE ITALIANO  
Work/Day: (414)964-4400  
FAX: (414)964-1433

Vehicle

2007 Nissan Murano SL 4 DR Wagon  
6cyl Gasoline 3.5  
Continuously Variable Tr

Lic.Plates: 757RHV  
Lic Expire:  
Prod Date:  
Veh Insp#:  
Condition:  
Ext. Color: BLUE  
Ext. Refinish: Two-Stage

Lic State: WI  
VIN: JN8AZ08W97W621719  
Mileage: 42,372  
Mileage Type: Actual  
Code: Z7304B  
Int. Color:  
Int. Refinish: Two-Stage

Options

4-Wheel Drive	AM/FM CD Player	Air Conditioning
Alarm System	Aluminum/Alloy Wheels	Anti-lock Brakes
Automatic Dimming Mirror	Bucket Seats	Center Console
Cruise Control	Dual Airbags	Dual Zone Auto A/C
Fog Lights	Garage Door Opener	Head Airbags
Intermittent Wipers	Keyless Entry System	Leather Steering Wheel
Lighted Entry System	Power Brakes	Power Door Locks
Power Drivers Seat	Power Liftgate	Power Mirrors
Power Steering	Power Windows	Privacy Glass
Rear View Camera	Rear Window Defroster	Rear Window Wiper/Washer
Rem Trunk-L/Gate Release	Side Airbags	Strg Wheel Radio Control
Tachometer	Theft Deterrent System	Tilt Steering Wheel
Tinted Glass	Trip Computer	Velour/Cloth Seats

Damages

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ% B%	Hours	R
1	BR	166	13	Panel,Bodyside Otr Upr RT	Blend Refinish			1.4	RF
2	I	208		Door Shell,Front RT	Repair			0.5*	SM
3	L	208		Door Shell,Front RT	Refinish			2.6	RF
4	E	272		Mldg,Front Door Belt RT	80820CA000	\$109.22		0.3	SM

5	RI	228	Handle,Front Door Otr RT	R & I Assembly		1.7	SM
6	E	335	Mldg,Rear Door Belt RT	82820CA000	\$105.95	0.2	SM
7	E	78	Mldg,Rear Door Lower R/R	82870CC20A	\$78.32	0.2	SM
8	RI	306	Handle,RR Door Outer RT	R & I Assembly		1.5	SM
9	RI	72	Mldg,Roof Drip RT	R & I Assembly		0.3	SM
10	E	503	Cap,Luggage Rack RT	73870CA00B	\$47.72		SM
11	I	390	Panel,Quarter RT	Repair		1.0*	SM
12	L	390	Panel,Quarter RT	Refinish		3.0	RF
13	E	431	Glass,Quarter Tinted RT	83300CA000	\$217.17	1.2	SM
14	EC	468	Sealant Kit,Qtr Glass RT	Replace Economy	\$25.00*	INC	SM
15	I	479	Shell,Tailgate	Repair		1.0*	SM
16	L	479	Shell,Tailgate	Refinish		2.6	RF
17	E	380	N/Plate,Tailgate	90894CA000	\$63.20	0.2	SM
18	E	540	N/Plate,Tailgate	90896CA000	\$54.80	0.2	SM
19	E	535	Emblem,Tailgate	90890CA000	\$38.60	0.2	SM
20	E	455	Motor,Tailgate Wiper	28710CB00A	\$371.59	0.7	SM
21	RI	566	Rear Bumper Cover R&I	R & I Assembly		1.3	SM
22	I	566	Cover,Rear Bumper	Repair		1.0*	SM
23	L	566	Cover,Rear Bumper	Refinish		3.1	RF
24	E	1556	Retainer,RR Step Bmpr LT	85042CC20A	\$4.03	INC	SM
25	E	1557	Retainer,RR Step Bmpr RT	85042CC20A	\$4.03	INC	SM
26	E	1558	Retainer,RR Step Bmpr LT	85042CC20A	\$4.03	INC	SM
27	E	1559	Retainer,RR Step Bmpr RT	85042CC20A	\$4.03	INC	SM
28	E	1560	Retainer,RR Step Bmpr	85042CC20A	\$4.03	INC	SM
29	E	581	Pad,Rear Bumper Step	85066CC21B	\$137.10	0.3	SM
30	EC	M03	Flex Additive	Replace Economy	\$5.00*		RF
31	EC	M14	Corrosion Protection	Replace Economy	\$10.00*	0.3*	SM*
32	SB	M60	Hazardous Waste Removal	Sublet Repair	\$5.00*		SM
32 Items							

MC Message

13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

Estimate Total & Entries

Gross Parts		\$1,243.82	
Other Parts		\$40.00	
Paint Materials		\$431.80	
Parts & Material Total			\$1,715.62
Tax on Parts & Material	@ 5.600%		\$96.07
Labor	Rate Replace Hrs Repair Hrs Total Hrs		
Sheet Metal (SM)	\$54.00 8.6 3.5 12.1	\$653.40	
Mech/Elec (ME)	\$98.00		
Frame (FR)	\$54.00		
Refinish (RF)	\$54.00 12.7	\$685.80	
Paint Materials	\$34.00		
Labor Total		24.8 Hours	\$1,339.20
Tax on Labor	@ 5.600%		\$75.00
Sublet Repairs			\$5.00
Tax on Sublet	@ 5.600%		\$0.28
Gross Total			\$3,231.17
Net Total			\$3,231.17

Alternate Parts Y/00/00/00/00/00 CUM 00/00/00/00/00 Zip Code: 53217 Audatex Host

Audatex Estimating 6.0.353 ES 09/17/2010 01:16 PM REL 6.0.353 DT 08/01/2010 DB 09/15/2010  
Copyright (C) 2009 Audatex North America, Inc.

2.7 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.

### Op Codes

\* = User-Entered Value  
EC = Replace Economy  
ET = Partial Replace Labor  
TE = Partial Replace Price  
L = Refinish  
TT = Two-Tone  
BR = Blend Refinish  
CG = Chipguard  
AA = Appearance Allowance

E = Replace OEM  
OE = Replace PXN OE Srpls  
EP = Replace PXN  
PM = Replace PXN Reman/Rebld  
PC = Replace PXN Reconditioned  
SB = Sublet Repair  
I = Repair  
RI = R & I Assembly  
RP = Related Prior Damage

NG = Replace NAGS  
UE = Replace OE Surplus  
EU = Replace Recycled  
UM = Replace Reman/Rebuilt  
UC = Replace Reconditioned  
N = Additional Labor  
IT = Partial Repair  
P = Check



This report contains proprietary information of Audatex and may not be disclosed to any third party (other than the insured, claimant and others on a need to know basis in order to effectuate the claims process) without Audatex's prior written consent.

Copyright (C) 2009 Audatex North America, Inc.  
Audatex Estimating is a trademark of Audatex North America, Inc.

PRESTIGE AUTO WORKS AND FINISHES INC  
6301 W DOUGLAS AVENUE  
MILWAUKEE, WI. 53218  
PHONE 414-466-2111 FAX 414-466-9992  
FEDERAL ID# 39-1661-727

CD LOG NO 25191-1 DATE 09/15/10

SHOP: PRESTIGE AUTO WORKS INSP DATE: 09/15/10  
ADDRESS: 6301 W DOUGLAS AVE CONTACT: KEITH  
CITY STATE: MILWAUKEE, WI PHONE 1: (414) 466-2111  
ZIP: 53218- FAX: (414) 466-9992

OWNER: KINCAID, KELLY HOME PHONE: (414) 536-1299  
ADDRESS: 4931 N 66TH ST WORK PHONE: (414) 229-0562  
CITY STATE: MILWAUKEE, WI FAX: (414) 229-0725  
ZIP: 53218

POINT OF IMPACT: 11

LIC#: 757RHV STATE: WI VIN: JN8AZ08W97W621719  
BODY COLOR: BLUE MILEAGE: 42,372  
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

2007 NISSAN MURANO SE 4DOOR WAGON 6CYL GASOLINE 3.5  
CODE: Z7304C/E OPTNS B/24BADNUOY

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES	TWO-STAGE - INTERIOR SURFACES
4-WHEEL DRIVE	BUMPER COVER MOUNTED FOG LAMPS
XENON HEADLAMPS	BACKUP CAMERA
AUTO TRNS W/MAN SELECT SWITCH	ALARM SYSTEM
STRG WHEEL MTD RADIO CONTROLS	

OP	GDE	MC	DESCRIPTION	MFG.	PART NO.	PRICE	AJ%	B%	HOURS	R
---	---	---	-----	---	-----	-----	---	---	-----	---
BR0166	13	PANEL, BODYSIDE	OTR RT BLEND REFINISH						1.4	4
			0.5 BLEND							
			0.6 TWO STAGE SETUP							
			0.3 TWO STAGE							
I 0208		DOOR SHELL, FRONT	RT REPAIR						1.0	*1
L 0208		DOOR SHELL, FRONT	RT REFINISH						2.6	4
			2.2 SURFACE							
			0.4 TWO STAGE							

2007 NISSAN MURANO SE 4DOOR WAGON  
CD LOG NO 25191-1

RI0272	MLDG,FRONT DOOR BEL RT	R&I ASSEMBLY		0.3	1
RI0280	MLDG,FRONT DOOR LOWR/R	R&I ASSEMBLY		0.2	1
RI0230	MIRROR,OUTER R/C RT	R&I ASSEMBLY		0.3	1
RI0228	HANDLE,FRONT DOOR O RT	R&I ASSEMBLY		1.7	1
I 0288	DOOR SHELL,REAR RT	REPAIR		1.0*	1
L 0288	DOOR SHELL,REAR RT	REFINISH		2.2	4
		1.8 SURFACE			
		0.4 TWO STAGE			
RI0335	MLDG,REAR DOOR BELT RT	R&I ASSEMBLY		0.2	1
RI0282	MLDG,REAR DOOR LOWER/R	R&I ASSEMBLY		0.2	1
E 1405	TAPE,REAR DOOR RT	82892CA000	6.03	0.2	1
RI0306	HANDLE,RR DOOR OUTE RT	R&I ASSEMBLY		1.5	1
I 0341	PANEL,ROOF	REPAIR		1.0*	1
	buff				
RI0072	MLDG,ROOF DRIP RT	R&I ASSEMBLY		0.3	1
I 0494	CAP,LUGGAGE RACK RT	REPAIR		0.5*	1
E 0502	CAP,LUGGAGE RACK LT	73871CC20A	57.92		1
I 0390	PANEL,QUARTER RT	REPAIR		1.0*	1
L 0390	PANEL,QUARTER RT	REFINISH		2.8	4
		2.3 SURFACE			
		0.5 TWO STAGE			
E 0431	GLASS,QUARTER TINTE RT	83300CA000	217.17	1.8*	1
EC0468	SEALANT KIT,QTR GLA RT	ECONOMY PART	25.00*	INC	1
I 0479	SHELL,TAILGATE	REPAIR		1.0*	1
L 0479	SHELL,TAILGATE	REFINISH		2.5	4
		2.2 SURFACE			
		0.3 TWO STAGE			
E 0380	N/PLATE,TAILGATE	90894CA000	63.20	0.2	1
E 0540	N/PLATE,TAILGATE	90896CA000	54.80	0.2	1
E 0535	EMBLEM,TAILGATE	90890CA000	38.60	0.2	1
I 0544	ARM,TAILGATE WIPER	REPAIR		0.5*	1
RI0544	ARM,TAILGATE WIPER	R&I ASSEMBLY		0.1	1
RI1516	NOZZLE,T/G WASHER	R&I ASSEMBLY		0.1	1
I 0534	TAILLAMP ASSEMBLY RT	REPAIR		0.5*	1
	buff				
RI0534	TAILLAMP ASSEMBLY RT	R&I ASSEMBLY		0.3	1
RI0605	LAMP,HIGH MOUNTED STOP	R&I ASSEMBLY		0.7	1
E 0566 01	COVER,REAR BUMPER	R&I ASSEMBLY	*	1.2	1
I 0566	COVER,REAR BUMPER	REPAIR		1.0*	1
L 0566	COVER,REAR BUMPER	REFINISH		3.1	4
		2.6 SURFACE			
		0.5 TWO STAGE			
RI0570	PAD,REAR BUMPER STEP	R&I ASSEMBLY		INC	1
L M03	FLEX ADDITIVE	REFINISH	12.50*		4
L M14	CORROSION PROTECTION	REFINISH		0.5*	4*
L M17	COVER CAR EXTERIOR	REFINISH		0.2*	4*
SBM60	HAZARD. WSTE. REM.	SUBLET REPAIR	4.00*		1*
EC	BUMPER RETAINERS	ECONOMY PART	12.50*		1*
L	MASK JAMS	REFINISH		0.3*	4*
L	ROPE GLASS	REFINISH		0.3*	4*
	tgt				

43 ITEMS

2007 NISSAN MURANO SE 4DOOR WAGON  
CD LOG NO 25191-1

MC MESSAGE(S)  
01 CALL DEALER FOR EXACT PART NUMBER / PRICE  
13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS				437.72
OTHER PARTS				50.00
PAINT MATERIAL				556.50
PARTS & MATERIAL TOTAL				1,044.22
TAX ON PARTS & MATERIAL @			5.600%	58.48
LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	54.00	9.7	7.5	928.80
2-MECH/ELEC	95.00			
3-FRAME	55.00			
4-REFINISH	54.00	15.9		858.60
5-PAINT MATERIAL	35.00			
LABOR TOTAL				1,787.40
TAX ON LABOR		@	5.600%	100.09
SUBLET REPAIRS				4.00
TAX ON SUBLET		@	5.600%	0.22
TOWING				
STORAGE				

GROSS TOTAL 2,994.41

NET TOTAL 2,994.41

SHOPLINK U2834 ES CD LOG 25191-1 DATE 09/15/10 05:20:26PM R6.37 CD 07/10

PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53218

HOST LOG

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

3.0 HRS WERE ADDED TO THIS EST. BASED ON AUDATEX TWO-STAGE REFINISH FORMULA.  
AUDATEX TWO-STAGE EXTERIOR THRESHOLD OF 2.5 HOURS WAS CALCULATED IN THIS  
ESTIMATE.

-----  
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.

THIS ESTIMATE HAS BEEN PREPARED BASED ON A VISUAL INSPECTION. ACTUAL REPAIRS  
MAY REQUIRE ADDITIONAL PARTS AND LABOR DUE TO HIDDEN DAMAGE. THEREFORE WE  
CANNOT GUARANTEE A FINAL PRICE PRIOR TO COMPLETION NOR A FINAL COMPLETION  
TIME. YOU WILL BE NOTIFIED OF ADDITIONAL COST. ESTIMATE VALID FOR 30 DAYS.  
PARTS PRICES SUBJECT TO CHANGE WITHOUT NOTICE FROM MFG. YOU ARE RESPONSIBLE  
FOR FULL PAYMENT UPON COMPLETION. STORAGE FEES ARE \$20/DAY.  
NO PERSONAL CHECKS ACCEPTED. NON OEM PARTS ARE IDENTIFIED  
AS "ECONOMY" OR "QUALITY REPLACEMENT PART".

2007 NISSAN MURANO SE 4DOOR WAGON  
CD LOG NO 25191-1.

PAW NOT RESPONSIBLE FOR PERSONAL PROPERTY LOST OR DAMAGED DURING REPAIRS.  
I HAVE READ, UNDERSTAND, AND RECEIVED A COPY OF THIS ESTIMATE AND AUTHORIZE  
REPAIRS, INCLUDING SUBLET.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**NOTICES SENT TO FOR FILE 100898:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 100998      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to an appeal from Daniel Sweeney 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
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

100998

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

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

**Drafter**

CC-CC

dkf

11/19/10

**GRANT F. LANGLEY**  
City Attorney

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



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

October 27, 2010

Daniel Sweeney  
6521 North Sunny Point Lane  
Glendale, WI 53217

RE: C.I. File No.: 10-S-338

Dear Mr. Sweeney:

We have received your claim in the amount of \$1,638.00, relating to damage allegedly sustained in late June or early July, 2010, when a tree, allegedly owned by the City, located on the property at 2648 North 49<sup>th</sup> Street fell onto your property located at 2654 North 49<sup>th</sup> Street.

Our investigation reveals that the Forestry Division records indicate that they inspected the tree, a 29-inch diameter Norway Maple, on June 22, 2007 and determined that it was hazardous due to a split in the main trunk. They tagged it and notified the owner, Seed Time Harvest, LLC by recorded mail that the hazard required abatement within 30 days by either removal of the affected branches or securing the tree by bolting and cabling. The owner was also given the option of having the City remove the tree and applying the cost to the property tax bill.

The owner did not contact the Division. On July 26, 2007, they inspected the tree and found that no action had been taken to abate the hazard. Subsequently, they hired a private contractor, by low-bid process, to bolt and cable the tree. This was done on August 10, 2007. It is a long term solution recommended by the International Society of Arboriculture and the Wisconsin Arborist Association.

The tree failed again on July 1, 2010. The Division inspected the tree and found that the original bolt was still intact. Due to the recent damage, they tagged the tree for removal. On July 7, 2010, they sent a notice to Seed Time Harvest, LLC to have the tree removed within 30 days. This was done.

Daniel Sweeney  
October 27, 2010  
Page 2

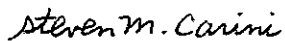
There is no evidence that the City was negligent in this matter. As such, the City would be not liable. Therefore, we are denying your claim.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Grant F. Langley".

GRANT F. LANGLEY  
City Attorney

A handwritten signature in black ink, appearing to read "Steven M. Carini".

STEVEN M. CARINI  
Investigator Adjuster

SMC:ms  
1068-2010-2692:162719

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

CITY OF MILWAUKEE  
10 NOV 16 PM 1:26  
RONALD D. LEONHARDT  
CITY CLERK

November 16, 2010

Subject: Appeal of C.I. File No. 10-S-338  
Fallen Tree at 2654 N 49<sup>th</sup> Street, Milwaukee

My name is Daniel Sweeney. I own a rental property at 2654 N 49th St. On July 1, 2010 a tree located on the property of 2648 N 49th St fell on the power lines of my house and ripped out the two electrical meters and service line. The damage to the property was \$1013 for the electrical repair and \$625 for tree removal. Since my original letter sent two months ago, the City Attorney has denied my claim.

I am **appealing** the City's denial and request a hearing.


In a letter sent to me on October 27, 2010, the City Attorney stated: *"The tree failed again on July 1, 2010. The Division inspected the tree and found that the original bolt was still intact. Due to the recent damage, they tagged the tree for removal."*

The City also claims that the cabling and bolting of the tree is *"a long term solution recommended by the International Society of Arboriculture and the Wisconsin Arborist Association."*

I have proof that the bolting and cabling of the tree (as contracted out by the City of Milwaukee) did in fact fail, as I have a section of the tree with **another bolt and cable** attached to it, saved in my yard (the section of the tree that failed). The tree section I have has a long piece of wire attached to it and running around it, as well as a 2 foot long bolt that was in that specific section.

I can be reached via phone at (414) 390-1525 or via email, [daniel.p.sweeney@micorp.com](mailto:daniel.p.sweeney@micorp.com).

Thank you - - I look forward to your response,

  
Daniel Sweeney  
Owner 2654 N 49<sup>th</sup> St

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

CITY OF MILWAUKEE  
RECEIVED  
2010 SEP 30 PM 2:42  
OFFICE OF  
CITY ATTORNEY

Subject: Fallen Tree at 2654 N 49<sup>th</sup> Street, Milwaukee

My name is Daniel Sweeney. I own the property at 2654 N 49th St. A tree located on the property of 2648 N 49th St fell on the power lines of the house and ripped out the two electrical meters and the service line. The damage to the property included \$1,013 for the electrical repair and \$625 for tree removal.

I spoke to the owner of 2648 N 49th St who told me that the City of Milwaukee owned the tree that caused the damage. I have since been told by the City's Forestry Department that the city does not own the tree.

I was also told by the City's Forestry Department that the tree had been damaged two years ago and subsequently had been bolted and wired together as a **temporary** solution. This **temporary** solution failed and part of the tree fell on my property sometime over the weekend of July 4th. (I don't know if this will help, but the tree had been tagged with a steel washer with the number 730.)

I spoke to David Sivyer, Forestry Services Manager for the City, who stated the tree failure had nothing to do with the temporary bolting and wiring of the tree. My argument against this claim is a section of tree, which has been saved, has a huge piece of wire attached to it and running around it, as well as a two-foot long bolt that was in the section of the tree that fell. Both the tree section with attached wire, the two-foot long bolt and additional pictures can be provided as evidence, if needed.

I believe in paying taxes for the City Services that residents receive, but I also believe it is the City's duty to take responsibility for any negligence caused by its past actions. The City tried to remedy a damaged tree by bolting and wiring the tree together as a **temporary** solution, the **temporary** solution was past its prime, failed and caused damage to my property. I am asking the City of Milwaukee to reimburse me for \$1,638 the amount paid for new electrical service and tree removal.

I can be reached via phone at (414) 765-7505 or via email,  
[daniel.p.sweeney@micorp.com](mailto:daniel.p.sweeney@micorp.com).

Thank you,



Daniel Sweeney  
Owner 2654 N 49<sup>th</sup> St

9/27/10

CITY OF MILWAUKEE  
10 SEP 29 AM 11:43  
RONALD D. LEONHARDT  
CITY CLERK

RE: City owned tree damaged property  
Stanley, Keith  
to:  
daniel.p.sweeney  
07/14/2010 04:14 PM  
Cc:  
"Runner, Alex"  
Show Details

History: This message has been replied to.

Daniel,

Thanks for your patience. Here is the information I received from the call.

Record number 1686387 is a request for Forestry -Tree downThis request was entered into DPW's database by a citizen using the web form on 07-06-2010 09:31.This request was forwarded to the Forestry dept on 07-06-2010 12:09.This record was given to a Forestry crew on 07-07-2010 06:19.Forestry has marked this request as 'Completed' on 07-14-2010 13:42Field Comments: Private tree, property owners responsibility

If you feel this is inaccurate let me know.

Keith K. Stanley  
Legislative Assistant  
Common Council President Willie L. Hines, Jr.  
Alderman, 15th Aldermanic District  
200 East Wells Street, #205  
Milwaukee, WI 53202  
414-286-3965 phone  
414-286-3456 fax

---

**From:** daniel.p.sweeney@micorp.com [mailto:daniel.p.sweeney@micorp.com]  
**Sent:** Wednesday, July 14, 2010 4:00 PM  
**To:** Stanley, Keith  
**Subject:** RE: City owned tree damaged property

Keith,

I have not heard from the Forestry department. I was told they would call two weeks ago, can you please follow up with them? Thank you!

---

**Daniel Sweeney** | Community Education Representative, CEPF, Officer  
T: 414.765.7505 | F: 414.765.7514 | E: daniel.p.sweeney@micorp.com

**M&I Community Education**



770 North Water St. 4<sup>th</sup> Floor  
Milwaukee, WI 53202  
www.milbank.com

"Stanley, Keith" <kstanl@milwaukee.gov>

06/28/2010 04:27 PM

To <daniel.p.sweeney@micorp.com>

cc

Subject RE: City owned tree damaged property

# K W K ELECTRIC INC.

RESIDENTIAL & COMMERCIAL ELECTRICAL SERVICES

P.O. BOX 12683

MILWAUKEE, WI 53212

BUSINESS OFFICE 414-374-2076 -- BUSINESS OFFICE FAX 414-374-8860

BILLING OFFICE 262-780-0783 -- BILLING OFFICE FAX 262-780-0782

KKMET@SBCGLOBAL.NET

JOB #

01323

## INVOICE

BILLING DATE 6/28/2010

REBILLED DATE

SERVICE AT

BILLED TO:

DAN SWEENEY

6521 N. SUNNY POINT LN  
GLENDALE

WI 53217

2654 N 49TH ST.

ELECTRICAL CONTRACTING SERVICES PROVIDED:

PROCURE CITY OF MILWAUKEE ELECTRICAL PERMIT  
PREPARE ALL NECESSARY WE APPLICATIONS FOR REWIRE.  
INSTALL NEW 150 AMP SERVICE RISER.  
INSTALL NEW DUPLEX METER SOCKET.  
REPAIR PIPES GOING FROM METER SOCKET DOWN TO EACH CORRESPONDING BREAKER PANEL.  
TIE CONDUCTORS INTO EACH CORRESPONDING PANEL AND LABEL PANELS AND SOCKET ACCORDINGLY.  
ARRANGE SAME DAY SERVICE INSPECTION.  
PROVIDE SAME DAY SERVICE.

PERMIT	\$97.00
MATERIALS	\$536.00
LABOR	\$480.00

NOTE: WE WERE ABLE TO REUSE THE EXISTING PIPES GOING DOWN TO THE PANELS

-\$100.00

INVOICE TOTAL

\$1,013.00

PAYMENTS

\$1013.00

DATE / CK #

CC 6-29-10

REMAINING BALANCE DUE

\$0.00

QUESTIONS REGARDING THIS INVOICE SHOULD BE CALLED INTO OUR BILLING OFFICE AT 262-780-0783

PLEASE MARK THE JOB # ON YOUR PAYMENT CHECK!

\*PAYMENT DUE WITHIN 10 DAYS, UNLESS OTHERWISE ARRANGED.

\*\*INTEREST CHARGES, OF 1.5% MONTHLY, APPLY TO UNPAID BALANCE PAST 30 DAYS.

\*\*\*UNPAID BALANCE SUBJECT TO WISCONSIN LIEN LAW.

01323

100 B. 1010  
100 B. 1010 ST  
MILWAUKEE, WI 53212  
414-274-2876

Merchant ID: 00000000000000000000  
Term ID: 00000000000000000000

Sale

\*\*\*\*\*00000000000000000000

USA

Entry Method: Manual

Total:

\$ 1,213.00

06/23/13

05:15:29

Inv #: 000000

Auth Code: 001525

Approved: Online

ANS Code: ZIP MATCH 2

Customer Code

Thank You

Thankyou For  
Your Payment.

RECEIPT

DATE <u>JUNE 28, 2010</u>		No. <u>140233</u>	
RECEIVED FROM <u>DANIEL SWEENEY</u>		\$ <u>625.<sup>00</sup></u>	
<u>SIX HUNDRED TWENTY FIVE</u>		DOLLARS	
<input type="radio"/> FOR RENT			
<input checked="" type="radio"/> FOR <u>TREE REMOVAL</u>			
ACCOUNT		<input checked="" type="radio"/> CASH	FROM _____ TO _____
PAYMENT		<input type="radio"/> CHECK	
BAL. DUE		<input type="radio"/> MONEY ORDER	BY <u>ACKER TREE SPECIALIST</u>

1182

DATE JUNE 28, 2010 No. 140233

RECEIVED FROM DANIEL SWEENEY \$ 685.00

SIX HUNDRED TWENTY FIVE DOLLARS

FOR RENT TREE REMOVAL

OF ONE

ACCOUNT					<input checked="" type="radio"/> CASH	FROM		TO	
PAYMENT					<input type="radio"/> CHECK				
BAL DUE					<input type="radio"/> MONEY ORDER	BY	<u>ASKEE TREE SPECIALIST</u>		<u>1112</u>

RECEIPT





FW: Investigation  
Sivyer, David  
to:  
daniel.p.sweeney  
09/16/2010 11:52 AM  
Show Details

Dan,

This is the information I have on the subject tree.

David B. Sivyer  
Forestry Services Manager  
City of Milwaukee  
841 N Broadway, Room 619  
Milwaukee, WI 53202  
(414) 286-3729  
(414) 286-8097 FAX  
[david.sivyer@milwaukee.gov](mailto:david.sivyer@milwaukee.gov)

---

**From:** Sivyer, David  
**Sent:** Friday, July 30, 2010 10:42 AM  
**To:** Stanley, Keith  
**Subject:** FW: Investigation

Keith,

This is a privately owned tree that we had to take code enforcement action on in 2007 to resolve a hazardous condition and the tree failed again recently, unrelated to the previous repair made by a private tree company, but to the point where removal of the tree is now necessary.

David B. Sivyer  
Forestry Services Manager  
City of Milwaukee  
841 N Broadway, Room 619  
Milwaukee, WI 53202  
(414) 286-3729  
(414) 286-8097 FAX  
[david.sivyer@milwaukee.gov](mailto:david.sivyer@milwaukee.gov)

---

**From:** Krouse, Randy  
**Sent:** Friday, July 30, 2010 10:26 AM  
**To:** Sivyer, David; Boeder, Jeffrey  
**Cc:** Brown, Ian; Walfoort, John  
**Subject:** RE: Investigation

Here is the deal on this tree:

This tree was tagged by Jack Walfoort in 2007 because of a split between two main stems. The tree was eventually cabled and bolted by a contractor to remediate the problem. On 7/7/2010 Forestry was called to investigate a tree down at 2654 N. 49th St. and found a branch from a private tree which split and fell into a neighboring property. The split originated from a different crotch than the one that was bolted. Jack tagged the tree for removal today(7/30/2010). This is a private tree at 2648 N. 49th St. and damages to the property at 2654 N. 49th St. should not be incurred by the City. I included pictures taken today plus the original assessments from 2007.

Thanks  
Randy

Randy Krouse  
Urban Forestry District Manager  
City of Milwaukee - Forestry Section  
6732 N. Industrial Rd.  
Milwaukee, WI 53223  
Phone: 414-286-8499  
FAX: 414-286-2011

---

**From:** Sivy, David  
**Sent:** Thu 7/29/2010 3:03 PM  
**To:** Krouse, Randy; Boeder, Jeffrey  
**Cc:** Brown, Ian; Stanley, Keith  
**Subject:** FW: Investigation

Do we have any information on this?

David B. Sivy  
Forestry Services Manager  
City of Milwaukee  
841 N Broadway, Room 619  
Milwaukee, WI 53202  
(414) 286-3729  
(414) 286-8097 FAX  
[david.sivy@milwaukee.gov](mailto:david.sivy@milwaukee.gov)

---

**From:** Stanley, Keith  
**Sent:** Thursday, July 29, 2010 1:33 PM  
**To:** Sivy, David  
**Subject:** Investigation

David,

Can you call Mr. David P. Sweeney a 765-7505? See below for details.

6/28/10

Ald. Hines,

I own a rental property at 2654 N 49th St. A tree located on the property of 2648 N 49th St fell on the power lines of my house and ripped out the two electrical meters and service line. The damage to the property is estimated at \$1100 for the electrical repair and \$600 for tree removal.

I spoke to the owner of 2648 N 49th St and was told that the City of Milwaukee owned the tree that caused the damage. I was also told that the tree had been damaged two years ago and had been literally bolted together as a temporary solution. This temporary solution failed and part of the tree fell sometime this weekend. (I don't know if this will help, but the tree had been tagged with a steel washer with the number 730.)

Can you please tell me who I contact at City Hall in regards to a claim for reimbursement?

Record number 1686387 is a request for Forestry -Tree downThis request was entered into DPW's database by a citizen using the web form on 07-06-2010 09:31.This request was forwarded to the Forestry dept on 07-06-2010 12:09.This record was given to a Forestry crew on 07-07-2010 06:19.Forestry has marked this request as 'Completed' on 07-14-2010 13:42Field Comments: Private tree, property owners responsibility

Keith K. Stanley  
Legislative Assistant  
Common Council President Willie L. Hines, Jr.  
Alderman, 15th Aldermanic District  
200 East Wells Street, #205  
Milwaukee, WI 53202  
414-286-3965 phone  
414-286-3456 fax

The City of Milwaukee is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City email should presume that the email are subject to release upon request, and to state records retention requirements. See City of Milwaukee full email disclaimer at [www.milwaukee.gov/email\\_disclaimer](http://www.milwaukee.gov/email_disclaimer).



**FW: Investigation**  
Sivyer, David to: daniel.p.sweeney

09/16/2010 11:52 AM

Dan,

This is the information I have on the subject tree.

David B. Sivyer  
Forestry Services Manager  
City of Milwaukee  
841 N Broadway, Room 619  
Milwaukee, WI 53202  
(414) 286-3729  
(414) 286-8097 FAX  
[david.sivyer@milwaukee.gov](mailto:david.sivyer@milwaukee.gov)

---

**From:** Sivyer, David  
**Sent:** Friday, July 30, 2010 10:42 AM  
**To:** Stanley, Keith  
**Subject:** FW: Investigation

Keith,

This is a privately owned tree that we had to take code enforcement action on in 2007 to resolve a hazardous condition and the tree failed again recently, unrelated to the previous repair made by a private tree company, but to the point where removal of the tree is now necessary.

David B. Sivyer  
Forestry Services Manager  
City of Milwaukee  
841 N Broadway, Room 619  
Milwaukee, WI 53202  
(414) 286-3729  
(414) 286-8097 FAX  
[david.sivyer@milwaukee.gov](mailto:david.sivyer@milwaukee.gov)

---

**From:** Krouse, Randy  
**Sent:** Friday, July 30, 2010 10:26 AM  
**To:** Sivyer, David; Boeder, Jeffrey  
**Cc:** Brown, Ian; Walfoort, John  
**Subject:** RE: Investigation

Here is the deal on this tree:

This tree was tagged by Jack Walfoort in 2007 because of a split between two main stems. The tree was eventually cabled and bolted by a contractor to remediate the problem. On 7/7/2010 Forestry was called to investigate a tree down at 2654 N. 49th St. and found a branch from a private tree which split and fell

into a neighboring property. The split originated from a different crotch than the one that was bolted. Jack tagged the tree for removal today(7/30/2010). This is a private tree at 2648 N. 49th St. and damages to the property at 2654 N. 49th St. should not be incurred by the City. I included pictures taken today plus the original assessments from 2007.

Thanks  
Randy

Randy Krouse  
Urban Forestry District Manager  
City of Milwaukee - Forestry Section  
6732 N. Industrial Rd.  
Milwaukee, WI 53223  
Phone: 414-286-8499  
FAX: 414-286-2011

---

**From:** Sivy, David  
**Sent:** Thu 7/29/2010 3:03 PM  
**To:** Krouse, Randy; Boeder, Jeffrey  
**Cc:** Brown, Ian; Stanley, Keith  
**Subject:** FW: Investigation

Do we have any information on this?

David B. Sivy  
Forestry Services Manager  
City of Milwaukee  
841 N Broadway, Room 619  
Milwaukee, WI 53202  
(414) 286-3729  
(414) 286-8097 FAX  
[david.sivy@milwaukee.gov](mailto:david.sivy@milwaukee.gov)

---

**From:** Stanley, Keith  
**Sent:** Thursday, July 29, 2010 1:33 PM  
**To:** Sivy, David  
**Subject:** Investigation

David,

Can you call Mr. David P. Sweeney a 765-7505? See below for details.

6/28/10

Ald. Hines,

I own a rental property at 2654 N 49th St. A tree located on the property of 2648 N 49th St fell on the power lines of my house and ripped out the two electrical meters and service line. The damage to the property is estimated at \$1100 for the electrical repair and \$600 for tree removal.

I spoke to the owner of 2648 N 49th St and was told that the City of Milwaukee owned the tree that caused the damage. I was also told that the tree had been damaged two years ago and had been literally bolted together as a temporary solution. This temporary solution failed and part of the tree fell sometime this weekend. (I don't know if this will help, but the tree had been tagged with a steel washer with the number 730.)

Can you please tell me who I contact at City Hall in regards to a claim for reimbursement?

Record number 1686387 is a request for Forestry -Tree downThis request was entered into DPW's database by a citizen using the web form on 07-06-2010 09:31.This request was forwarded to the Forestry dept on 07-06-2010 12:09.This record was given to a Forestry crew on 07-07-2010 06:19.Forestry has marked this request as 'Completed' on 07-14-2010 13:42Field Comments: Private tree, property owners responsibility

Keith K. Stanley  
Legislative Assistant  
Common Council President Willie L. Hines, Jr.  
Alderman, 15th Aldermanic District  
200 East Wells Street, #205  
Milwaukee, WI 53202  
414-286-3965 phone  
414-286-3456 fax

The City of Milwaukee is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City email should presume that the email are subject to release upon request, and to state records retention requirements. See City of Milwaukee full email disclaimer at



[www.milwaukee.gov/email\\_disclaimer](http://www.milwaukee.gov/email_disclaimer). DSCN0598.JPG DSCN0599.JPG



DSCN0601.JPG DSCN0602.JPG 2648 N 49TH.gif

**NOTICES SENT TO FOR FILE 100998:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 100907      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Karen Schellenger, Agent for AFNI Insurance Services on behalf of American Family Insurance and Sarah Winkler for property damage.

**Sponsors:** THE CHAIR

**Indexes:**

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

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

100907

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Karen Schellenger, Agent for AFNI Insurance Services on behalf of American Family Insurance and Sarah Winkler for property damage.

**Requestor**

City Attorney

**Drafter**

JAS:ms

October 26, 2010

1030-2010-2076:162648

**GRANT F. LANGLEY**  
City Attorney

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



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

October 26, 2010

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

Re: Resolution Relating to the Claim of Sarah Winkler  
C.I. File No. 10-L-79

Dear Council Members:

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

Claimant, AFNI Insurance Services, by Karen Schellenger, P.O. Box 3068, Bloomington, IL 61702-3068, on behalf of their client, American Family Insurance and their insured, Sarah Winkler, allege that on May 20, 2010, Ms. Winkler's vehicle was damaged while driving in the area of East State Street and North Cass Street. They claim damages in the amount of \$5,506.56.

Our investigation reveals that the Sewer Maintenance Section (SMS) was installing underground conduit and making manhole adjustments pursuant to the State Street Repaving Project. The SMS records do not reflect any auto accident at this location. The project was a State of Wisconsin paving project, State ID No. 2204-01-70 being administered by the State of Wisconsin Department of Transportation, District 2, 141 NW Barstow Street, P.O. Box 798, Waukesha, WI 53187-0798, by their contractor, Stark Asphalt, 11710 West Hampton Avenue, Milwaukee, WI 53225.

To the Honorable Common Council  
Of the City of Milwaukee  
October 26, 2010  
Page 2

The SMS records also reflect that WE Energies was also working at this site. Since there is no evidence the City was negligent in this matter and the majority of the road activity at this location did not involve the City, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:ms  
Enclosure

c: AFNI Insurance Services  
Attn: Karen Schellenger  
P.O. Box 3068  
Bloomington, IL 61702-3068  
File No.: 721127  
1030-2010-2076:162646

P.O. Box 20939  
Ferndale, MI 48220



Return Service Requested



CITY OF MILWAUKEE

Insurance Services

Subrogation Department

Phone 866-889-1608 | Fax 309-820-2626

2010 JUL 29 PM 12:05

RONALD D. LEONHARDT  
CITY CLERK

07/23/2010

CITY OF MILWAUKEE  
200 E WELLS ST RM205  
C/O CITY CLERK  
MILWAUKEE, WI 53202-3591,

RE: Our File #: 000721127  
Claim #: 00-651-501423  
Insured: SARAH C WINKLER  
Date of Loss: 5/20/10  
Total Damages: \$5506.56

OFFICE OF  
CITY ATTORNEY

2010 JUL 30 PM 3:21

CITY OF MILWAUKEE  
RECEIVED

Dear CITY OF MILWAUKEE:

We are contacting you today on behalf of AMERICAN FAMILY INSURANCE regarding a loss, which occurred on 5/20/10. The facts of the accident indicate that you are liable for payments that AMERICAN FAMILY INSURANCE made to its policyholder as a result of the loss. We believe that we are entitled to recover some or all of this money from you. In handling this claim with you we will take the Comparative Negligence Laws of your state into consideration. The balance due is \$5506.56.

The Department of Transportation may have been notified of this accident and will be determining your compliance with the Financial Responsibility Act. A failure to comply with this act may result in the suspension of your driving or registration privileges by the Secretary of State's Office. We are in a position to help you keep this from happening but you need to contact our office as soon as possible.

If you believe you had insurance coverage at the time of the loss, notify us by mailing back the attached page immediately. A reply envelope is enclosed for your convenience, or you may fax the information to us at 309-820-2626.

If you did not have insurance coverage at the time of the loss, please pay the balance in full today. Afni accepts payments made by check, money order, Western Union Quick Collect, or check by phone. Please enclose the attached page with your payment.

We are in a position to help you find the means to pay this balance, call us toll-free at 866-889-1608 Monday through Friday 7am-9pm.

Sincerely,  
Subrogation Specialist

Please fold and tear along this line and include this portion with your payment.

RE: Our File #: 000721127  
Claim #: 00-651-501423  
Insured: SARAH C WINKLER  
Date of Loss: 5/20/10  
Total Damages: \$5506.56

CITY OF MILWAUKEE  
200 E WELLS ST RM205  
C/O CITY CLERK  
MILWAUKEE, WI 53202-3591,

If you wish to pay by credit card: ☐ Visa ☐ MasterCard  
Account Number \_\_\_\_\_ 3 digit code \_\_\_\_\_

Expiration Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Payment Amount: \_\_\_\_\_

Name of Card Holder \_\_\_\_\_

Signature: \_\_\_\_\_

☐ Different Credit Card Billing Address? Please check the box and enter the credit card billing address on the reverse side.

Please make checks payable to:

Afni Insurance Services  
P.O. Box 3068  
Bloomington, IL 61702-3068





## Afni Insurance Services

P.O. Box 3068 | Bloomington, IL 61702-3068 | Phone 888-767-2361 | Fax 309-820-2626

August 10, 2010

CITY OF MILWAUKEE  
CITY CLERK  
200 E WELLS ST RM 205  
MILWAUKEE, WI 532023591

RE: Our File #: 721127  
Insured: SARAH C WINKLER  
AMERICAN FAMILY INSURANCE Claim #: 00-651-501423  
Date of Loss: 5/20/2010  
Amount Claimed: \$5,506.56  
Facts: Pot hole located on Cass St in Milwaukee, WI.

CITY OF MILWAUKEE  
2010 AUG 16 AM 10:26  
RONALD D. LEONHART  
CITY CLERK

Dear Sir or Madam:

We are contacting you today on behalf of AMERICAN FAMILY INSURANCE regarding a loss. The facts of the accident indicate your insured is liable for payments that AMERICAN FAMILY INSURANCE made to its policyholder as a result of this loss. Supporting documentation is enclosed for your review.

All payments should be made payable to Afni, include the Afni file number and must be directed to the address listed above.

Should you have any questions, please feel free to contact me at 888-767-2361.

Sincerely,

*Karyn Schellenger*

KARYN SCHELLENGER, AIC EXT 3181  
Subrogation Specialist

Macro SCP FileNet Outlook Desktop Utilities RECORD OF PAYMENT DISPLAY Exit  
 CLAIM: 00-651-501423 ST: 48 POLICY: 19-563131-01 INCURRED: 05/20/2010  
 INSURED: WINKLER, SARAH C BENEFITS/LOSSES PAID TO DATE: 5006.56  
 LEGAL EXPENSE: 0.00  
 MEDICAL EXPENSE: 0.00  
 OTHER EXPENSE: 9.00  
 LOSS PAYMENTS CREDITS EXPENSE PAYMENTS  
 NO DATE PAYMT# TYPE ID PER AMOUNT AMOUNT AMOUNT  
 01 07/15/2010 0065278195 05 00 025 9.00  
 IN PAYMENT OF: GROUP PAYMENT FOR PAYEE CODE 609  
 PAYEE/PAYOR: AUDATEX  
 RECONCILED: ISSUED TIN: 942617005-1 WITH TAKEN: N  
 -----  
 02 07/02/2010 0094668463 01 00 022 128.91  
 IN PAYMENT OF: RENTAL REIMBURSEMENT  
 PAYEE/PAYOR: SARAH WINKLER  
 RECONCILED: 00 07162010 TIN: \* NONE \* WITH TAKEN: N

\*\*\* THERE ARE MORE PAYMENTS ON THE NEXT PAGE \*\*\*

NEXT -

OPT -- POL -- ----- CLM -- --- ----- DRFT -----  
 ENTER OR PF8=PAGE FORWARD PF3=COPS MENU PA2=COMPANY MENU

Macro SCP FileNet Outlook Desktop Utilities RECORD OF PAYMENT DISPLAY Exit  
 CLAIM: 00-651-501423 ST: 48 POLICY: 19-563131-01 INCURRED: 05/20/2010  
 INSURED: WINKLER, SARAH C BENEFITS/LOSSES PAID TO DATE: 5006.56  
 LEGAL EXPENSE: 0.00  
 MEDICAL EXPENSE: 0.00  
 OTHER EXPENSE: 9.00  
 LOSS PAYMENTS CREDITS EXPENSE PAYMENTS  
 NO DATE PAYMT# TYPE ID PER AMOUNT AMOUNT AMOUNT  
 03 06/30/2010 0094667412 01 00 022 592.96  
 IN PAYMENT OF: GROUP PAYMENT FOR PAYEE CODE C98  
 PAYEE/PAYOR: HERTZ HLE INS  
 RECONCILED: 00 07062010 TIN: 131938568-1 WITH TAKEN: N  
 -----  
 04 06/23/2010 0065K72813 01 00 025 630.65  
 IN PAYMENT OF: SUPPLEMENT  
 PAYEE/PAYOR: ANDREW TOYOTA  
 RECONCILED: 00 06302010 TIN: 391386404-1 WITH TAKEN: N

\*\*\* THERE ARE MORE PAYMENTS ON THE NEXT PAGE \*\*\*

NEXT -

OPT -- POL -- ----- CLM -- --- ----- DRFT -----  
 ENTER OR PF8=PAGE FORWARD PF7=PAGE BACK PF3=COPS MENU PA2=COMPANY MENU

Start: 2:00 PM, 2/26/2013, 2:26 PM

AMERICAN FAMILY INSURANCE  
SCANNING CENTER  
6000 AMERICAN PARKWAY  
MADISON, WI 53783-0001  
1-800-MYAMFAM (1-800-692-6326)

\*\*\* SUPPLEMENT 1 \*\*\*

S1

05/24/2010 10:20 AM

06/23/2010 03:58 PM

Owner

Owner: SARAH C WINKLER  
Address: 6100 W STATE ST APT 503

(414)405-5284  
(414)465-8562

City State Zip: WAUWATOSA, WI 53213-4603

FAX:

Control Information

Claim #: 00651501423-0  
Loss Date/Time: 05/20/2010 07:00 AM  
Deductible: \$500.00

Insured Policy #: 1956313101  
Loss Type: Collision

Ins. Company: American Family Insurance  
Company Contact: ROBERT WILCOTT  
Address:  
City State Zip:  
Email: RWILCOTT@AMFAM.COM

Cell: (414)630-7238  
FAX: (866)381-7713

Insured: SARAH C WINKLER  
Address:

(414)405-5284  
(414)465-8562

Inspection

Inspection Date: 05/24/2010 10:05 AM  
Inspection Location: Andrew Toyota  
Address: 1620 W Silver Spring Dr  
City State Zip: Milwaukee, WI 53209  
Primary Impact: Undercarriage  
Driveable: No

Inspection Type: Field  
Contact:  
(414)228-1450

Secondary Impact:  
Rental Assisted:

Assigned Date/Time:  
First Contact Date/Time:

Received Date/Time: 05/21/2010 10:17 AM  
Appointment Date/Time: 05/24/2010 08:00 AM

Company: AMERICAN FAMILY  
Contact: ROBERT WILCOTT  
Address: PO BOX 2927

Appraiser License #:

Cell: (414)630-7238  
Work/Day: (800)692-6326x21817  
FAX: (866)381-7713

City State Zip: MILWAUKEE, WI 53201  
Email: RWILCOTT@AMFAM.COM

Orig Company: AMERICAN FAMILY  
Contact: ROBERT WILCOTT  
Address: PO BOX 2927

Appraiser License #:

Cell: (414)630-7238  
Work/Day: (800)692-6326x21817  
FAX: (866)381-7713

City State Zip: MILWAUKEE, WI 53201  
Email: RWILCOTT@AMFAM.COM

Repairer

Repairer: ANDREW TOYOTA SERVICE  
Address: 1600 W SILVER SPRING DR

Contact:  
Work/Day: (414)228-6200  
FAX: (414)228-5048

City State Zip: MILWAUKEE, WI 53209

Target Complete Date/Time:

Days To Repair: 5

**Vehicle**

2010 Toyota Camry LE 4 DR Sedan  
 4cyl Gasoline 2.5  
 6-Speed Automatic

Lic.Plate: 481-BBB  
 Lic Expire:  
 Prod Date:  
 Veh Insp# :  
 Condition: Good  
 Ext. Color: BLACK ONYX  
 Ext. Refinish: Two-Stage  
 Ext. Paint Code: 202

Lic State: WI  
 VIN: 4T4BF3EK9AR075763  
 Mileage: 3,926  
 Mileage Type: Actual  
 Code: Y1753B  
 Int. Color:  
 Int. Refinish:  
 Int. Trim Code:

**Options**

AM/FM CD Player	Air Conditioning	Alarm System
Anti-lock Brakes	Auto Headlamp Control	Bucket Seats
Center Console	Cruise Control	Daytime Running Lights
Digital Signal Processor	Driver Knee Airbag	Dual Airbags
Halogen Headlights	Head Airbags	Intermittent Wipers
Keyless Entry System	Lighted Entry System	MP3 Player
Overhead Console	Power Brakes	Power Door Locks
Power Drivers Seat	Power Mirrors	Power Steering
Power Windows	Pwr Driver Lumbar Supp	Rear Window Defroster
Rem Trunk-L/Gate Release	Side Airbags	Split Folding Rear Seat
Stability Cntrl Suspensn	Steel Wheels	Strg Wheel Radio Control
Tachometer	Theft Deterrent System	Tilt & Telescopic Steer
Tinted Glass	Traction Control System	Velour/Cloth Seats

**Damages**

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ% B%	Hours	R
1	RI	775		Engine Assembly	R & I Assembly			9.9	ME
2	E	701		Cover,Engine Front RT	5144106110	\$74.51		INC	ME
3	E	1700	01	Cover,Timing Belt	113100V010	\$360.30	S1	INC	ME
4	E	778	01	Pan,Engine Oil	121010V010	\$135.30*		INC	ME
5	E	1404		Pump,Oil	151150P030	\$27.58*		4.8	ME
6	EC			Anti-Freeze	Replace Economy	\$39.32*			SM
				>> 2 GALLONS @ \$19.66 EACH					
7	E			CAM SHAFT EXHAUST GEAR	Replace OEM	\$267.96*			SM*
8	E			FRONT OVERHAUL KIT	Replace OEM	\$326.57*			SM*
9	E			OIL FILTER	Replace OEM	\$5.41*			SM*
10	EC			ENGINE OIL	Replace Economy	\$34.23*			SM*
11	EC			TRANS FLUID	Replace Economy	\$46.68*			SM*
				>> 6 QTS @ \$7.78 EACH					
12	E			MAIN BEARING	Replace OEM	\$75.15*			SM*
				>> 5 @ \$15.03 EACH					
13	E			BEARING KIT	Replace OEM	\$220.38*	S1		SM*
14	E			ROD BEARINGS	Replace OEM	\$53.92*	S1		SM*
				>> 8 @ \$6.74 EACH					
15	E			BEARINGS,ROD	Replace OEM	\$51.55*	S1		SM*
				>> 5 @ \$10.31 EACH					
16	N			DISASSEMBLE ENGINE	Additional Labor	\$0.00*		10.3*	ME*
17	E			(2) CRANKSHAFT WASHERS	Replace OEM	\$44.88*	S1		SM*
18	E			(1) O RING	Replace OEM	\$0.63*	S1		SM*
19	E			O RING (1)	Replace OEM	\$3.45*	S1		SM*
20	E			LOCK NUT	Replace OEM	\$13.14*	S1		SM*
				>> 2 TOTAL					

20 Items

MC Message

01 CALL DEALER FOR EXACT PART # / PRICE

**Estimate Total & Entries**

Gross Parts		\$1,660.73	
Other Parts		\$120.23	
Parts & Material Total			\$1,780.96
Tax on Parts & Material	@ 5.600%		\$99.73

Labor	Rate	Replace Hrs	Repair Hrs	Total Hrs	
Sheet Metal (SM)	\$52.00				
Mech/Elec (ME)	\$110.00	14.7	10.3	25.0	\$2,750.00
Frame (FR)	\$52.00				
Refinish (RF)	\$52.00				
Paint Materials	\$32.00				

Labor Total		25.0 Hours	\$2,750.00
Tax on Labor	@ 5.600%		\$154.00
Gross Total			\$4,784.69
Less: Deductible			\$500.00-
Net Total			\$4,284.69
Actual Supplement Total		\$630.65	
Less: Previous Net Total			\$3,654.04-
Net Supplement Total			\$630.65

Alternate Parts C/00/00/00/00/00 CUM 00/00/00/00/00 Zip Code: 53072 Milwaukee  
Recycled Parts NOT REQUESTED

Audatex Estimating 6.0.253 S1 06/23/2010 04:35 PM REL 6.0.253 DT 05/01/2010 DB 06/15/2010  
Copyright (C) 2009 Audatex North America, Inc.

\_\_\_ THIS IS NOT AN AUTHORIZATION TO REPAIR, VEHICLE OWNER MUST AUTHORIZE.  
\_\_\_ AGREED PRICE ONLY.  
\_\_\_ WE ACCEPT AND AGREE TO DO THE DESCRIBED REPAIRS AT TOTAL REPAIR COST SHOWN.  
\_\_\_ SIGN \_\_\_\_\_ DATE \_\_\_\_\_

\*\*\*\*\*WE WILL NOT ACCEPT ANY SUPPLEMENTS UNLESS THEY ARE WRITTEN BY  
AND HAVE PRIOR APPROVAL OF A REPRESENTATIVE OF THIS COMPANY.\*\*\*\*\*

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.

#### Op Codes

* = User-Entered Value	E = Replace OEM	NG = Replace NAGS
EC = Replace Economy	OE = Replace PXN OE Srpls	UE = Replace OE Surplus
ET = Partial Replace Labor	EP = Replace PXN	EU = RECYCLED PART
TE = Partial Replace Price	PM = Replace PXN Reman/Rebit	UM = Replace Reman/Rebuilt
L = Refinish	PC = Replace PXN Reconditioned	UC = Replace Reconditioned
TT = Two-Tone	SB = Sublet Repair	N = Additional Labor
BR = Blend Refinish	I = Repair	IT = Partial Repair
CG = Chipguard	RI = R & I Assembly	P = Check
AA = Appearance Allowance	RP = Related Prior Damage	



This report contains proprietary information of Audatex and may not be disclosed to any third party (other than the insured, claimant and others on a need to know basis in order to effectuate the claims process) without Audatex's prior written consent.

Copyright (C) 2009 Audatex North America, Inc.  
Audatex Estimating is a trademark of Audatex North America, Inc.

\*\*\* SUPPLEMENT RECONCILIATION \*\*\*

Supplement S1

Claim # : 00651501423-0  
 File # :  
 Insured: SARAH C WINKLER  
 Owner Name: SARAH C WINKLER  
 Company: AMERICAN FAMILY  
 Vehicle: 2010 Toyota Camry LE 4 DR Sedan

Insured Policy # : 1956313101  
 Claim Rep:  
 Inspection Date/Time: 05/24/2010 10:05 AM

Deleted Lines

Line	Guide	Part	Operation	Price	ADJ%	B%	Labor	Rate
1		Cover,Engine Front	Replace Economy	\$20.00*				SM*

Added Lines

Line	Guide	Part	Operation	Price	ADJ%	B%	Labor	Rate
2	1700	Cover,Timing Belt	Replace OEM	\$360.30			INC	ME
3		(2) CRANKSHAFT WASHERS	Replace OEM	\$44.88*				SM*
4		(1) O RING	Replace OEM	\$0.63*				SM*
5		O RING (1)	Replace OEM	\$3.45*				SM*
6		LOCK NUT	Replace OEM	\$13.14*				SM*

Changed Lines

Line	Guide	Part	Operation	Price	ADJ%	B%	Labor	Rate
7		BEARING KIT	Replace OEM	\$220.38*				SM*
		BEARING KIT		\$62.84*				SM*
8		ROD BEARINGS	Replace OEM	\$53.92*				SM*
		ROD BEARINGS		\$26.96*				SM*
9		BEARINGS,ROD	Replace OEM	\$51.55*				SM*
		BEARINGS,ROD		\$41.24*				SM*

Calculation Changes

	From	To	Difference
Gross Parts	\$1,043.52	\$1,660.73	\$617.21+
Other Parts	\$140.23	\$120.23	\$20.00-
Tax on Parts & Material	5.600% \$66.29	5.600% \$99.73	\$33.44+

Actual Supplement 1 Net Total

\$630.65+

Summary

	Net Total	Date	Time	Appraiser
Original Estimate	\$3,654.04	05/21/2010	10:17 AM	AMERICAN FAMILY
Supplement 1	\$4,284.69	06/23/2010	03:58 PM	AMERICAN FAMILY



This report contains proprietary information of Audatex and may not be disclosed to any third party (other than the insured, claimant and others on a need to know basis in order to effectuate the claims process) without Audatex's prior written consent.

Copyright (C) 2009 Audatex North America, Inc.  
 Audatex Estimating is a trademark of Audatex North America, Inc.

**HERTZ LOCAL EDITION**

Phone: 800-654-4173  
Fax: 405-261-1200  
Web: www.hertz.com



Rental Agreement No: H79179461  
Invoice Date: 06/30/2010  
Document: 609007360301  
Renter: SARAH WINKLER  
Account No.: \*\*\*\*\*4993 MC

Direct All Inquiries To:  
HERTZ LOCAL EDITION  
PO BOX 26120  
OKLAHOMA CITY, OK 73126-0120  
TAX Id: 13-1938568

REPRINT

SARAH WINKLER  
6100 W STATE ST #503  
MAUNATOSA, WI 53213

**RENTAL REFERENCE**

Rental Agreement No: H79179461  
Reservation ID: 037-5737079

**RENTAL DETAILS**

Rate Plan: IN: HIDA OUT: HID  
Rented On: 05/27/2010 10:00 LOC# 223522  
BROOKFIELD, WI  
Returned On: 06/23/2010 08:04 LOC# 593202  
GLENDAL, WI  
Car Description: SIR FUS 3.0L S 6411904  
Vehicle No/VIN: 6031157/ 3FAHP0JG2AR278173  
CAR CLASS Charged: D MILEAGE In: 11,560  
Rented: D out: 9,194  
Reserved: F Driven: 2,386

**BILLING INFORMATION**

Claim No: 00-651-501423  
Date of Loss: 2010-05-20  
Type of Loss: D  
Repair Facility: ANDREW CHEVROLET  
Authorized Rate: 30.00  
Authorized Days: 23  
Insured: 0

**RENTAL CHARGES**

DAYS	5 @	24.00	120.00
SUBTOTAL			120.00
VEHICLE LICENSE FEE			2.65
TAX	5.10%		6.26
TOTAL CHARGES			128.91 USD

AMOUNT DUE 128.91 USD

**MISCELLANEOUS INFORMATION**

CC AUTH: 09000P DATE: 2010/06/30 AMT: 50.00  
CC AUTH: 02565P DATE: 2010/05/27 AMT: 50.00  
CC AUTH: 09167P DATE: 2010/05/27 AMT: 50.00

TOTAL RENTAL DAYS 28  
BILLED TO OTHERS 592.66  
TOTAL RENTAL CHARGES 721.87

THANK YOU FOR RENTING FROM HERTZ

Direct All Inquiries To:  
HERTZ LOCAL EDITION  
PO BOX 26120  
OKLAHOMA CITY, OK 73126-0120  
UNITED STATES

ALL CHARGES HAVE BEEN BILLED TO YOUR ACCOUNT.

Phone: 800-654-4173  
Web: www.hertz.com

AMOUNT BILLED TO ACCOUNT: 128.91 USD

**INVOICE****Hertz****INQUIRIES ONLY:**  
P.O. Box 268825  
Oklahoma City, OK 73126-8825  
1-888-777-3700**Local Edition**CENTRALIZED RENTAL DEPARTMENT  
APP-A-FABRICIUS JACCI  
88905INVOICE NUMBER  
H79179461

ACCOUNT NUMBER

RENTING LOC: 375 SOUTH MOORLAND ROAD, BROOKFIELD, WI, 53005  
RETURN LOC: 5200 N Port Washington Road, Glendale, WI, 53217BILL START DATE: 05/27/2010 10:00 AM  
BILL END DATE: 06/18/2010 11:59 PM

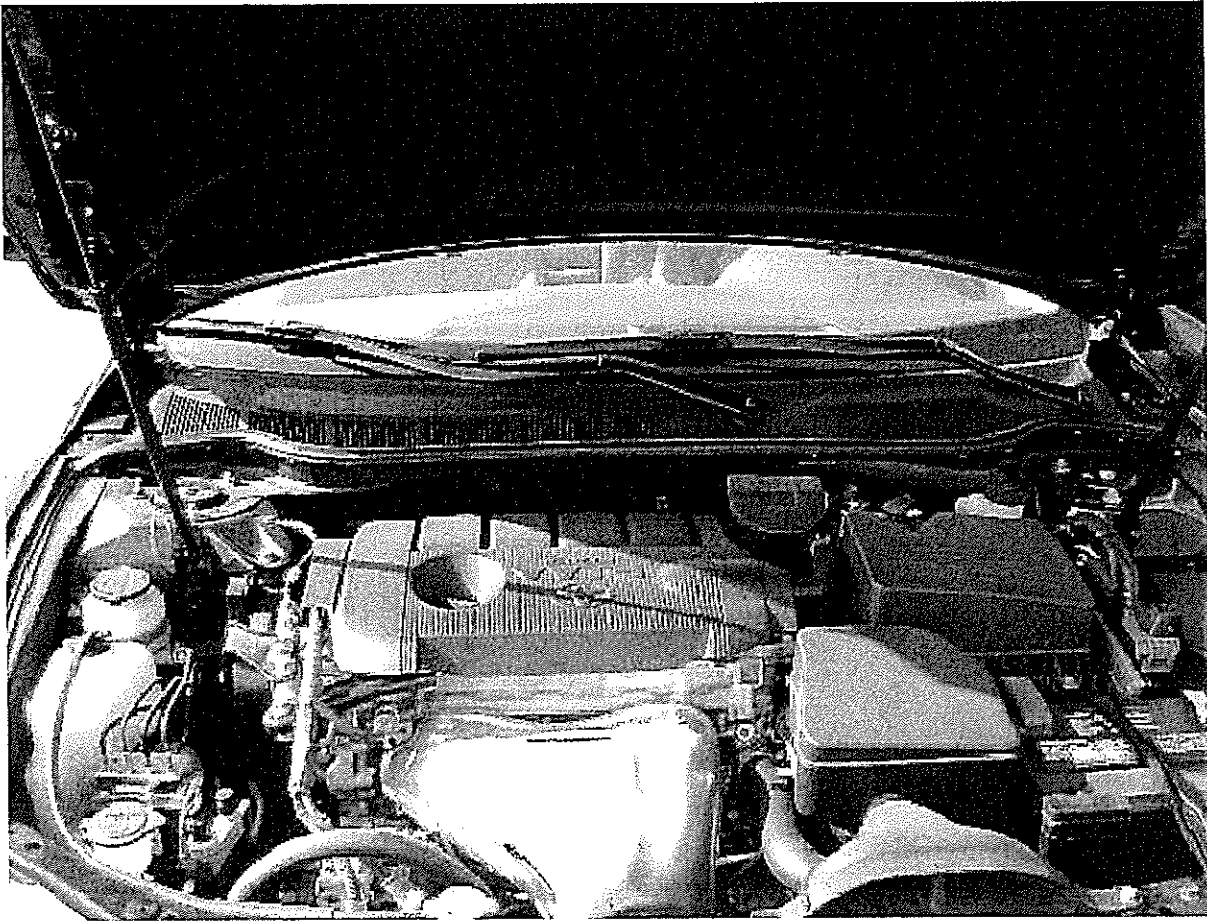
BILLING INFORMATION	DESCRIPTION	CHARGES			
CLAIM #:00-651-501423	MILES IN: 11580	DAYS	23	24.00	552.00
POLICY #:	MILES OUT: 9194	WEEKS			
DATE OF LOSS:05/20/2010	MILES DRV: 2386	MONTHS			
ADJUSTER: APP-A-FABRICIUS JACCI	MILES ALW: 0	EXTRA DAY			
INSURED:	MILES CHG:	EXTRA HOURS			
RENTER: SARAH WINKLER	RENTED: SIR FUS 3.0L S	MILES			
CLAIM TYPE: INSURED		ADJUSTMENT			
LOSS TYPE: DAMAGED		SUBTOTAL			552.00
DAYS AUTHORIZED: 23		DISCOUNT			
		SUBTOTAL			552.00
REPAIR FACILITY:		SERVICE CHARGE			
BODY SHOP NAME: ANDREW CHEVROLET		FUEL & SERVICE CHG			
ADDRESS: 1500 W SILVER SPRING DR		LDW			
CITY: MILWAUKEE		LIS			
STATE: WI		MISC/ADDTL CHGS			
PHONE #: 414-228-6200		PAI/PEC			
		SALES TAX	5.10%	28.77	
		OTHER TAX			
		SURCHARGE		12.19	
		STATE SURCHARGE			
		TOTAL CHARGES		721.87	
		CUSTOMER PAID		128.91	
		AMOUNT DUE			\$592.96

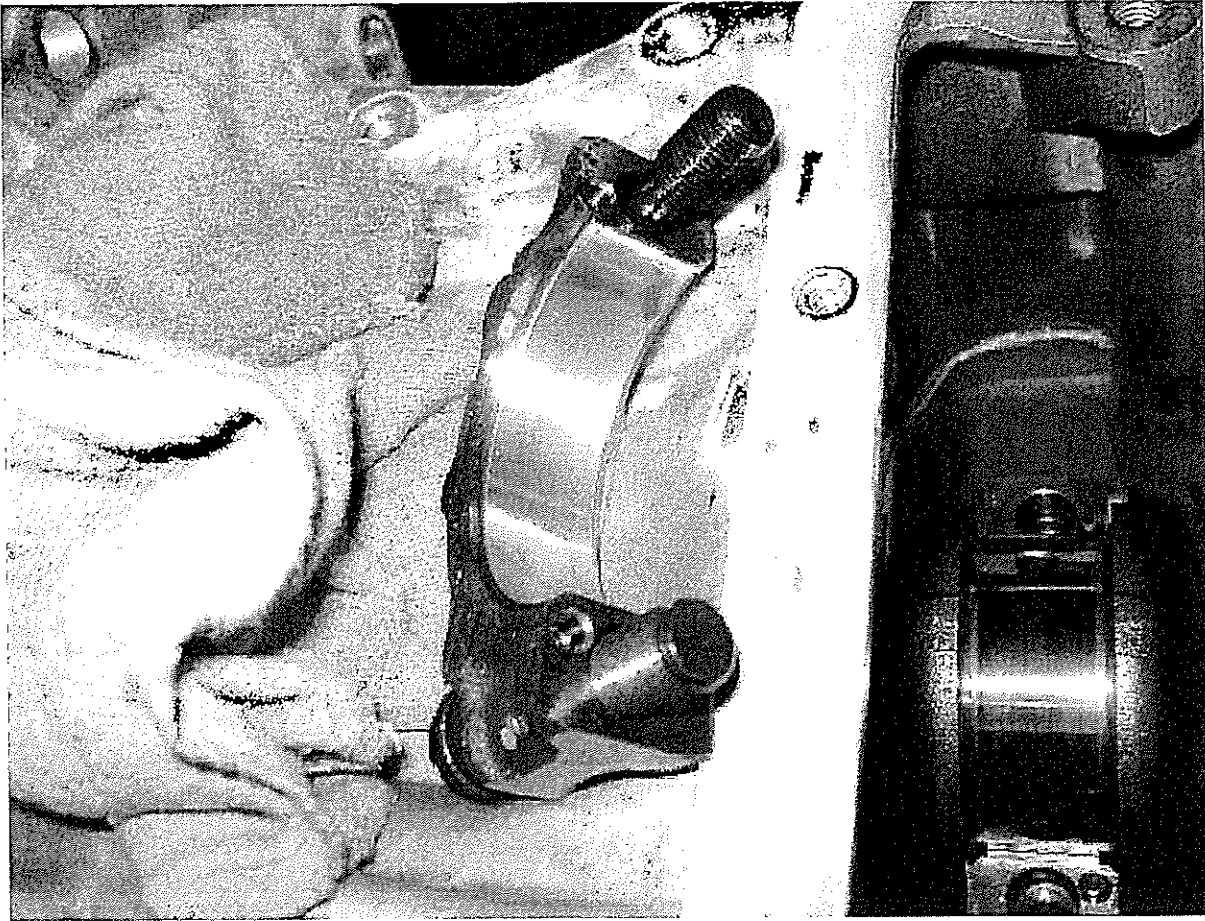
FOR PROPER CREDIT PLEASE REFERENCE THE INVOICE NUMBER ON YOUR REMITTANCE  
\*\*PAYMENT IS DUE UPON RECEIPT\*\*

REMIT TO: TAX ID# 131938568

INVOICE DATE  
05/26/2010 02:24:25 PMHERTZ LOCAL EDITION  
ATTN: HLE INSURANCE - DEPT 1139  
P.O. BOX 121139  
DALLAS, TX 75312-1139INVOICE NUMBER  
H79179461AMOUNT DUE  
\$592.96**THANK YOU FOR CHOOSING HERTZ LOCAL EDITION**













**NOTICES SENT TO FOR FILE 100907:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 100918      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Beth Jensen, Agent for Park Terrace, LLC for property damage.  
(12th Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS

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

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

100918

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Beth Jensen, Agent for Park Terrace, LLC for property damage.  
(12th Aldermanic District)

**Requestor**

City Attorney

**Drafter**

JAS:ms

November 5, 2010

1029-2010-2758:163033

**GRANT F. LANGLEY**  
City Attorney

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



**THOMAS O. GARTNER**  
**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**  
**JARELY M. RUIZ**  
**ROBIN A. PEDERSON**  
**DANIELLE M. BERGNER**  
**CHRISTINE M. QUINN**  
Assistant City Attorneys

November 5, 2010

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

Re: Resolution Relating to the Claim of Park Terrace, LLC  
C.I. File No. 10-L-118

Dear Council Members:

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

Claimant, Park Terrace, LLC by Beth Jensen, 161 South 1st Street, Milwaukee, WI 53204, allege that on August 29, 2010 a sewer back-up occurred at 931 East Reservoir Avenue allegedly caused by a crushed sewer lateral that was installed by the City of Milwaukee. They claim damages in the amount of \$8,278.81.

Our investigation reveals that the Sewer Maintenance Section (SMS) responded on August 30, 2010 to a call of a backwater at this location. They found that sewer main was in proper working condition. The responding crew was shown the break in the claimant's sewer lateral by its plumbing contractor. The building's lateral is a private facility and Charter Ordinance 12-15, Milwaukee Code of Ordinances states the property owner is responsible to maintain this facility. Since the City was not negligent in this matter, we recommend denial of this claim.

Very truly yours,

**GRANT F. LANGLEY**  
City Attorney

**JAN A. SMOKOWICZ**  
Assistant City Attorney

JAS:ms  
Enclosure  
1029-2010-2758:163032

**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

CITY OF MILWAUKEE  
RECEIVED

2010 OCT -7 PM 2:54

vetter  
denk

October 1, 2010

City Hall  
Attn: Claims  
200 E. Wells Street  
Room 205  
Milwaukee, WI 53202

OFFICE OF  
CITY ATTORNEY

Re: 931 E. Reservoir  
Milwaukee, WI

This letter serves as our formal claim for \$8,278.81 for reimbursement for the cost of repairs for a broken sewer lateral installed by the City of Milwaukee at 931 E. Reservoir.

Below is a recap of the sequence of events:

- On August 27, 2010 a resident took occupancy of our brand new Park Terrace Bluff Home located at 931 E. Reservoir. Prior to that date, the unit had never been occupied.
- On August 29, 2010 the tenant reported sewage back up in the basement.
- On August 30, 2010 we hired Rooter Man to determine the cause of the back up. Using a scope, the cause was determined to be a crushed sewer lateral that had been installed by the City of Milwaukee.
- We contacted the City of Milwaukee Sewer Maintenance Department to advise them of the problem. Representatives from that department went to the site assess the situation. They, too, agreed that the problem was caused by a crushed sewer lateral. They instructed us to repair the lateral and file a claim with the City. A copy of the report is attached.
- Joe De Belak Plumbing was contracted by us to fix the sewer lateral and it was repaired prior to midnight on August 30<sup>th</sup>.
- To date, we are awaiting corrective action through the City for the repair of the street, curb and lawn.

For your information, attached please find the following documentation:

- Invoices totaling \$8,278.81 from Demo Boys, Rooter Man, Joe De Belak Plumbing. These contractors were hired by us to diagnose and repair the problem.
- Report from the City of Milwaukee Infrastructure Services Division
- A CD with photos illustrating the sewage back up and the damaged lateral
- A copy of our August 30, 2010 letter to Attorney Smokowicz informing him of our intent to file a claim with the City

Please note that in December 2008 we experienced a similar situation with our property at 913 E. Reservoir. At that time, we incurred almost \$12,000 in expenses to repair another damaged sewer lateral installed by the City.

It is apparent that the broken sewer lateral at 931 E. Reservoir was not an isolated incident and we should not be liable for expenses caused by the City of Milwaukee's negligence. Therefore, we request immediate and full compensation in the amount of \$8,278.81.

Thank you in advance for your attention to this matter. If you have any questions, please call me at 414.223.3388.

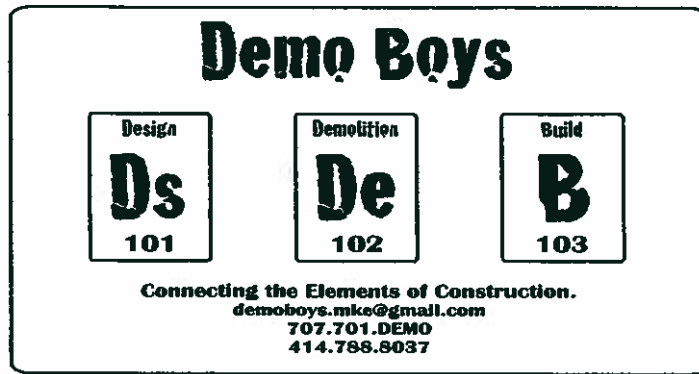
Sincerely,



Beth Jensen  
Park Terrace, LLC

Cc: Atty. Jan Smokowicz, City of Milwaukee  
Robert Brooks, City of Milwaukee Infrastructure Services Division)  
Todd Sarauer, Property Manager, Hunt Management

RONALD D. LUCAS  
CITY CLERK  
2010 OCT -6 PM 2:29



Invoice  
Sewer repair at 931 E Reservoir St

Invoice total:

-\$495.00: 11 hours @ \$45 per hour

pd w  
full  
8/30/2010



Accounting Office  
P.O. Box 44055  
West Allis, WI 53214

Service (414) 328-4221

INVOICE: 6810

DATE: 8/30/10

SERVICE REP: KEITH

JOB LOCATION  
NAME: 9  
ADDRESS: 931 E. RESERVOIR AV  
CITY: mil STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
HOME PHONE: \_\_\_\_\_ WORK PHONE: \_\_\_\_\_

BILL TO  
NAME: PAUL TERRACE LLC  
ADDRESS: 161 S. FIRST ST.  
CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_  
HOME PHONE: \_\_\_\_\_ WORK PHONE: \_\_\_\_\_

WORK DESCRIPTION: ROD LINE TO NO  
GO POSSIBLE BROKEN LINE

#### WORK ORDER AUTHORIZATION

I authorize Rooter-Man to perform the above described services and I agree to pay the amount indicated. I understand that Rooter-Man is not responsible for broken, settled, rusted, or lead pipes, fixtures, or clean outs and any damage resulting from cleaning or repairing such lines.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

#### WARRANTY ON LABOR PERFORMED:

☐ None ☐ 30 Days ☐ 90 Days ☐ 6 Months ☐ 1 Year

REASON FOR NO WARRANTY \_\_\_\_\_

#### CONTRACTOR WAIVER OF RIGHT TO CANCEL

I have initiated a contract with emergency repairs or service, for the immediate protection of persons or real and personal property with Rooter-Man. Waiting three days to have repairs or service would place an undue, unwanted burden upon myself. I hereby state that the following emergency situation exists, requiring immediate attention.

I acknowledge and hereby waive all rights to cancel this transaction within three business days. I understand that regardless of whether work has started or not after I waive all rights to cancel this transaction I may not subsequently exercise this waived right.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

#### ASK ABOUT OUR MEMBERSHIP WARRANTY PROGRAM!

CASH \$ \_\_\_\_\_ CHECK # 5023 NET 30 \_\_\_\_\_



CARD NUMBER \_\_\_\_\_ EXP. DATE \_\_\_\_\_

AUTHORIZED CARDHOLDER SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

LABOR \$ 165.00

MATERIAL \$ \_\_\_\_\_

SALES TAX \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

TIME DISPATCHED \_\_\_\_\_

TIME START DATE \_\_\_\_\_

TIME \_\_\_\_\_

JOB COMPLETE DATE \_\_\_\_\_

TIME \_\_\_\_\_

This is to acknowledge completion of the above described work which has been done to my complete satisfaction.

DATE \_\_\_\_\_

CUSTOMER SIGNATURE \_\_\_\_\_



Accounting Office  
P.O. Box 44055  
West Allis, WI 53214  
Service (414) 328-4221

INVOICE: 6811

DATE: 8/30/10

SERVICE REP: KEITH

JOB LOCATION	NAME:	NAME: PARK VERRACE LLC
	ADDRESS:	ADDRESS:
	CITY: MIL STATE: ZIP:	CITY: STATE: ZIP:
	HOME PHONE: WORK PHONE:	HOME PHONE: WORK PHONE:

WORK DESCRIPTION:

CAMERA / LOCATE  
SERVICES TO LOCATE  
BROKEN SEWER

pdw pull by  
Park Verrace LLC  
check # 5024

WORK ORDER AUTHORIZATION

I authorize Rooter-Man to perform the above described services and I agree to pay the amount indicated. I understand that Rooter-Man is not responsible for broken, settled, rusted, or lead pipes, fixtures, or clean outs and any damage resulting from cleaning or repairing such lines.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

WARRANTY ON LABOR PERFORMED:

☐ None ☐ 30 Days ☐ 90 Days ☐ 6 Months ☐ 1 Year

REASON FOR NO WARRANTY \_\_\_\_\_

CONTRACTOR WAIVER OF RIGHT TO CANCEL

I have initiated a contract with emergency repairs or service, for the immediate protection of persons or real and personal property with Rooter-Man. Waiting three days to have repairs or service would place an undue, unwanted burden upon myself. I hereby state that the following emergency situation exists, requiring immediate attention.

I acknowledge and hereby waive all rights to cancel this transaction within three business days. I understand that regardless of whether work has started or not after I waive all rights to cancel this transaction I may not subsequently exercise this waived right.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

ASK ABOUT OUR MEMBERSHIP WARRANTY PROGRAM!

CASH \$ \_\_\_\_\_ CHECK # \_\_\_\_\_ NET 30 \_\_\_\_\_



CARD NUMBER \_\_\_\_\_

EXP. DATE \_\_\_\_\_

AUTHORIZED CARDHOLDER SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

LABOR \$ 35000

MATERIAL \$ \_\_\_\_\_

SALES TAX \$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

EMPLOYEE ID \_\_\_\_\_

JOB START DATE \_\_\_\_\_

TIME \_\_\_\_\_

JOB COMPLETED DATE \_\_\_\_\_

TIME \_\_\_\_\_

This is to acknowledge completion of the above described work which has been done to my complete satisfaction.

DATE \_\_\_\_\_

CUSTOMER SIGNATURE \_\_\_\_\_

**JOE DE BELAK PLUMBING  
& HEATING COMPANY INC.**

N90 W14465 COMMERCE DRIVE  
MENOMONEE FALLS, WI 53051-2340  
262-251-2630 (F) 262-251-0801

**INVOICE**

DATE
8/31/2010

INVOICE #
33692

BILL TO
DENK, VETTER 161 S. 1ST. STREET SUITE 400 MILWAUKEE, WI 53204

WORK PERFORMED AT:
931 E. RESERVOIR MILWAUKEE

P.O. NO.	TERMS	DUE DATE	CLASS
	10 DAYS	9/10/2010	

DESCRIPTION	AMOUNT
SERVICE CALL, LABOR AND MATERIALS TO REPAIR SANITARY SEWER  	7,268.81

	<b>TOTAL</b> \$7,268.81
	<b>PAYMENTS - CREDITS</b> \$0.00
	<b>BALANCE DUE</b> \$7,268.81

1 - 1/2% INTEREST PER MONTH WILL BE CHARGED ON  
ANY UNPAID BALANCE - THIS INVOICE CONSIDERED  
CORRECT IF NOT NOTIFIED IN 10 DAYS. CREDIT CARDS  
ACCEPTED ONLY IF PAID WITHIN 10 DAYS.

CITY OF MILWAUKEE  
INFRASTRUCTURE  
ENVIRONMENTAL ENGINEERING  
SEWER MAINTENANCE

BACKWATER IN BASEMENT - CODE 1

Dispatched Location: 931 E Reservoir  
Received: (Date): 8/30/10 (Time): 1<sup>st</sup> P. (From): Hall  
Contact: (Person): Johnathan (Phone #): (414) 788-8037

FIELD INVESTIGATION

Time Arrived: 1<sup>st</sup> P. Crew #: M2 Field Investigator: Perkins Assisted by: Bridges  
Sewer Type: San Sewer Size: 8" Sewer Status: OK Flow in Inches: 1"  
Date of Backwater: 8/30/10 City Surcharge: Yes ☒ No ☐ MIS Surcharge: Yes ☒ No ☐  
Highwater Mark from Top of Frame: N/A Lateral Clogged -- Recommend Plumber

Sewer clog: 1. Obtain print when possible 2. Locate obstruction 3. Call proper equipment

Time Found: \_\_\_\_\_ Time Began Cleaning: \_\_\_\_\_ Time Opened: \_\_\_\_\_  
Opened By: \_\_\_\_\_ Time Completed: \_\_\_\_\_  
Location of Clog (note dry & backed-up manholes): \_\_\_\_\_  
Sewage Elevation (from top of manhole): \_\_\_\_\_ Obstruction Due To: \_\_\_\_\_

Final Status & Additional Information: 8" San OK. Recommend

Plumber lateral is Broken down.













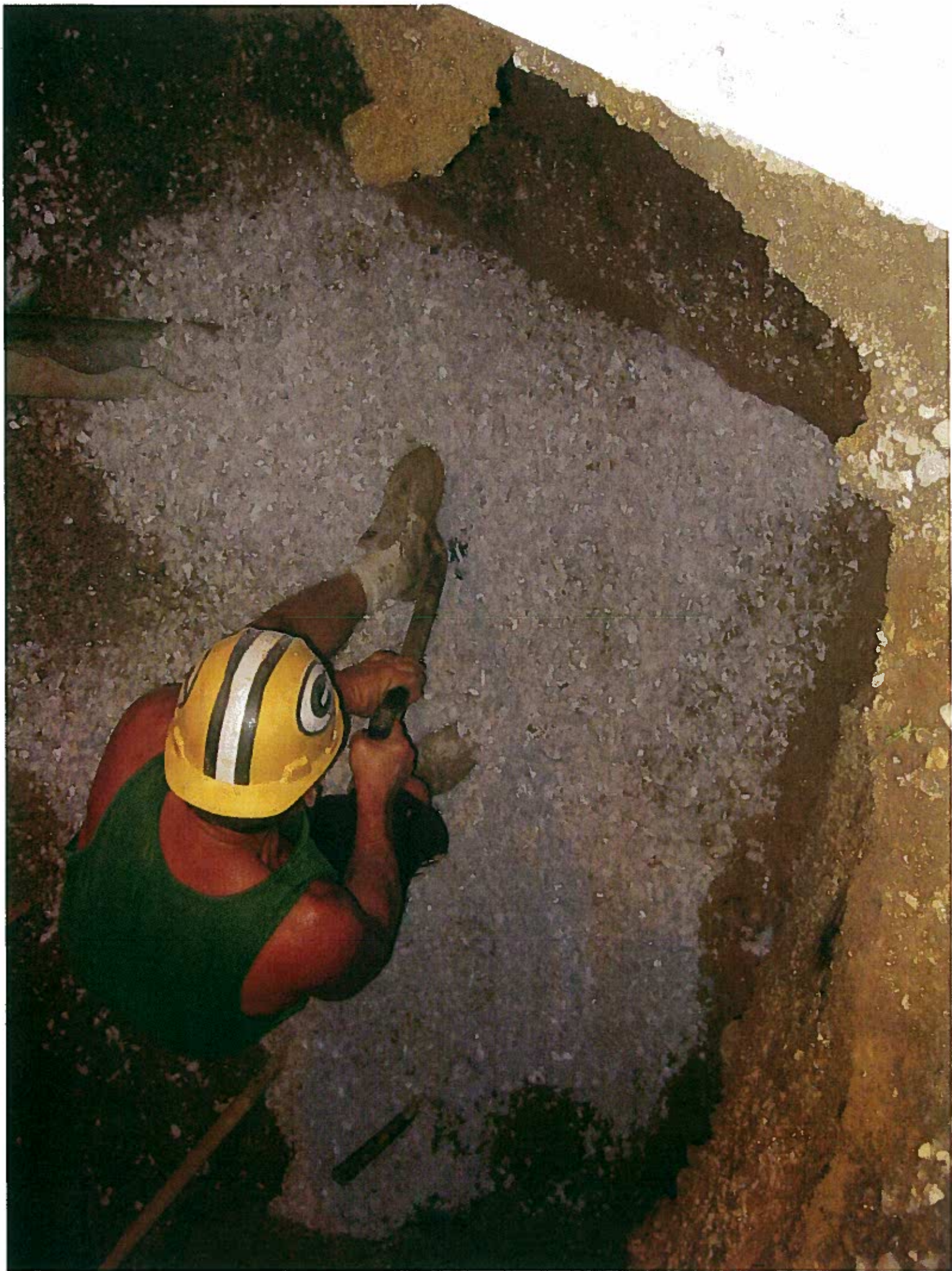








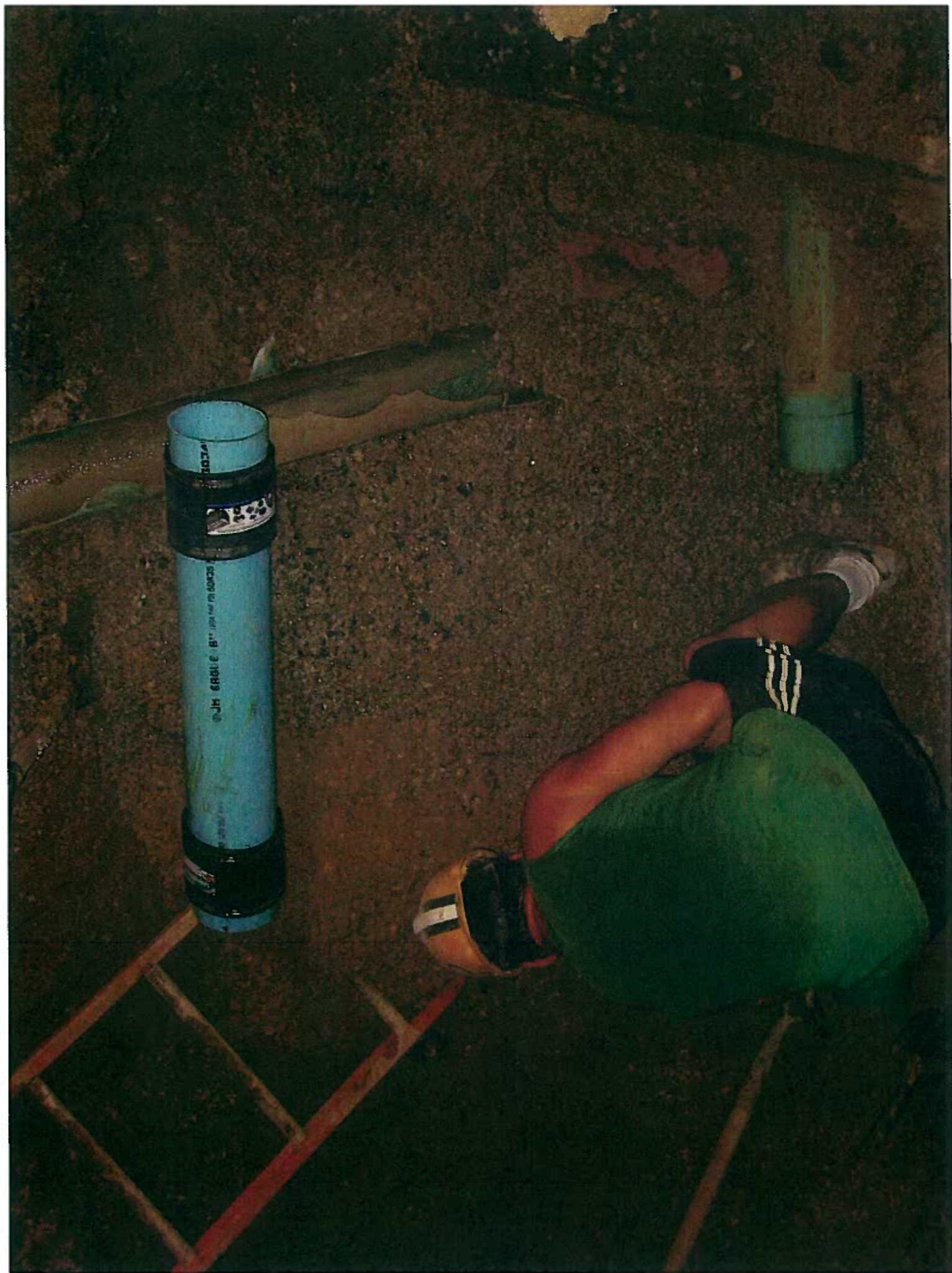






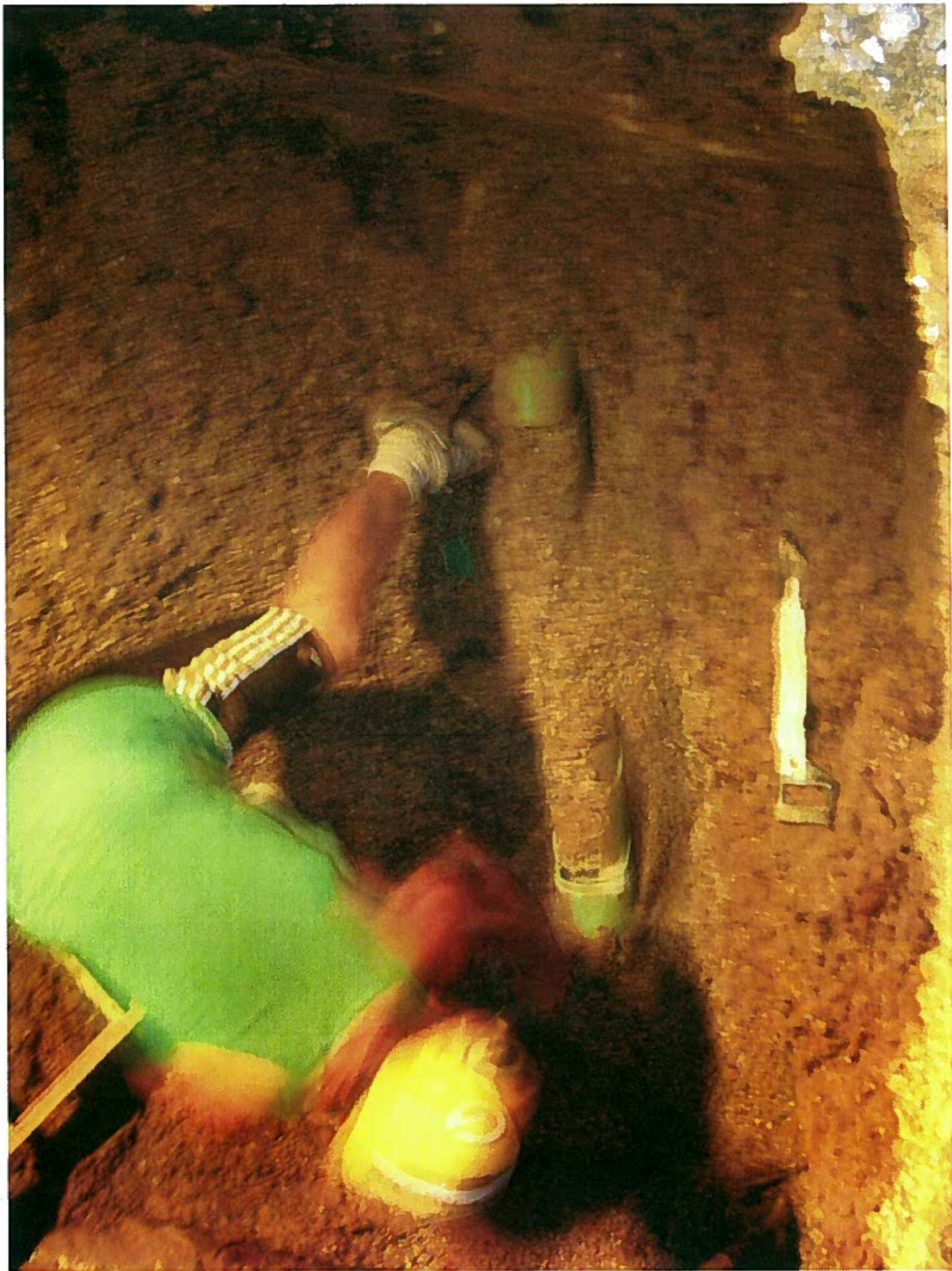






















**NOTICES SENT TO FOR FILE 100918:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 100920      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Linda Charles for property damage. (1st Aldermanic District)

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS

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

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

100920

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Linda Charles for property damage. (1st Aldermanic District)

**Requestor**

City Attorney

**Drafter**

JAS:ms

November 5, 2010

1029-2010-1772:163030

**GRANT F. LANGLEY**  
City Attorney

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



**THOMAS O. GARTNER**  
**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**  
**JARELY M. RUIZ**  
**ROBIN A. PEDERSON**  
**DANIELLE M. BERGNER**  
**CHRISTINE M. QUINN**  
Assistant City Attorneys

November 5, 2010

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

Re: Resolution Relating to the Claim of Linda Charles  
C.I. File No. 10-S-177

Dear Council Members:

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

Claimant, Linda Charles, 4724 North 19<sup>th</sup> Street, Milwaukee, WI 53209, alleges that she suffered a sewer back-up on/about December 14, 2009 at her home due to a sewer blockage. She claims damages in the amount of \$5,134.27.

Our investigation reveals that the Sewer Maintenance Section (SMS) responded to a backwater call on December 30, 2009 at this location. The City sewer main was found to be in proper working order and the homeowner was advised to hire a plumber. The SMS records also noted the catch basin closest to the claimant's home was cleaned on that date at the claimant's request. This action had no relation to the water in the basement. The SMS was called back to the home on February 15, 2010 regarding a backwater. They again found the sewer main was in proper working order. The claimant was also told again to contact a plumber. The Milwaukee Water Works (MWW) was also contacted due to water entering the basement. The SMS noted the sewer is on a regular cleaning schedule and it was last cleaned in November, 2009.

The MWW also reviewed their records relative to this incident. The MWW responded to the claimant's home on February 15, 2010. The responding

To the Honorable Common Council  
Of the City of Milwaukee  
November 5, 2010  
Page 2

personnel found no one home and no evidence of standing water or flooding was observed. The MWW was called back to the property on February 18, 2010 and turned the water service off. The claimant called again on February 19, 2010 regarding running water. The responding investigator found that the water was still completely off and the curb stop was in the off position. The MWW went back to the property on May 21, 2010 to check the water status and found it to be on. The MWW investigator attempted to gain entry to the property to check the water meter status, but the property owner would not grant permission. She noted the water was definitely on. The MWW also reviewed the claimant's allegation regarding a tool that was dropped on her sewer service by MWW personnel on February 18, 2010. The MWW would not have made any contact with the sewer service to perform the water shut-off. The City departments followed standard procedures in this matter and there is no evidence they were negligent, as such, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:ms  
Enclosure  
1029-2010-1772:163027

6/21/10

CITY OF MILWAUKEE  
RECEIVED

2010 JUN 28 PM 3:15 is being submitted

as <sup>OFFICIAL</sup> ~~ORIGINAL~~ ADDENDUM  
CITY ATTORNEY

the complaint mailed to your  
office 5/10/10, which  
not received any feedback from.

CITY OF MILWAUKEE  
10 JUN 24 PM 3:26  
RONALD D. LEONHARDT  
CITY CLERK

- Please Read This

Addendum ; after  
reading initial letter sent,  
Because many events  
occurred, and the City of  
Milwaukee's last ~~work~~ <sup>mishap</sup> at my  
home was 3/23-25/10 -  
the 120 day period  
has not expired.

Please respond as soon as possible  
as my son and I still cannot  
shower at our home as a result  
of the many mishaps, whether  
intentional or not, that caused  
us to be in this harmful situation.  
We are prepared to enlist the support of our  
Churches, organizations and legal experts if needed.

<sup>SDC</sup>  
C.E. Dunar,

Atty. G. Cohen

To: Office of the City Clerk, Milw. Wi

From: Linda Charles/Homeowner/TAXPAYER  
of Property at 4724 N. 19th St  
Milw. Wi. 53209 ph. 414-265-9621

CITY OF MILWAUKEE  
10 JUN 24 PM 3:26  
RONALD D. LEONHARDT  
CITY CLERK

This letter is written to express the atrocious hardships that myself and my 12 yr. old asthmatic son had to endure as a result in part, due to the negligence and lack of the City of Milwaukee Sewage Dept in fulfilling job duties as promised. They failed to follow through with work date obligations as promised. I am seeking some type of relief and compensation for the terrible life crisis that resulted in myself and my son becoming ill and financially exhausted. On 12/14/2009, the sewer backed up according to several licensed plumbers, thus causing water and sewer backup in my basement, at the property where I've lived in, owned and paid taxes for (always on time or before the due date) for 19 yrs. Because of the ongoing problems with the situation, I was unable to work under such conditions or even carry out simple day to day functions or simple necessary tasks with my home being in the condition it was.

\*sewer

My home became nearly uninhabitable, thus causing us to be displaced and without funds. Daily living was so difficult that it caused us both to become ill, and physically and emotionally traumatized. Never before had we experienced such an avoidable nightmare within our home, but I did what was necessary to live from day to day. This ordeal began (and is still not completely safe) when most people were enjoying the Holidays with their families so I understood that most businesses were short staffed during the Holiday Season so I agreed to wait until the Holidays were over so that the City would have more staff available to perform duties as promised. Meanwhile, my son and I could not flush the toilet, had to boil and bail water to cook and clean ourselves daily. Because most of the few family members nearby in the city had plans of their own during parts of the Holiday season, or were out of town, we were forced to go to a Hotel on several occasions just to shower and rest from the situation. At home I used one electric heater on very cold days, thus forcing us to inhabit one room in the house. We had to go out to gas stations, restaurants, friends, family members to relieve ourselves, and at times we had to use plastic containers as urinals because we could not flush the toilet.

I contacted several elected officials but was unable to get through directly to my alderman (Ashanti Hamilton). I was advised to have a Licensed plumber come in, which I'd done on several occasions. They all concurred that the problem could not be resolved without the blockage being cleared from the sewer outside to the streets.

We had to ask friends and relatives to put us up until we had more money to pay yet another plumber just to extract the water from our premises. After several months of extracting, water, my health, strength and funds had been exhausted. - Continued on next page.

~~Postscript~~  
Overview of dates and events important to this claim.  
(More detailed documentation available upon request)

- 12/9/09 - Major snow storm
  - 12/11/09 - Discovered water + sewage in basement  
Called plumber - Needed money to fix or extraction  
Contacted neighborhood organization
  - 12/13/09 - Myself and Son to hotel for safety and hot water.
  - \* 12/14/09 - Called elected officials re idiling  
Advised to get plumbers assessment.  
Could not reach Alderman directly or otherwise
  - 12/18/09 - Blau Sudden Service Plumbing -  
Could not correct problem due to sewer blockage outside per licensed serviceman. Paid for services, water and sewage still in basement when serviceman left.
  - 12/22/09 - To LaQuinta for shower and feared for safety. Walls in home dripping from dampness of furnace heat.
  - 12/28/09 - Hired serviceman - Sump Pump used to extract water. \$250<sup>00</sup> - original cost.
- \* To be Continued \*

I called the City of Milw. Sewage Dept. as instructed, and was told that because I am the homeowner they could not help me, they were very busy for the Holidays, and I'd need to call a plumber, which I did as I was told. I called several licensed plumbers within the months of this ordeal. I also contacted the American Red Cross, the Salvation Army for assistance and/or emergency shelter because the hazards in my home began to escalate. Those agencies were overwhelmed during the Holidays, so I was forced to endure the situation. Because my Homeowners Insurance did not cover this calamity, we became financially drained. After doing all I was advised to do, paying all the plumbers, doing all I could, finally several city staff came to my home. On 12/28/09 and on 12/29/09 a city worker came out and acknowledged that there was a problem from the street which required a JET VAC and there were only 2 in the entire City Of Milw. Dept but we could expect service around January 5, 2010. Another city worker came out to my home at night? on 12/30/09, this worker however, appeared agitated, as if I'd bothered them by requesting much needed taxpayer service. In fact, I was speaking on the phone and the person on the other line also heard the manner and tone in which the worker spoke.

When the time came when service was expected (around 1/5/2010) as told, I called only to be told by the Supervisor who'd just returned from VACATION, that I'd been misinformed and the JET VAC service would not be rendered. The reason given was that whatever staff person who'd performed and assessed the condition didn't know what he was talking about. But the Supvr, Mr. Brooks did acknowledge that his staff must have told me because it would be unlikely that anyone would know about there only being 2 jet vacs and other data. Nevertheless, the duty should have been performed as promise by then simply because it had been stated to us.

Meanwhile my son and I are suffering throughout the cold days and nights of the Milw. Wisconsin winter whenever there was no one available to put us up with shelter. I understand that we are all human and that mistakes are made, but I believe this whole nightmare could've been avoided if our fellow paid citizens would have stepped in sooner and rectified the situation without malice and in good will.

I realize that this is a time when there are many disasters and families going through hardships, nevertheless, that does not remove us from being responsible human beings that should take care in performing taxpayer paid duties to assist in the quality of life for all citizens. The hardest part for me during the Holidays was to explain to my child how during the "season of Giving and Perpetual Hope" we were left to suffer such conditons, neglected, given false information and left to suffer such horrible conditions. We also learned a valuable lesson in being grateful for the many things that are so often taken for granted, such as, to run water, use and flush the toilet, wash ourselves, cook, eat at home together, etc, all of those things we were unable to do in our home, and we are still unable to take a shower due lack of funds and a pipe that burst to be repaired. So, if at all possible, please let us rectify this situation and resolve this matter so that we may go on with our lives. We have survived many horrific injustices in our lifetime, but this time I believe justice will prevail. This time we are not in a position to just let this situation just go unnoticed after suffering such life threatening conditions that could have been avoided. AT THIS JUNCTURE, I am only requesting to be reimbursed for expenses incurred, clean out services and that proper repairs be made to restore my living quarters to a healthy conditon.

It was not until the end of March that the city clearing the sewer with the jet vac that the water and sewage stopped backing up in my basement, thus affirming the plumbers assessments of the need for city intervention. Please find enclosed, documents, receipts and estimates associated to reconcile this matter. I am submitting documents to support my claims and would like this problem solved and behind us as soon as possible. Thank you for your time and attention to this matter. If you need more information, please let me know as soon as possible. We all know that this nation has been in a recession, but that does not absolve us from taking care to insure that the very basic needs of taxpayers are being addressed properly when it is definitely within our means, job descriptions and mission statements to do so.

SINCERLY,

Linda Charles, property owner  
at 4724 n. 19th St.  
City Of Milw, 53209

Itemized EXPENSES and PURCHASES: attached (more available if needed)

EMERGENCY LODGING EXPENSES

HOUSEHOLD CLEANERS & SANITIZING EXPENSES

APPLIANCES AND EQUIPMENT(hot water heater, furnace repair)

PLUMBERS/PLUMBING COSTS

cc:Ella Dunbar, SDC

Atty. Conen

Addendum of dates pertinent  
to this catastrophe.

4/16/10

Plumber out ~~to~~ my home - No cost.

Informed me that the water was not completely off as it should have been. City workers were requested to turn water off by homeowner so that what costs would not keep rising. City workers told me water was off - as I requested on 02/18/10

licensed plumber also stated that water pressure was unusually low after he restored water to the premises.

4/16/10

licensed plumber also concurred that there was/is still some type of blockage (probably metal object that city crew dropped when trying to turn off my water on 2/18/10)

was still in sewer, blocking pipes. Plumber capped off (spicket) valve outside my home - Removed handle to turn water off/on from outside.

3/23/10 Sewer supposedly flushed per City Staff - However metal wrench or some type of equipment dropped into sewer not removed from 2/18/10 attempts to turn water off.

3/14/10 Sewer backed up again, more water & sewage into basement even after 2 city crews said after 2nd attempt they'd turned water off.

3/8/10 Residents evacuated for home on 20th & Hampton per newscast, due to gas leak and sewer problems.

3/7/10 Witnessed jet vacs water leaks from sewer and fire hydrant in areas all over the city area where I live. Many residents acknowledge that inefficient work and digging, tearing up streets & water lines resulted in hardship.

- 2/22/10 <sup>Jet</sup> Another licensed Plumber at my home 8:12am.  
- Plumber called city re: reoccurr problem. Both city worker and plumber concurred that jet vac needed - Outside of property owners responsibility.
- 2/18/10 2 City crews + plumber could not shut off water - 2 young city workers couldn't shut off water, dropped metal device (appeared to be long wrench) down into sewer/ground.
- 2/19/10 Called city again to shut off water. As I shouldn't have to pay for water running that I couldn't even use.
- 2/21/10 Water in basement again after crew/city officials assured me that water was shut off as requested.
- 2/15/10 Plumber in home to extract water again.

-4- of addendum

1/4/10 Requested help from:  
Salvation Army (265-6360)  
and Red Cross

Again -  
both overwhelmed with  
Battered women and  
Hunger Task Force -

My case not as much priority  
as I was still able to be  
in home even without  
being able to flush  
toilet, shower, have  
heat or rest at night

Though both agencies were  
kind and asked that I  
try back later in the week.

Staff from both agencies  
appalled at the lack  
of action on part of  
the City of Milw. Sewage Dept.

1/10/10

Outside pipe leaking - <sup>outside</sup> pipe broke  
due to cold - one  
heater in home.

1/20/10 Spoke with Community Organization.

Problem in area as sewers  
old in area. Replacing  
sewers from 20th Hampton  
and beyond toward Sherman Bl  
did indeed result in some  
problems for homeowners.

Also some homeowners experienced  
low water pressure and other sewer  
problems when "Water Park"  
"Dave Schultz" Water Park  
as far back as August 2009  
when water park opened.

\* Also the problems with potholes  
and breaks in street  
concrete as a result of  
streets being torn apart for  
city "repairs" is atrocious. Many  
vehicles are damaged and  
people harmed as a result  
of blatant - raggedy  
streets left undone in the  
community. The City of Milw. is and

Should be responsible for the  
safety of its citizens -  
no matter what neighborhood -  
When work is left undone  
or finished, debris should  
be removed and area  
should be inspected for  
safety. The Mission  
Statement of the City  
of Milwaukee and  
its employees should  
be reviewed.

Please accept this as my  
request to submit this  
data with full respect  
and anticipation that  
the Mission Statement  
will be honored.

Gratefully,

Hinda Charles  
(414) 265-9621

P.S.

Many residents have experienced various indirect forms of retaliation when standing up for rights. We are not concerned with this as this problem has gone on so long, many have witnessed the events described and we have full knowledge that there are still some decent humans who will do their taxpaid duties with honor, integrity and respect. As we all know, mishaps happen, but intelligent and capable humans have the power to fix our mistakes or oversites.

End

cc: Ella Dunbar SDC  
Atty. Coner

Expenses Attached

GrandTotal - \$4534<sup>91</sup>  
minus emotional  
physiological and  
receipts not keep

(A)

## Emergency Lodging Expenses :

5/17/10 La Quinta - Shower Needed / Water on <sup>\$</sup> but not hot 124<sup>92</sup>

12/22/09 LaQuinta - Rest + Shower \$120<sup>33</sup>

12/13/09 Hotel - Cold - Hot Water Heater <sup>\$</sup> 113<sup>46</sup>  
+ Furnace Damaged

2/28/10 Emergency Lodging again \$102<sup>00</sup>

4/23/10

\$136<sup>38</sup>  
+ 80

---

597<sup>90</sup>

---

Total



LA QUINTA INN & SUITES MILWAUKEE BAYSHORE AREA  
5423 N. PORT WASHINGTON RD  
GLENDALE, WI 53217  
414-962-6767

CHARLES, LINDA  
4724 N. 19TH ST.  
MILWAUKEE, WI 53209  
Company: L

Folio#: 700589773  
Room: 223  
Arrival: 05/07/10  
Departure: 05/08/10  
Returns Club No : P70051527  
Voucher/Ship/PO:

Trans #	Date	Description	Charges	Payments	Balance
319511	5/7/2010	CASH	\$0.00	\$124.92	(\$124.92)
319552	5/7/2010	Rm: 223 BAR - Best Available Rate	\$109.00	\$0.00	(\$15.92)
319553	5/7/2010	TAX - OCCUPANCY - CITY	\$9.81	\$0.00	(\$6.11)
319554	5/7/2010	TAX - OCCUPANCY - STATE	\$6.11	\$0.00	\$0.00
				Balance:	\$0.00

Method of Pay: Cash

Signature:

THANK YOU  
WE APPRECIATE YOUR BUSINESS

per itemized receipts

This is the total of expense that I had documents  
to prove after all this time - It's only  
a fraction of my actual expenses  
minus health & emotional +  
physiological damage to myself  
and child -

If there is a limited reimbursement - Please Advise



LA QUINTA INN & SUITES MILWAUKEE BAYSHORE AREA  
5423 N. PORT WASHINGTON RD  
GLENDALE, WI 53217  
414-962-6767

CHARLES, LINDA  
4724 n. 19TH ST.  
MILWAUKEE, WI 53209  
Company: L

Folio#: 700579621

Room: 222

Arrival: 12/22/09

Departure: 12/23/09

Returns Club No : P70051527

Voucher/Ship/PO:

Trans #	Date	Description	Charges	Payments	Balance
284241	12/22/2009	CC PMT - VISA	\$0.00	\$120.33	(\$120.33)
284263	12/22/2009	Rm: 222 BAR - Best Available Rate	\$105.00	\$0.00	(\$15.33)
284264	12/22/2009	TAX - OCCUPANCY - CITY	\$9.45	\$0.00	(\$5.88)
284265	12/22/2009	TAX - OCCUPANCY - STATE	\$5.88	\$0.00	\$0.00
				Balance:	\$0.00

Method of Pay: Cash

Signature:

THANK YOU  
WE APPRECIATE YOUR BUSINESS



LA QUINTA INN & SUITES MILWAUKEE BAYSHORE AREA  
5423 N. PORT WASHINGTON RD  
GLENDALE, WI 53217  
414-962-6767

CHARLES, LINDA  
4724 n. 19TH ST.  
MILWAUKEE, WI 53209  
Company: L

Folio#: 700579208  
Room: 223  
Arrival: 12/13/09  
Departure: 12/14/09  
Returns Club No :  
Voucher/Ship/PO:

Trans #	Date	Description	Charges	Payments	Balance
282590	12/13/2009	CC PMT - VISA	\$0.00	\$113.46	(\$113.46)
				Balance:	(\$113.46)

Method of Pay: Cash

Signature:

THANK YOU  
WE APPRECIATE YOUR BUSINESS



LA QUINTA INN & SUITES MILWAUKEE BAYSHORE AREA  
5423 N. PORT WASHINGTON RD  
GLENDALE, WI 53217  
414-962-6767

CHARLES, LINDA  
4724 n. 19TH ST.  
MILWAUKEE, WI 53209  
Company: L

Folio#: 700579208  
Room: 223  
Arrival: 12/13/09  
Departure: 12/14/09  
Returns Club No : P70051527  
Voucher/Ship/PO:

Trans #	Date	Description	Charges	Payments	Balance
282590	12/13/2009	CC PMT - VISA	\$0.00	\$113.46	(\$113.46)
282635	12/13/2009	Rm: 223 BAR - Best Available Rate	\$99.00	\$0.00	(\$14.46)
282636	12/13/2009	TAX - OCCUPANCY - CITY	\$8.91	\$0.00	(\$5.55)
282637	12/13/2009	TAX - OCCUPANCY - STATE	\$5.55	\$0.00	\$0.00
				Balance:	\$0.00

Method of Pay: Cash

Signature:

THANK YOU  
WE APPRECIATE YOUR BUSINESS

02/28/10 2:18 PM

NiteVision 2009 SP1 HF2



LA QUINTA INN & SUITES MILWAUKEE BAYSHORE AREA  
5423 N. PORT WASHINGTON RD  
GLENDALE, WI 53217  
414-962-6767

MILWAUKEE, WI 53218  
Company: L

Folio#: 700584633

Room: 332

Arrival: 02/27/10

Departure: 02/28/10

Returns Club No :

Voucher/Ship/PO:

Trans #	Date	Description	Charges	Payments	Balance
301269	2/27/2010	CC PMT - MASTER CARD	\$0.00	\$80.00	(\$80.00)
301270	2/27/2010	CASH	\$0.00	\$22.00	(\$102.00)
301569	2/27/2010	Rm: 332 BAR - Best Available Rate	\$89.00	\$0.00	(\$13.00)
301570	2/27/2010	TAX - OCCUPANCY - CITY	\$8.01	\$0.00	(\$4.99)
301571	2/27/2010	TAX - OCCUPANCY - STATE	\$4.99	\$0.00	\$0.00
Balance:					\$0.00

Method of Pay: Cash

Signature:

THANK YOU  
WE APPRECIATE YOUR BUSINESS



LA QUINTA INN & SUITES MILWAUKEE BAYSHORE AREA  
5423 N. PORT WASHINGTON RD  
GLENDALE, WI 53217  
414-962-6767

CHARLES, LINDA  
4724 N. 19TH ST.  
MILWAUKEE, WI 53209  
Company: L

Folio#: 700588737  
Room: 205  
Arrival: 04/23/10  
Departure: 04/24/10  
Returns Club No : P70051527  
Voucher/Ship/PO:

Trans #	Date	Description	Charges	Payments	Balance
315964	4/23/2010	CASH	\$0.00	\$136.38	(\$136.38)
316037	4/23/2010	Rm: 205 BAR - Best Available Rate	\$119.00	\$0.00	(\$17.38)
316038	4/23/2010	TAX - OCCUPANCY - CITY	\$10.71	\$0.00	(\$6.67)
316039	4/23/2010	TAX - OCCUPANCY - STATE	\$6.67	\$0.00	\$0.00
				Balance:	\$0.00

Method of Pay: Cash

Signature:

THANK YOU  
WE APPRECIATE YOUR BUSINESS

LA QUINTA INN & SUITES MILWAUKEE BAYSHORE AREA  
5423 N. PORT WASHINGTON RD  
GLENDALE, WI 53217  
414-962-6767  
Property ID: 7005

ish Sale Receipt #284341      Transaction Date : 12/23/2009  
ish Customer

Account	Description	Charges	Payments
24010	MINI MART-non alcohol	\$0.75	\$0.00
52050	TAX - SALES	\$0.05	\$0.00
0801A	CASH	\$0.00	\$0.80
Receipt Total			\$0.00

THANK YOU FOR YOUR PURCHASE

(B)

# Plumbers / Plumbing Costs

Blau - 437<sup>00</sup>

Discount Drain

+ Sewer Clog

250<sup>00</sup>

Heavy Handymen 535<sup>00</sup>

1222

total

SOLD BY RLB DATE 1/06/2010

NAME Leavitt Duty

ADDRESS Handyway

REGISTER NUMBER 282928 AMOUNT RECEIVED 175.00 ACCT. FWD.

1	Water	
2	Extraction	
3		
4		
5	175.00	
6	initial fee	
7	\$90 hr @ 1.75	
8	4 hrs	360.00
9		
10		
11		
12		
13	total work	535.00
14	order	\$535.00

REDIFORM 5A200

GENERAL CREDIT FORMS ST. LOUIS 63045 7202G

**CFSC**<sup>®</sup>  
community financial service centers

Thursday, May 06, 2010 3:12:13 PM

Conv Pay- \$1.50  
Fee (38.50)  
41426596214029 LC (1.50)

Total Due: 40.00  
Amount Tendered: 40.00  
Change Due: 0.00

We Do Not Disclose Any Non-Public  
Personal Information to Anyone, Except  
as Permitted by  
Law.

LC \* 85377

## CITY OF MILWAUKEE COMBINED TAX RECEIPT AND STATEMENT OF ACCOUNT

CT-203L

OFFICE OF THE CITY TREASURER • CITY HALL, ROOM 103 • MILWAUKEE, WISCONSIN 53202  
TELEPHONE: 414-286-2240 • FAX: 414-286-3186 • T.T.Y.: 414-286-2025

LEVY YEAR: 2009

TAX KEY / ACCOUNT NUMBER: 232-0533-3

LOCATION OF PROPERTY: 4724 N 19TH ST

TRANSACTION I.D. NUMBER:

816 20091224

NET PROPERTY TAX	REAL ESTATE	2,041.72
SPECIAL ASSESSMENTS AND OTHER CHARGES		862.65
TOTAL OF ORIGINAL TAX BILL		2,904.37
PAYMENT - 12/24/2009		2,904.37
BALANCE DUE		0.00

PAID IN FULL.

LINDA L CHARLES

4724 N 19TH ST

MILWAUKEE, WI

53209

TAX RECEIPT IS NOT VALID UNTIL TAX PAYMENT CHECK HAS CLEARED ALL BANKS.  
CHECK RETURNED UNPAID BY THE BANK WILL RESULT IN A CHANGE IN TAX ACCOUNT STATUS.

**Wayne F. Whittow**  
CITY TREASURER



247-9393

4230 EAST TOWN BLVD., #211 • MILWAUKEE, WI 53204 • 608-222-4439

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

33943

## BLAU PLUMBING INC.

PLUMBING, HEATING, AIR CONDITIONING, ELECTRICAL, DRAIN CLEANING

12221 WEST FAIRVIEW AVE. • MILWAUKEE, WI 53220 WISCONSIN MASTER PLUMBER'S LICENSE NO. 139992 MASTER ELECTRICIAN NO. 979322

## SERVICE WORK ORDER

S.C. No. 239337 C. No. 4734 N 19 SE Date 12-18-09  
 Owner's Name Linda Charles Owner's Address 4734 N 19 SE Job Phone \_\_\_\_\_  
 Owner's PH: 414-665-7621 City MILWAUKEE Job Location \_\_\_\_\_  
 Business PH: \_\_\_\_\_ State WI Zip 53207 Occupant's Name \_\_\_\_\_  
 Cell PH: \_\_\_\_\_

## DIAGNOSTIC PROPOSAL

## PROPOSAL

Perform Diagnostic Work to determine the repair and/or replacement solution to the reported problem.

QUOTED \$ \_\_\_\_\_ PER QUARTER (1/4) HOUR

START TIME \_\_\_\_\_ END TIME \_\_\_\_\_ CUST. INITIAL \_\_\_\_\_

## PROPOSAL 1

Attempt to clean sewer lateral to street.

Task # \_\_\_\_\_ Priority Price \_\_\_\_\_ Neighborhood Price \_\_\_\_\_

## PROPOSAL 3

Water alarm #35.00

Task # \_\_\_\_\_ Priority Price 327.00 Neighborhood Price 307.00 Task # \_\_\_\_\_ Priority Price \_\_\_\_\_ Neighborhood Price \_\_\_\_\_NEIGHBORHOOD SERVICE FEE - Our discounted price, offered when our customer chooses to wait for service on the day of the work we are working in their zip-code area.  
PRIORITY SERVICE FEE - Our Premium Service fee, offered when our customer chooses not to wait for service on the day of the work we are working in their zip-code area.

## FIXED PRICE CONTRACT SUMMARY &amp; AUTHORIZATION

Perform Work Per Proposal (s) # \_\_\_\_\_ QUOTED PRICE IS \$ \_\_\_\_\_ Plus TRUCK CHARGE of \$ \_\_\_\_\_  
and TAX \$ \_\_\_\_\_ For a TOTAL CONTRACT PRICE of \$ \_\_\_\_\_ Start / Completion Date (s): \_\_\_\_\_PROPOSED WORK: Blau will attempt to run a cable through the sewer drain from the side to the street in an effort to clear a stoppage. This proposal includes up to 1 hour(s) of time and up to 100 feet of cable. QUOTED PRICE is \$ 327.00 Plus TRUCK CHARGE of \$ 30.00 and TAX \$ \_\_\_\_\_. IF NEEDED, Added Cable will be charged at a rate of \$ 3 per foot; Added time will be charged at a rate of \$ 100.00 per hour.  
These Rates are for: ☒ Priority Service ☐ Neighborhood Service ☐ Preferred Customer ☐ Overline Service Start / Completion Date (s): 12-18-09Other Terms / Major Item Description: OK. \$1912 @ \$347.00 8729  
11 1912 @ 40.00 8047USED EVERY CUTTER FROM 4" TO 2" ETC. SARGO CUTTER ETC. USED  
Hydro cutters for 1 1/2 hours but was unable to open  
lateral to street. Called T-Box worked from 4-7pm. Original  
work large amount of debris and only a handful of roots.

The undersigned represents that she is the owner of the property or the owner's agent, and has the authority to order said work. Blau hereby discloses that the undersigned, hereinafter "Owner", hereby acknowledges that aged and deteriorated plumbing fixtures, piping, and appliances 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 understands, (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 that Owner recognizes that there may be other service providers willing to perform this work at a lower price. Owner understands that she has the option of seeking other bids 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. 1912 ☐ Credit Card Preauthorization # 8979 Time 1536 Service Tech's Name Steve MPrint Name Linda Charles PERMIT REQUIRED YES ☐ NO ☒(SIGNATURE) Linda Charles DATE 12/18/09 TIME 4:00 ☐ A.M. ☒ P.M. REMOVE SCRAP ☐ LEAVE SCRAPSTOPPAGE AT: SLUDGE CLOG ☐ Sewer ☐ Toilet ☐ Laundry Tub ☐ Disposal ☐ Catch Basin ☐ Sink ☐ Under Floor ☐ Urinal ☐ Basin ☐ Grease Trap  
☐ Bath Tub ☐ Conductor ☐ Other \_\_\_\_\_Total Cable Run: 10X Cable Size: 5/8 Final Cutter Used: ☐ Exp ☐ Sink ☐ Syde ☐ AugerHauls: ☒ Light ☐ Medium ☐ Heavy ☐ Other Describe: \_\_\_\_\_ ROOF/TREATMENT OFFERED ☐ YES ☐ NO ACCEPTED ☐ YES ☐ NOClean Out: ☐ Stopped ☐ Venturi ☐ Suck ☐ Deck ☐ Conductor ☐ Floor Drain ☐ Trap ☐ Other Describe: \_\_\_\_\_FUEL TYPE ☐ GAS ☐ OIL ☐ O.P. ☐ ELECT ☐ DIS. TYPE ☐ QAIR ☐ QP ☐ QHYDR ☐ QP ☐ QSTEAM ☐ CO. 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 \_\_\_\_\_

SIGNATURE (I hereby acknowledge the satisfactory completion of the above described work.)  
 Print Name \_\_\_\_\_ Time \_\_\_\_\_ A.M. P.M.  
 TRUCK CHARGE \$ 20.00 SUBTOTAL \$ 437.00  
 DIAGNOSTIC FEE \$ 327.00 % SALES TAX \_\_\_\_\_  
 PROPOSAL #1 \$ 327.00 TOTAL JOB \$ 437.00  
 PROPOSAL # \$ 90.00 LESS DEPOSIT/COUPON \_\_\_\_\_  
 ADJUST. LIME \$ 90.00 AMOUNT DUE \$ 437.00

LIMITED WARRANTY SEE REVERSE SIDE FOR LIMITED WARRANTY TERMS AND CONDITIONS

# Discount Drain & Sewer Cleaning 1638

5555 S. 31st Street Greenfield, WI 53221

414.467.3437



Plumbing Repairs & Installs  
24 Hour Service  
Free Estimates  
Senior Discounts

Copy

Name	Linda Charles		Date	4-2-10
Address	4724 N 19			
City, State, Zip				
Sold By	B. H.	Cash	Check No.	
Bill to: Name				
Address				
City, State, Zip				
Quantity	Description/Parts	Price	Amount	
1				
2	1- Sewer Rodder at			
3	1- Power cleaner with		250.00	
4	1- Power Rodder			
5				
6	1- Power			
7	1- Power			
8				
9				
10				
11				
12				
13				
14				
15				
16				

(C)

\* Expense \*

# Household Cleaners & Sanitizing Expenses

(attached)

5.97  
12.14  
2.00

20.11 total

## Appliances and Equipment (hot water heater and furnace repair or replacement

Estimated \$1800<sup>00</sup>  
Clean Out Services 200<sup>00</sup>

1800<sup>00</sup>

200<sup>00</sup>

2000.00

Food when water was off (unable to cook)  
+ clothing (wash) attached

18.06

3.17

5.28

8.76

2.63

5.27

4.75

37.92

Bills Unable to Pay As Result of Job

Assignments missed

141.27

58.50

40.00

517.21

656.98

mortgage

# FAMILY DOLLAR

my family. my family dollar.  
STORE #3685 2601 W HAMPTON AVE  
MILWAUKEE, WI, 414-873-2571

FAMILY VALUES BATH TISSUE 4RL 1.00 T  
400300166268  
JOY DISH LEMON 14 OZ 037000217374 1.00 T  
ULTRA SHEEN COND REG 20Z  
071130000802 1.50 T  
~~MEN'S DE SHIRT POLY BL WHI NYV~~  
~~0455024~~ 0.00 T  
SUBTOTAL \$11.50  
TAX1 \$0.64  
TOTAL \$12.14  
CASH \$13.00  
CHANGE \$0.86



99036850264400147313

ITEMS 4  
05-02-2010 19:59:56 03685 02 710637 6440

Cash Debit Credit EBT Accepted  
Open Mon-Sat 8am-8pm Sunday 10am-8pm

*ford*

THANK YOU FOR STOPPING AT TACO BELL  
IF YOU HAVE ANY QUESTION OR CONCERN  
PLEASE CALL US AT 414-964-4360  
THANK YOU

REG 3 ORDER STORE 004299  
389  
DATE: 5/05/10 TIME: 12:56AM

CASHIER: 47 DRIVE THRU  
1 NBG-BF 2.99

SUBTOTAL 2.99  
TAX .18  
DRIVE-THRU TOTAL 3.17

-----Bagging Summary-----

1 ITEM(S)  
0 DRINK(S)

# CVS/pharmacy

for all the ways you care™

240 E HAMPTON, WHITEFISH BA, WI  
(414) 962-7071

REG#03 TRAN#6291 CSHR#917716 STR#8768

ExtraCare Card #: \*\*\*\*\*1835

1 TIDE HE FREE 50Z 5.97T SAVED 2.52

SUBTOTAL 5.97  
WI 5.5% TAX .33  
TOTAL 6.30  
CASH 20.00  
CHANGE 13.70



2508 7680 1236 2910 33

RETURNS WITH RECEIPT THRU 07/02/2010

MAY 3, 2010

11:47 AM

## TRIP SUMMARY:

Today You Saved 2.52

YOU EARN 2% ON ALMOST EVERYTHING  
IN THE STORE AND ON CVS.COM  
WHEN YOU USE YOUR EXTRACARE CARD.

TO ENSURE YOU GET ALL THE OFFERS AND  
INFORMATION AVAILABLE SPECIFICALLY  
FOR YOU, UPDATE YOUR EXTRACARE  
INFORMATION AT EITHER  
CVS.COM OR CALL 1-800-SHOP-CVS.

THANK YOU. SHOP 24 HOURS AT CVS.COM

ExtraCare Card balances as of 04/30

SPRING 2010 SPENDING 12.76

\*\*\*\*\*

# CVS/pharmacy

for all the ways you care™

Earn 2% back on almost everything  
in the store and on cvs.com when  
you use your ExtraCare card.

\*\*\*\*\*

1 \$1,000 GIVEAWAY ON BACK1 | \$1,000 GIVEAWAY ON BACK1 | \$1,000 GIVEAWAY ON BACK1

THANK FOR CHOOSING MCDONALDS  
5025 W HAMPTON  
MILWAUKEE, WI  
53218  
!!! THANK YOU !!!  
TEL# 959-999-9999 \* 33267

KS# 3 Jan... 10 (Sun) 13:56

MFY SIDE 1 KVS Order 19

QTY ITEM	TOTAL
1 BIG MAC MEAL	3.99
1 MED SPRITE	1.00
Subtotal	4.99
Tax	5.28
Take-Out Total	5.28
Cashless	5.28
Change	0.00

MER# KB55806310001  
CARD ISSUER ACCOUNT#  
Visa SALE \*\*\*\*\*3546  
AUTHORIZATION CODE - 372257 SEQ# 3340



Dollar Tree STORES, INC.®

Store# 1880 (414) 962-3854  
320 E Capitol Dr.  
Milwaukee WI 53212

DESCRIPTION	QTY	PRICE	TOTAL
ULTRA BLEACH	1	1.00	1.00
PHONE CARD	1	1.00	1.00

Sub Total \$2.00  
SALES TAX \$0.11  
Total \$2.11  
Cash \$10.00

CHANGE =====> \$-7.89

Thank You for Shopping at Dollar Tree  
Where Everything's \$1.00  
Now Shop On-Line at DollarTree.com

007284 1880 02 00042 39394 4/21/10 17:57  
Sales Associate: Jennifer

DRIVETHRU

(414) 961-2512

THANK YOU FOR STOPPING AT TACO BELL  
IF YOU HAVE ANY QUESTION OR CONCERN  
PLEASE CALL US AT 414-964-4360  
THANK YOU

REG 3 ORDER STORE 004299  
337  
DATE: 4/24/10 TIME: 11:19AM

CASHIER:	47	DRIVE THRU	1.89
1 NAC-SP			.89
1 B-5LYR			4.99
1 SLCKRN			.00
1 MILD			.00
1 HOT			.00
1 FIRE			.00
1 SIDE			.00
+			.50
GUA			
SUBTOTAL			8.27
TAX			.49
DRIVE-THRU TOTAL			8.76

-----Bagging Summary-----  
3 ITEM(S)  
0 DRINK(S)

1 \$1,000 GIVEAWAY ON BACK!  
1 \$1,000 GIVEAWAY ON BACK!  
GIVEAWAY ON BACK!

Church's Chicken #10159  
242 E. Capitol Avenue  
Milwaukee, Wisconsin 53212

04/27/2010 Reg 2 09:09:45 PM

Order 231635 Table 0 Emp himal

1 2Dk No Biscuit	\$0.99	0.99
*2pcs Spicy		
1 RGMPTATO		1.49
SubTotal		2.48

Tax 0.15

Total 2.63  
Cash 5.03  
Change 2.40

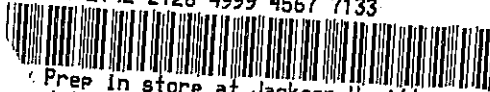
Thank you for dining with us

**Walmart**   
Save money. Live better.

Walmart  
MANAGER JOHN MOTZ  
( 414 ) 445 - 3930  
MILWAUKEE, WI  
ST# 3496 OP# 00002221 TE# 67 TR# 06971  
MEN S SOCKS 001309628165 4.50 X  
SUBTOTAL 4.50  
TAX 1 5.600 % 0.25  
TOTAL 4.75  
CASH TEND 4.75  
CHANGE DUE 0.00

# ITEMS SOLD 1

TC# 2742 2726 4999 4567 7133



Prep in store at Jackson Hewitt  
d \$3 Check Cashing at Walmart  
01/17/10 14:57:30

  
community financial service centers

COMMUNITY FINANCIAL #08  
(414) 961-7474  
821 E CAPITOL DR  
January 12, 2010  
Trx Code: CF08-6101-158 HA  
Money Order -140.48  
Fee -0.79

Transaction Total: 141.27  
Amount Collected: 141.27 (3)  
Change: 0.00  
Thank you for using  
COMMUNITY FINANCIAL #08

WE DO NOT DISCLOSE ANY NON PUBLIC  
PERSONAL INFORMATION TO ANYONE EX  
EPT AS PERMITTED BY LAW

POPEYES #4925  
7525 W GOOD HOPE RD  
MILWAUKEE, WS

#0320

DT

~~2 PIZZA BBS~~ ~~1.99~~

1 MILD

~~BISCUIT~~

~~1 2 TENDER MEAL~~ ~~2.99~~

SWT&SR

1 MASHED POTATO

~~BISCUIT~~

SUBTOTAL 4.98

TAX TOTL .29

TOTAL 5.27

CASH 5.27

WE TRULY THANK YOU  
HAVE A COMMENT OR CONCERN?  
CALL 1-414-353-9925  
HAVE A BLESSED DAY!

Lavette CSHR

0070 11:42 APR 23'10

W/S#04 P1

  
community financial service centers

Thursday, March 04, 2010 9:25:20 AM

Conv Pay- \$1.50 (58.50)  
Fee (1.50)  
LINDA CHARLES 414-265-9621-4029 LR

Total Due: 60.00  
Amount Tendered: 60.00  
Change Due: 0.00

We Do Not Disclose Any Non-Public  
Personal Information to Anyone, Except  
as Permitted by  
Law.

LR \* 71591

ELECTRONIC CASH  
CHECKS ELECTRONIC - 01

WESTERN UNION  
VILLARD FOUNTAIN # 000000  
MILWAUKEE, WI  
ATT. Midwest-WI

2010261 3721 01/05/10 4:56PM 005 003132

CURRENCY: USD  
41426596214029\*  
0162617211

00 CHECK PD	\$0.00	CASH PD	\$45.00
01 STATEMENT	\$40.00	TOTAL PD	\$40.00
CHARGE DUE	\$0.00	FEES	\$1.50

Cash \$40.00  
Phone bill

**WESTERN UNION**

CONVENIENCE PAY (SEND RECEIPT)

IF YOU DO NOT HAVE YOUR BILLING STATEMENT, COMPLETE SHADED AREA  
SI USTED NO TIENE LA CUENTA DE CUBRO, LLENE LOS DATOS SOLICITADOS EN EL AREA GRIS

Account Number (or cell phone number when required): \_\_\_\_\_  
 Billing Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Zip: \_\_\_\_\_  
 Phone: ( ) \_\_\_\_\_  
 Número de Teléfono: \_\_\_\_\_

**CUSTOMER ACCEPTS ALL POSTED TERMS AND CONDITIONS - SEE REVERSE FOR ALL TERMS AND CONDITIONS.**  
**EL CLIENTE ACEPTA TODOS LOS TÉRMINOS Y CONDICIONES QUE SE HAN INDICADO - FAVOR DE LEER LOS TÉRMINOS Y LAS CONDICIONES QUE SE ENCUENTRAN AL REVERSO DE ESTE FORMULARIO.**

**FOR USE WITH THE ELECTRONIC CHECK TRANSACTION ONLY:**  
**SOLAMENTE PARA TRANSACCIONES DE CHEQUE ELECTRÓNICO**  
 I authorize the biller or its agent to convert my check to a draft or an electronic funds transfer and to debit my account for the amount of the transaction.  
 Autorizo a la compañía que efectúa el cobro o a sus agentes a convertir mi cheque en giro o en transferencia electrónica de fondos y a debitar de mi cuenta el importe correspondiente a esta transacción.  
 Amt. Paid \$ \_\_\_\_\_  
 Importe pagado \$ \_\_\_\_\_  
 Signature X \_\_\_\_\_  
 Firm \_\_\_\_\_

**ELECTRONIC CHECK - A SAFER & MORE SECURE WAY TO PAY**  
**CHEQUE ELECTRÓNICO - UNA MANERA MÁS CONFIABLE Y MÁS SEGURA DE HACER PAGOS**



All of us serving you™

Home Mortgage



3-726-48267-0006573-002-1-000-010-000-000

LINDA L CHARLES  
4724 N 19TH ST  
MILWAUKEE WI 53209-6435

OVERNIGHT DELIVERY:

U.S. Bank Home Mortgage  
Wisconsin Servicing  
16900 West Capitol Dr.  
Brookfield, WI 53005-2188

# Mortgage Statement

## Contact Information

24 Hour Automated Service: 1-800-365-7772  
Customer Service Hours: 1-800-626-6624  
Monday - Friday, 7:00 a.m. - 7:00 p.m. CT

Hearing Impaired: 1-800-874-5563  
Monday - Friday, 8:00 a.m. - 5:00 p.m. CT

### Correspondence Address:

U.S. Bank Home Mortgage  
Wisconsin Servicing  
16900 West Capitol Dr.  
Brookfield, WI 53005-2188

### Overnight Payment Delivery Only:

U.S. Bank Home Mortgage  
Wisconsin Servicing  
16900 West Capitol Dr.  
Brookfield, WI 53005-2188

www.usbankhomemortgage.com

Statement Date

01/14/10

## Payment Summary

### SCHEDULED DUE DATE

We may contact you if payment is not received by scheduled due date.

02/01/10

### LOAN DUE DATE

06/01/09

### PAYMENT FACTORS

Principal & Interest

Tax

Insurance

Overage / Shortage

### PAYMENT AMOUNT DUE

Past Due Amount(s)

Unpaid Late Charge(s)

Return Item / Other Fee(s)

### TOTAL AMOUNT DUE

\*\*IF PAID AFTER 02/16/10, PAY

Payment processing cutoff time is 5:00 p.m. Central Time, Monday - Friday. \*\* Payments received after cutoff time will be applied to your account the next business day. Late charges may be assessed if payments are not received on time as specified in the terms of your mortgage agreement. \*\* Payments due on a weekend or legal holiday will not be assessed a late charge if received by cutoff time the following business day. Cutoff times may vary if choosing alternative payment options.

## Loan Information

### ACCOUNT NUMBER

0009507625

### PROPERTY ADDRESS:

4724 N 19 ST  
MILWAUKEE WI 53209

### INTEREST RATE

### BALANCES

Principal (Not a Payoff Amount)

Escrow Advance

Recoverable Corp Advance

Suspense Balance\*

\* The suspense balance is NOT deducted from the TOTAL AMOUNT DUE.

### YEAR TO DATE

Interest Paid

\$147.75

Taxes Paid

\$0.00

## Transaction Activity

SEE REVERSE SIDE FOR ADDITIONAL IMPORTANT INFORMATION

TRANSACTION DESCRIPTION	DUE DATE	TRANSACTION DATE	TOTAL RECEIVED	PRINCIPAL	INTEREST	ESCROW	OPT INS/ PRODUCT	SUBSIDY	SUSPENSE	FEES
City Tax Disb	12/09	12/17/09				2904.37-				
Payment	05/09	01/07/10								
Payment	05/09	01/07/10								
Payment	05/09	01/07/10	517.21	85.09	147.75	238.44				

## IMPORTANT MESSAGES

ease be advised that we are aware of your Bankruptcy proceedings and this document is being provided for informational purposes only and should not be construed as a demand for payment. In addition, the contractual due date shown may not reflect the current due date under the terms of your bankruptcy plan. Post-petition payments scheduled for payment outside your plan could be paid on their normal due date.

Post Petition Due Date

Post Petition Payment

## IMPORTANT HAZARD/HOMEOWNER'S INSURANCE INFORMATION

Your hazard/homeowner's policy must reflect the following as loss payee to ensure timely payments of future billings.

Wisconsin Housing Economic Development Authority  
Its Successors and/or Assigns  
C/O U.S. Bank Home Mortgage  
Loan Number 0009507625  
PO Box 7298  
Springfield OH 45501-7298

51721

DETACH AND RETURN BOTTOM PORTION WITH YOUR PAYMENT

P.O. BOX 240200 • MILWAUKEE, WI 53224-9010

000655

LINDA L CHARLES

4724 N 19TH ST

MILWAUKEE WI 53209-0000

February 19, 2010

Dear Customer:

We appreciate your business and the opportunity to meet your financial needs. We strive to pay your overdrafts when possible, in anticipation that you will be **making a deposit immediately** to bring your account to a positive balance. The Bank offers payment of some overdraft items as a customer service, and is under no obligation to pay items\* when your account has non-sufficient funds (NSF), even if previous NSF transactions were paid. It is our way of providing excellent customer service.

The items below were processed and exceeded the available balance in your checking account, #000012345.

Item Description ✓

Amount of Item

~~Paid or Returned~~

Check 1917

mortgage

517.21

~~Page 1~~

Please deduct a charge of \$37.00 for Overdraft/Unavailable Funds fees. Your account balance after this activity is -\$406.22. Please make a deposit immediately to bring your account to a positive balance. As a reminder a \$37 continuous overdraft fee will be charged to your account on the 8th business day if your account remains overdrawn.

Presenting NSF's is an expensive practice, and we have other less expensive methods to handle NSF's that may be best for you. If you would like to discuss these alternatives to manage your account, or have other financial needs, please call us at (800) 235-4636 or visit one of our banking centers.

Thank you for banking at Guaranty Bank, and we look forward to serving you in the future.

Sincerely,

Guaranty Bank

\* Items include preauthorized debits, ATM withdrawals and transfers, Point of Sale (POS) transactions, telephone transfers, online bill payments, internet banking transactions, and in-branch withdrawals as well as checks. Subject to the Bank's Overdraft Service Policy. The Bank's current Overdraft fee of \$37 or Unavailable Funds fee of \$25 is charged to your account for each NSF transaction whether paid or returned.

ACCOUNT STATEMENT

PO Box 2016  
ELGIN, IL 60124-7836

PERIOD ENDING: 02/07/2010

It is important that you call Chase at 866-817-0761 to report any changes to your address. For questions about State programs or policies, please contact the appropriate State agency. You may obtain information on the balance in your account at any time by calling 866-817-0761 or online at [www.mvaccount.com](http://www.mvaccount.com).

**|||..|||...|||...|||...|||..**

\$18.06

**Information about your Account Statement**  
In Case of Errors or Questions About Transactions Posted to Your Account: Telephone us at 866 817 0761 or write us at PO Box 2016, Elgin, IL 60124-7836 as soon as you can, if you think your statement or receipt is wrong or if you need more information about a transaction on your statement.  
**Lost or Stolen Cards:** If your card is lost or stolen, please notify Customer Service immediately by calling us toll-free at 866 817 0761.

**City of Milwaukee**  
841 N. Broadway, Rm. 406  
Milwaukee, WI 53202-3687

For Customer Service Information,  
Please See Reverse Side.

ACCT.  
NO.

116-0140.300

SERVICE  
ADDRESS

4724 N 19TH ST

TOWN

MILWAUKEE

CLASS

RESIDENTIAL

BILLING DATE

06/01/10

NEXT READING DATE

NAME ON  
ACCOUNT

OCCUPANT

**\$5134.21**

water bill + expenses

METER NUMBER(S)

DATE

PREVIOUS  
READING

READ  
CODE

DATE

PRESENT  
READING

READ  
CODE

DESCRIPTION

CONSUMPTION  
100 CUBIC FEET

TYPE

9158386

02/11/10

919

AMR

05/21/10

938 FRC WATER

19 Ccf

PREVIOUS ACTIVITY

Previous Billing

Late Payment Charge

\$433.12

5.60

Balance Forward

\$438.72

CURRENT CHARGES FOR MUNICIPAL SERVICES

Water Charges

Water Service Charge

Water Usage Charge

19 Ccf

16.17

25.46

MMSD Sewer Treatment Charges

Sewer Treatment Service Charge

Sewer Treatment Usage Charge

19 Ccf

13.00

27.93

City Sewer Charges

Local Sewerage Charge

Storm Water Mgmt Charge

19 Ccf

1 ERU

22.04

14.00

Solid Waste Charge

42.54

Total Current Charges

161.14

not included  
in Grand  
Total

**Water Wasted Throught ordeal**

4534.21  
expenses

+ 599.86  
water bill

TOTAL AMOUNT DUE

BY

06/23/10

\$599.86

+ 4534.21

## Use Water Wisely – Control Water Costs

Please act now to control your water costs before a water rate increase takes effect.\* Control water costs by finding and fixing household leaks. All water that flows into your home passes through the water meter and you are charged for it.

Leaks waste large amounts of water. A toilet that "keeps running" or a dripping faucet can waste hundreds of gallons in one month.

Compare your water use through the year on your Municipal Services Bill and find

Use Water Wisely leak repair information at [www.milwaukee.gov/water](http://www.milwaukee.gov/water).

Most leaks are easy to repair with parts from a hardware store. Or, call a plumber to find and fix leaks. Call our Customer Service Center for a brochure, (414) 286-2830.



**Milwaukee Water Works**

Safe, Abundant Drinking Water.



clean wisconsin

your environmental voice since 1970

\*Depending on the rate to be set by the Public Service Commission in 2010, the water cost for a typical single family home would increase an estimated \$11 per quarter, to about \$50 per quarter. Milwaukee will continue to have low rates for fresh, safe drinking water compared with the rest of the U.S. The EPA says Americans on average pay \$500 per year for municipal drinking water. With the new rate, the cost in Milwaukee would

**NOTICES SENT TO FOR FILE 100920:**

[illegible]



## Legislation Details (With Text)

**File #:** 100836 **Version:** 0

**Type:** Resolution **Status:** In Committee

**File created:** 11/3/2010 **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:** **Final action:**

**Effective date:**

**Title:** Resolution relating to the claim of Susan Fink for personal injuries.

**Sponsors:** THE CHAIR

**Indexes:** CLAIMS

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

Date	Ver.	Action By	Action	Result	Tally
11/3/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/9/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/9/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/15/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

**Number**

100836

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relating to the claim of Susan Fink for personal injuries.

**Requestor**

City Attorney

**Drafter**

JAS:ms

October 27, 2010

1029-2010-2177:162700

**GRANT F. LANGLEY**  
City Attorney

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



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

October 27, 2010

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

Re: Resolution Relating to the Claim of Susan J. Fink  
C.I. File No. 10-L-68

Dear Council Members:

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

Claimant, Susan J. Fink, General Delivery, Franklin, WI 53132, alleges that on April 10, 2010, she sustained injuries when she walked into an open drain hole at or near North 32<sup>nd</sup> Street and West Clybourn Avenue. She claims damages in the amount of \$7,046.34.

Our investigation reveals that this claim was filed on August 9, 2010. Wisconsin Statute § 893.80 (1)(a) requires that a notice of claim must be filed within 120 days after the happening of the event giving rise to the claim. This notice of claim was not timely filed. In addition, the Infrastructure Services Division and Milwaukee Water Works records indicate that prior to April 10, 2010, the City had no notice of this hazard in the roadway and because of this lack of notice the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

**GRANT F. LANGLEY**  
City Attorney

**JAN A. SMOKOWICZ**  
Assistant City Attorney

JAS:ms  
Enclosure  
1029-2010-2177:162699

**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

①

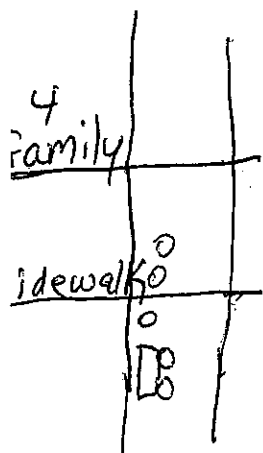
Aug-9-10

Dear, city officials

I Susan Fink am Filing a  
claim, for being Injured

CITY OF MILWAUKEE  
10 AUG-09 PM 1:05  
RONALD J. LEONHART  
CITY CLERK

on April 10<sup>th</sup>-10, I Had  
parked across the street from  
a 4 Family Apartment that I  
was going to see.



I got out of my vehicle and  
walked toward the Back of it.  
walking toward the sidewalk  
before the intersection.

Right before the, I could get  
over there, I had walked right  
into a open drain hole, the first  
one, out of the three that are there  
it was the only one not covered.

It has caused me to have  
some very, very painful  
Injuries.

whiplash and the R. Knee  
was disfunctional, severe pain

②

Aug 9-10

1. I have pictures, and have reported this.
  2. St. Lukes Emergency Room - x rays
  3. Family Doctor - pain medication
  4. chiropractor - neck + back realigned
  5. orthopedic Doctor - Internal Injury
- 

⑥

Doctor reports, + Fees

⑦

we need to determine a fair amount, for pain + suffering

The orthopedic Doctor  
Said it would take 2 to 3  
months for the R knee  
to heal up.

It is now 4 months, and I still  
can't kneel on hard surfaces

③

Aug 9-10

1. Injury site: The Intersection of 32<sup>nd</sup> and cy/Bourn.

On April 10<sup>th</sup>, during the day

② my phone no. (414) 514-2405  
anytime

③. Itemized receipts. 

		owed to me
pain medication	9.65 <sup>00</sup>	insurance
chiropractor -	35.00	56.35
DR. Ratour -	12.38	you add it
Emergency Room -	43.90	246.00
		958.75

I will have to call for ~~other~~  
Insurance, ~~other~~

The orthopedic Doctor's fees

④. I am asking for: 5,000<sup>00</sup>

For pain and Suffering!

or to Be agreed upon  
if not what you feel!

Susan Fink  
General Delivery  
Franklin, NH. 53233

Susan F. Fink

## STATEMENT OF HOSPITAL SERVICES



Aurora Health Care®

PO BOX 341100  
MILWAUKEE, WI 53234-1100Responsible Party  
MS SUSAN J FINKStatement Date  
07/29/2010Your balance is due by:  
08/19/2010

Amount

ACCOUNT NUMBER  
100981462

#H11009814625#

660

MS SUSAN J FINK

2528 W WELLS ST APT 106  
MILWAUKEE, WI 53233-1852

Make checks payable to:

AURORA HEALTH CARE METRO  
PO BOX 341100  
MILWAUKEE, WI 53234-1100PAYMENT, ADDRESS AND INSURANCE INFORMATION LOCATED ON BACK  
PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. SHOW ADDRESS ABOVE THROUGH WINDOW.

DATE OF SERVICE	VISIT NUMBER	DESCRIPTION	INSURANCE PENDING	PATIENT RESPONSIBILITY
04/16/2010	100981462-0106	FINK, SUSAN J Emergency Room Visit - Aurora St Lukes Medical Center  Charges from 04/16/2010 MEDICARE PART B Payment for Charges from 04/16/2010 MEDICARE PART B Adjustments from 04/16/2010 UNITEDHEALTHCARE CHOICE P Payment for Charges from 04/16/2010  Balance due		958.75 -142.94 -771.91 0.00  43.90
06/05/2010	100981462-0106	FINK, SUSAN J Emergency Room Visit - Aurora St Lukes Medical Center  Charges from 06/05/2010 MEDICARE PART B Payment for Charges from 06/05/2010 MEDICARE PART B Adjustments from 06/05/2010 CLAIM SENT TO UNITED HEALTH CARE on 07/16/2010  Balance due		
06/12/2010	100981462-0106	FINK, SUSAN J Emergency Room Visit - Aurora St Lukes Medical Center  Charges from 06/12/2010 MEDICARE PART B Payment for Charges from 06/12/2010 MEDICARE PART B Adjustments from 06/12/2010 CLAIM SENT TO UNITED HEALTH CARE on 07/21/2010  Balance due		
TOTAL PATIENT RESPONSIBILITY →				\$43.90

Page 1 of 2

A portion, or all, of your account is past due.  
Please mail payment in full or call Customer  
Service today to set up payment arrangements.AURORA HEALTH CARE METRO  
PO BOX 341100  
MILWAUKEE, WI 53234-1100  
Tax Id: 39-0806181

Responsible Party	Account No	Statement Date	Insurance Amount Due	Amount Due By: 08/19/2010
MS SUSAN J FINK	100981462	07/29/2010	\$1,169.30	\$43.90

For billing questions or payment arrangement, please call 800-958-6202.

Para preguntas relacionadas con su estado de cuenta o para arreglos de pagos, favor de llamar al 866-305-8165.

Contact us via e-mail at customerservice@aurora.org.

Comuníquese por correo electrónico a customerservice@aurora.org.

Contact us via the web at www.aurora.org/billing.

Comuníquese por Internet a www.aurora.org/billing.

DATE OF SERVICE	VISIT NUMBER	DESCRIPTION	INSURANCE PENDING	PATIENT RESPONSIBILITY
06/21/2010	100981462-0172	FINK, SUSAN J Inpatient Visit - Aurora Sinai Medical Center		
		Charges from 06/21/2010	98,042.05	
		MEDICARE PART A Adjustments from 06/21/2010	-85,688.55	
		MEDICARE PART A Payment for Charges from 06/21/2010	-11,189.55	
		MEDICARE PART A Adjustments from 06/21/2010	10.05	
		MEDICARE PRO COMP Payment for Charges from 06/24/2010	-7.12	
		MEDICARE PRO COMP Payment for Charges from 06/24/2010	-7.12	
		MEDICARE PRO COMP Adjustments from 06/24/2010	-28.10	
		MEDICARE PRO COMP Adjustments from 06/24/2010	-28.10	
		CLAIM SENT TO UNITED HEALTH CARE on 07/27/2010		
		Balance due	1,103.56	
PLEASE PAY THIS AMOUNT ->				1,103.56

WFMG VISIT NOTE

10, 312

NAME: Fink, Susan Jane  
DOB: 09/30/1959  
PROVIDER: RAJENDRA RATHOUR, MD

VISIT DATE: 03/30/2010  
MRN: 442785

PLAN: I have given her Vicodin for the pain. I gave her a refill of lorazepam and phentermine. I asked her to take vitamin D 2 capsules twice daily, and omega-3 fatty acids 4 capsules daily. She will return in 1-2 months for followup.

\*\*\* THIS IS AN ELECTRONICALLY VERIFIED REPORT \*\*\*

4/1/2010 12:09 PM: Rajendra Rathour, MD

RAJENDRA RATHOUR, MD  
Adult Internal Medicine

D: RAJENDRA RATHOUR, MD: TSI  
DD: 03/30/2010 04:00 pm DT: 04/01/2010 04:29 am  
Document ID: 5639278 Voice ID: 38857



CC:

NAME: Fink, Susan Jane  
DOB: 09/30/1959  
PROVIDER: RAJENDRA RATHOUR, MD

VISIT DATE: 03/30/2010  
MRN: 442785

# Progress Note (Lined)

Date of Visit 4-12-10 Age 50 Wt. 163 Ht. 5' 10" T 5' 10" P 100 R 120 BP 180/110

BMI 28.5 Pulse Ox 98 Other None

Review and update allergies and medications.

Have you ever used tobacco?	<input checked="" type="radio"/> Y <input type="radio"/> N	Do you have pain now? scale of 1 - 10	<input type="radio"/> Y <input type="radio"/> N	During the past month, have you often been bothered by feeling down, depressed or hopeless?	<input type="radio"/> Y <input type="radio"/> N
Do you smoke now?	<input type="radio"/> Y <input type="radio"/> N	Have you had pain in the last 2-4 weeks that has affected your ability to function?	<input type="radio"/> Y <input type="radio"/> N	During the past month, have you often been bothered by little interest or pleasure in doing things?	<input type="radio"/> Y <input type="radio"/> N
If yes, counseling/information offered	<input type="radio"/> Y <input type="radio"/> N	Have you been threatened, hit, shoved, or made to feel afraid?	<input type="radio"/> Y <input type="radio"/> N		
Do you drink alcohol?	<input type="radio"/> Y <input checked="" type="radio"/> N				
How often?					
Do you use recreational drugs?	<input type="radio"/> Y <input checked="" type="radio"/> N				

Reason for Visit Right twisted in a car on street MA  
c/o body ache - fell everything hurts  
had c/o pain @ knee, back, neck on Saturday  
last fall yesterday  
BP - 180/110, Wt - 163

Continue E abram in wfm doc

off @ knee contd  
Ac - Prob pain

the  
St. John  
Cyber 3

## ACCOUNT ACTIVITY

SUMMARY	DESCRIPTION	ACTIVITY DATE	CHARGES	PATIENT DUE
Date of Service: 02/25/10	Filed With Medicare	02/26/10		
Account Number: 66592-7	Filed With Uhc-mgap	04/02/10		
Patient Name: Susan Fink	Office Visit		\$185.00	
Provider: Bradley D	Disallow - Medicare	04/01/10	-\$92.12	
	Payment - Medicare	04/01/10	-\$74.30	
	No Response From Insurance - Please Call Ins			
	<b>Patient Responsible</b>			\$18.58
Date of Service: 03/01/10	Filed With Medicare	03/02/10		
Account Number: 66592-7	Filed With Uhc-mgap	04/02/10		
Patient Name: Susan Fink	Office Visit		\$123.00	
Provider: Aune, Md C	Disallow - Medicare	04/01/10	-\$61.09	
	Payment - Medicare	04/01/10	-\$49.53	
	<b>Patient Responsible</b>	06/04/10		\$12.38
Date of Service: 03/30/10	Filed With Medicare	04/01/10		
Account Number: 66592-7	Office Visit		\$123.00	
Patient Name: Susan Fink	Disallow - Medicare	04/16/10	-\$61.09	
Provider: Rathour, M	Payment - Medicare	04/16/10	-\$49.53	
	No Response From Insurance - Please Call Ins			
	<b>Patient Responsible</b>			\$12.38
Date of Service: 04/02/10	Filed With Medicare	04/14/10		
Account Number: 66592-7	Filed With Uhc-mgap	05/26/10		
Patient Name: Susan Fink	Office Visit		\$123.00	
Provider: Aune, Md C	Disallow - Medicare	05/22/10	-\$61.09	
	Payment - Medicare	05/22/10	-\$49.53	
	Coinsurance Amount - Please Pay Promptly			
	<b>Patient Responsible</b>			\$12.38
Date of Service: 04/12/10	Filed With Medicare	04/14/10		
Account Number: 66592-7	Office Visit		\$123.00	
Patient Name: Susan Fink	Disallow - Medicare	04/29/10	-\$61.09	
Provider: Rathour, M	Payment - Medicare	04/29/10	-\$49.53	
	<b>Patient Responsible</b>	06/04/10		\$12.38
Date of Service: 04/23/10	Filed With Medicare	04/26/10		
Account Number: 66592-7	Filed With Uhc-mgap	06/02/10		
Patient Name: Susan Fink	Office Visit		\$185.00	
Provider: Aune, Md C	Disallow - Medicare	05/27/10	-\$92.12	
	Payment - Medicare	05/27/10	-\$74.30	
	Coinsurance Amount - Please Pay Promptly			
	<b>Patient Responsible</b>			\$18.58

Continued on next page



0203



Susan Fink  
4/19/2010

**HISTORY OF PRESENT ILLNESS:** Ms. Fink is seen today for evaluation in regards to her right knee. She reports that on April 10, she was walking on the street, she stepped in a drain hole and fell on her knees. She was seen by Dr. Rathour on April 12, and then went to an Emergency Room at St. Luke's on April 16. She reports that she was told she had normal x-rays while at St. Luke's.

**PHYSICAL EXAMINATION:** Today, she has 0 to 120 degrees of flexion of her right knee. No medial or lateral laxity, and negative Lachman. She does have some tenderness to palpation about the patella.

**PLAN:** I explained to Ms. Fink that I think her symptoms are related to patellar bruise from falling. I recommended that she had observation only. She was requesting pain medication but I explained she should get from Dr. Rathour.

She also complains of pain in the left elbow but has a full range of motion and no swelling and no ecchymosis. I explained to Ms. Fink that I think she just had some contusion secondary to the fall and would recommend observation only at this time.

Dictated by Jeffrey Butler, M.D.

Susan Fink  
DOB: 9/30/1959  
Account Number: 239603

4/28/2010

Ms. Fink returns today. She had been seen in the office on April 19, 2010. She reports that she had stepped in an open drain and was suing the city, and needed an evaluation. At that time, I told her that she really had quite normal examination and normal x-rays, and that her knee pain should resolve over a period of time. She reports now that she missed court on Thursday, and is demanding that I write her a note stating she missed court, because she was physically abused. I explained to her that I do not do that kind of work, she did state that she has already gone to the emergency room and had a report filed, and that she is seeing Dr. Rathour and he has done a report, but I need to write a report that she was physically abused. I explained to Ms. Fink that matters of abuse do get handled by specially trained physicians in the emergency room, and she should obtain the report from them. She became very angry and stated that she would report me to the Department of Licensing and Regulation, because I would not give her a report to take to court. I did give her a copy of our office note from April 19, 2010.

Dictated by Jeffrey Butler, M.D.

Healthwise Chiropractic  
10731 W. Forest Home Ave  
Hales Corners, WI 53130  
Phone: (414) 529-4600 Fax: (414) 529-4689

## Patient Statement

Statement Date: Wednesday, August 04, 2010

For Activity: 04/12/2010 thru 08/04/2010

Susan Fink  
General Delivery  
Franklin, WI 53132

Cell: (414) 699-2209

Patient Balance: (\$43.59)

Susan Fink				Account:		876-MC	
Date	Type	Code	Description	Debit	Credit	Adjust	Balance
04/11/2010	MPBF		Balance Forward		\$60.97		(\$60.97)
04/12/2010	CPT	E0210	Ice Pack-Small <i>For knee</i>	\$5.00		\$0.00	(\$55.97)
04/12/2010	CSV	98940	98940 Spinal Medicare 1-2	\$4.67			(\$51.30)
04/12/2010	PCS		Payment-Cash		\$5.00		(\$56.30)
04/20/2010	CPT	E0210	Ice Pack-Small	\$5.00		\$0.00	(\$51.30)
04/20/2010	CSV	98941	98941 Spinal Manipulation 3-4	\$6.49			(\$44.81)
04/20/2010	PCS		Payment-Cash		\$10.00		(\$54.81)
04/21/2010	PCS		Payment-Cash		\$5.00		(\$59.81)
04/22/2010	CSV	98941	98941 Spinal Medicare 3-4	\$6.49			(\$53.32)
04/23/2010	PCS		Payment-Cash		\$5.00		(\$58.32)
04/27/2010	CSV	98941	98941 Spinal Medicare 3-4	\$6.49			(\$51.83)
05/06/2010	CSV	98941	98941 Spinal Medicare 3-4	\$0.00			(\$51.83)
05/06/2010	PCS		Payment-Cash		\$5.00		(\$56.83)
05/18/2010	CSV	98941	98941 Spinal Medicare 3-4	\$0.00			(\$56.83)
05/21/2010	CSV	98941	98941 Spinal Medicare 3-4	\$6.62			(\$50.21)
05/24/2010	CSV	98941	98941 Spinal Medicare 3-4	\$0.00			(\$50.21)
05/26/2010	CSV	98941	98941 Spinal Medicare 3-4	\$6.62			(\$43.59)
				Balance:			(\$43.59)

Current	31 - 60 Days	61 - 90 Days	91 - 120 Days	121 + Days
(\$43.59)	\$0.00	\$0.00	\$0.00	\$0.00

851.41

908.75

Please Double  
check amount

Please cut along the line and enclose this portion with your payment.

Susan Fink  
General Delivery  
Franklin, WI 53132

Account: 876-MC  
Patient Balance: (\$43.59)

Credit balance. No payment is due.

Healthwise Chiropractic  
10731 W. Forest Home Ave  
Hales Corners, WI 53130

If you have any questions regarding your statment, please direct them  
to the billing office.

## Change of Condition Report

If you have experienced a sudden change in your physical condition, we would like to know about it because we want your treatment to be the best possible for your present state. Your complete recounting of any discomfort you have felt, and any accidents or injuries you have had recently, even if you experienced no apparent reaction, will help us help you more. Please provide us with the information requested below.

Name Susan Fink Date 7-12-10

List any falls, accidents, or other injuries you have had since your last visit: Fall, sprain knee

twisted whole body neck

Date of injury: 7-10-10 Time pm

Where did it happen? walking on street

What happened? walked in a uncovered

Drain Hole

List any out-of-the-ordinary pains, discomforts, or other symptoms you have experienced as a result of this injury or since your last visit:

neck to lower back  
Sprained Knee

What have you done to try to relieve your symptoms?

pain med, ice pack  
+ rest

Have you received any other care for this injury?

If so, where and what?

From primary physician

## Chart Notes

Susan Fink

Phone: (414) 529-4600  
Fax : (414) 529-4689

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured 3027024744

Date 04/12/2010

Provider Dr. Robert Carpenter, D.C.

### Subjective:

Susan sought treatment today complaining of discomfort and or paresthesia in the following areas; right cervical dorsal area.

### Objective:

Multiple subluxations with spasm, hypomobility and end point tenderness were found and adjusted at the following levels; occiput, atlas and axis. Active trigger points were discovered in the suboccipital and cervical musculature regions.

The part of a muscle fiber that actually does the contracting is a microscopic unit called a sarcomere. Contraction occurs in a sarcomere when its two parts come together and interlock like fingers. Millions of sarcomeres have to contract in your muscles to make even the smallest movement. A trigger point exists when over stimulated sarcomeres are chemically prevented from releasing from their interlocked state. Normally, when a muscle is working, its sarcomeres act like tiny pumps, contracting and relaxing to circulate blood through the capillaries that supply their metabolic needs. When sarcomeres in a trigger point hold their contraction, blood flow essentially stops in the immediate area. The resulting oxygen starvation and accumulation of the waste products of metabolism irritates the trigger point. The trigger point responds to this emergency by sending out pain signals. An increase in pain was noted in the following cervical or lumbodorsal planes of motion; right lateral cervical flexion and left cervical rotation. Palpation of the muscles revealed hypertonicity in the following areas; occipital region (headache), right TMJ and cervical region.

### Assessment:

Susan has had an exacerbation. These are episodic marked deterioration of the patient's condition due to acute flareups of the presenting conditions. It is probably from the allergy peak of the season..

### Plan:

Today's treatment included the following; 1-2 region manipulation, trigger point work and percussor therapy. Our goals of continued treatment include the following; relief care.

**Diagnosis** 739.0: Occipital/cervical segment dysfunction  
723.2: Cervicoranal syndrome

## Chart Notes

Susan Fink

Phone: (414) 529-4600

Fax : (414) 529-4689

---

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured

Date 04/20/2010

Provider Dr. Michael Rottiger DC

---

### Subjective:

Susan said that she stepped in a missing manhole cover and twisted and fell almost two weeks ago. From that she is sore "all over". Her low back is tender especially on the left side. Muscle spasm is found on the left gluteal. Both sides of her neck are sore with the left side more spasmed than the. She also said that her knee is sore from when she twisted and landed on it. She saw an orthopedic for that problem earlier this week.

### Objective:

Multiple subluxations with spasm, hypomobility and end point tenderness were found and adjusted at the following levels; atlas, axis, C5, T1, T2, L1, L3, L4, sacrum, right pelvis and left pelvis. Palpation of the muscles revealed spasm in the following areas; left cervical dorsal area and left pelvic area. Palpation of the muscles revealed hypertonicity in the following areas; cervical region and lumbosacral region.

### Assessment:

Susan's condition has worsened since the last treatment from the fall she took from stepping on a missing manhole cover. We will continue to treat Susan as per the examination findings and continue the existing treatment plan. It is recommended that she return twice a week.

### Plan:

Today's treatment included the following; 3-4 region manipulation. Our goals of continued treatment include the following; relief of symptoms, decrease pain, decrease swelling and inflammation, decrease segmental dysfunction and decrease muscle spasms.

**Diagnosis** 739.0: Occipital/cervical segment dysfunction  
723.2: Cervicocranial syndrome  
739.4: Sacroiliac segment dysfunction  
847.3: Sacral sprain/strain

## Chart Notes

Susan Fink

Phone: (414) 529-4600  
Fax : (414) 529-4689

---

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured

Date 04/22/2010

Provider Dr. Michael Rottiger DC

---

### Subjective:

Susan said that she was pushed down by the maintance man her her apartment building and landed on her wrist and knee. she is quite shook up from teh experience. She does have a spasm in her left trapezius. The left side of her neck is better than her last appointment. The right side of teh neck is still very tight and tender to the touch.

### Objective:

Multiple subluxations with spasm, hypomobility and end point tenderness were found and adjusted at the following levels; occiput, atlas, C5, T1, T2, T6, sacrum, right pelvis and left pelvis.

### Assessment:

Susan's condition is the same since the last treatment. We will continue to treat Susan as per the examination findings and continue the existing treatment plan. It is recommended that she return twice a week.

### Plan:

Todays treatment included the following; 3-4 region manipulation. Our goals of continued treatment include the following; relief of symptoms, decrease pain, decrease segmental dysfunction and decrease muscle spasms.

**Diagnosis** 739.0: Occipital/cervical segment dysfunction  
723.2: Cervicoranal syndrome  
739.4: Sacroiliac segment dysfunction  
847.3: Sacral sprain/strain

## Chart Notes

Susan Fink

Phone: (414) 529-4600  
Fax : (414) 529-4689

---

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured ~~XXXXXXXXXX~~

---

Date 04/27/2010

Provider Dr. Michael Rottiger DC

---

### Subjective:

Susan said that she was feeling slightly better than last week. The left side is less spasmed and less tender. The right side of the neck is still pretty tight and still quite tender at the right upper. Her right TMJ was off also. Mid back and low back were much better as compared to last week.

### Objective:

Multiple subluxations with spasm, hypomobility and end point tenderness were found and adjusted at the following levels; occiput, atlas, axis, C7, T1 and sacrum. An extremity subluxation was discovered and adjusted in the right TMJ. Palpation of the muscles revealed spasm in the following areas; occipital region (headache), right cervical dorsal area, right upper thoracic area and left upper thoracic area.

### Assessment:

Susan's condition is showing improvement. We will continue to treat Susan as per the examination findings and continue the existing treatment plan. It is recommended that she return twice a week.

### Plan:

Today's treatment included the following; 3-4 region manipulation and extremity adjustments. Our goals of continued treatment include the following; relief of symptoms, decrease pain, decrease segmental dysfunction and decrease muscle spasms.

**Diagnosis** 739.0: Occipital/cervical segment dysfunction  
723.2: Cervicoranal syndrome  
739.4: Sacroiliac segment dysfunction  
847.3: Sacral sprain/strain

## Chart Notes

Susan Fink

Phone: (414) 529-4600  
Fax : (414) 529-4689

---

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Poi # None

Insured 3 [REDACTED]

---

Date 05/06/2010

Provider Dr. Michael Rottiger DC

---

**Subjective:**

Susan is improving, but her neck is still tighter than normal. The right side is still tighter than the left, but the left was tighter than last week. Her mid back and low back were much improved compared to last week.

**Objective:**

Multiple subluxations with spasm, hypomobility and end point tenderness were found and adjusted at the following levels; occiput, atlas, axis, C6, C7 and T1. Palpation of the muscles revealed spasm in the following areas; cervical region.

**Assessment:**

Susan's condition is showing improvement. We will continue to treat Susan as per the examination findings and continue the existing treatment plan. It is recommended that she return in one week.

**Plan:**

Today's treatment included the following; 3-4 region manipulation. Our goals of continued treatment include the following; relief of symptoms, decrease pain, decrease swelling and inflammation, decrease segmental dysfunction and decrease muscle spasms.

**Diagnosis** 739.0: Occipital/cervical segment dysfunction  
723.2: Cervicoranal syndrome  
739.4: Sacroiliac segment dysfunction  
847.3: Sacral sprain/strain

## Chart Notes

Susan Fink

Phone: (414) 529-4600  
Fax : (414) 529-4689

---

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured

Date 05/18/2010

Provider Dr. Michael Rottiger DC

---

### Subjective:

Susan entered the office with sharp right cervical pain. She seems to be more agitated and stressed today. she said that she is not sleeping well. She was very tight in the neck and upper back. Spasms were from the occipital area down the right side of the neck.

### Objective:

Multiple subluxations with spasm, hypomobility and end point tenderness were found and adjusted at the following levels; occiput, atlas, axis, C7, T1, T6, T10, L5, sacrum, right pelvis and left pelvis. Palpation of the muscles revealed spasm in the following areas; occipital region (headache), right cervical dorsal area and left upper thoracic area.

### Assessment:

Susan's condition is the same since the last treatment if not a little worse today. We will continue to treat Susan as per the examination findings and continue the existing treatment plan. It is recommended that she return in one week.

### Plan:

Today's treatment included the following; 3-4 region manipulation. Our goals of continued treatment include the following; relief of symptoms, decrease pain, decrease swelling and inflammation, decrease segmental dysfunction and decrease muscle spasms.

**Diagnosis** 739.0: Occipital/cervical segment dysfunction  
723.2: Cervicoranal syndrome  
739.4: Sacroiliac segment dysfunction  
847.3: Sacral sprain/strain

---

## Chart Notes

Susan Fink

Phone: (414) 529-4600  
Fax : (414) 529-4689

---

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured ~~XXXXXXXXXX~~

---

Date 05/21/2010

Provider Dr. Robert Carpenter, D.C.

---

### Subjective:

Susan sought treatment today complaining of discomfort and or paresthesia in the following areas; occipital region (headache), right TMJ, cervical region, right cervical dorsal area and lumbar region.

### Objective:

An increase in pain was noted in the following cervical or lumbodorsal planes of motion; cervical extension, right lateral cervical flexion, left lateral cervical flexion and left cervical rotation. Palpation of the muscles revealed spasm in the following areas; cervical region and right cervical dorsal area. Active trigger points were discovered in the cervical musculature and scapular regions.

The part of a muscle fiber that actually does the contracting is a microscopic unit called a sarcomere.

Contraction occurs in a sarcomere when its two parts come together and interlock like fingers. Millions of sarcomeres have to contract in your muscles to make even the smallest movement. A trigger point exists when over stimulated sarcomeres are chemically prevented from releasing from their interlocked state.

Normally, when a muscle is working, its sarcomeres act like tiny pumps, contracting and relaxing to circulate blood through the capillaries that supply their metabolic needs. When sarcomeres in a trigger point hold their contraction, blood flow essentially stops in the immediate area. The resulting oxygen starvation and accumulation of the waste products of metabolism irritates the trigger point. The trigger point responds to this emergency by sending out pain signals.

### Assessment:

Susan's condition has worsened since the last treatment due to a very strong allergy season and this is the second day that I have seen a number of patients that are suffering with a very strong reaction to whatever is blooming.

### Plan:

Our goals of continued treatment include the following; relief care. Today's treatment included the following; 3-4 region manipulation, extremity adjustments, trigger point work, myofascial release, percussor therapy and laser therapy.

**Diagnosis** 739.0: Occipital/cervical segment dysfunction  
723.2: Cervicoranal syndrome  
739.4: Sacroiliac segment dysfunction  
847.3: Sacral sprain/strain

## Chart Notes

Susan Fink

Phone: (414) 529-4600  
Fax : (414) 529-4689

---

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured ~~XXXXXXXXXX~~

---

Date 05/24/2010

Provider Dr. Robert Carpenter, D.C.

---

### Subjective:

Susan sought treatment today complaining of discomfort and or paresthesia in the following areas; occipital region (headache), right TMJ, right cervical dorsal area, right mid thoracic area and lumbar region.

### Objective:

An increase in pain was noted in the following cervical or lumbodorsal planes of motion; left lateral cervical flexion, right lateral cervical flexion and left lateral lumbar flexion. An increase in pain was noted in the following cervical or lumbodorsal planes of motion; cervical extension, right lateral cervical flexion, left lateral cervical flexion and left cervical rotation. Palpation of the muscles revealed spasm in the following areas; cervical region and right cervical dorsal area. Active trigger points were discovered in the cervical musculature and scapular regions.

The part of a muscle fiber that actually does the contracting is a microscopic unit called a sarcomere.

Contraction occurs in a sarcomere when its two parts come together and interlock like fingers. Millions of sarcomeres have to contract in your muscles to make even the smallest movement. A trigger point exists when over stimulated sarcomeres are chemically prevented from releasing from their interlocked state.

Normally, when a muscle is working, its sarcomeres act like tiny pumps, contracting and relaxing to circulate blood through the capillaries that supply their metabolic needs. When sarcomeres in a trigger point hold their contraction, blood flow essentially stops in the immediate area. The resulting oxygen starvation and accumulation of the waste products of metabolism irritates the trigger point. The trigger point responds to this emergency by sending out pain signals.

### Assessment:

Susan's condition has worsened since the last treatment due to a very strong allergy season and this is the second day that I have seen a number of patients that are suffering with a very strong reaction to whatever is blooming.

### Plan:

Our goals of continued treatment include the following; relief care. Today's treatment included the following; 3-4 region manipulation, extremity adjustments, trigger point work, myofascial release, percussor therapy and laser therapy.

**Diagnosis** 739.0: Occipital/cervical segment dysfunction  
723.2: Cervicoranal syndrome  
739.4: Sacroiliac segment dysfunction  
847.3: Sacral sprain/strain

## Chart Notes

Susan Fink

Phone: (414) 529-4600  
Fax : (414) 529-4689

Patient: Fink, Susan

Ins Co WI Physicians Service MCARE

Pol # None

Insured

Date 05/26/2010

Provider: Dr. Robert Carpenter, D.C.

### Subjective:

Susan sought treatment today complaining of discomfort and or paresthesia in the following areas; cervical region, thoracic region and lumbar region. She stated that the pain in her right neck is only a 3 now and has stopped stabbing her as of yesterday.

### Objective:

Multiple subluxations with spasm, hypomobility and end point tenderness were found and adjusted at the following levels; T8, T12 and L1. An increase in pain was noted in the following cervical or lumbodorsal planes of motion; cervical extension, right lateral cervical flexion, left lateral cervical flexion and left cervical rotation. Palpation of the muscles revealed spasm in the following areas; cervical region and right cervical dorsal area. Active trigger points were discovered in the cervical musculature and scapular regions.

The part of a muscle fiber that actually does the contracting is a microscopic unit called a sarcomere. Contraction occurs in a sarcomere when its two parts come together and interlock like fingers. Millions of sarcomeres have to contract in your muscles to make even the smallest movement. A trigger point exists when over stimulated sarcomeres are chemically prevented from releasing from their interlocked state. Normally, when a muscle is working, its sarcomeres act like tiny pumps, contracting and relaxing to circulate blood through the capillaries that supply their metabolic needs. When sarcomeres in a trigger point hold their contraction, blood flow essentially stops in the immediate area. The resulting oxygen starvation and accumulation of the waste products of metabolism irritates the trigger point. The trigger point responds to this emergency by sending out pain signals.

### Assessment:

Susan's condition is showing improvement. Susan reported feeling better after the treatment. Susan's condition is well controlled at this time.

### Plan:

Today's treatment included the following; 3-4 region manipulation and trigger point work. Today's treatment included the following; . Our goals of continued treatment include the following; relief care.

**Diagnosis** 739.0: Occipital/cervical segment dysfunction  
723.2: Cervicocranial syndrome  
739.4: Sacroiliac segment dysfunction  
847.3: Sacral sprain/strain

# JEROME DRUGS-MUSKEGO

S.75 W.17301 JANESVILLE RD

MUSKEGO, WI 53150

Phone: (262) 679-1800 Fax: (262) 679-5766

## Patient Medical Expenses

From: 04/10/2010 To: 08/05/2010

SUSAN J. FINK

8360 S.100 TH.#2

FRANKLIN, WI 53132-

Date of Birth: 09/30/1959

MRN:

Product NDC Prescriber Plan	Rx / Fill / Pharmacy Sig	Qty	Days Supply	RPh	Fill Date	Triplicate	DAW
Subscriber	Adj Auth Id	Amt Billed	Pat Pay				
X Acetaminophen-Codeine #3 Tablet 3l *00406-0484-01 R. RATHOUR PAID (MEDCO)	1244218 / 0 / 100 Take one (1) tablet orally (by mouth) every 4 hours as needed	30.00	5	JJ	04/12/2010		
	811230525	SXC3CNK	11.30				<u>2.38</u>
LORazepam Tablet 1 MG *00591-0241-05 R. RATHOUR PAID (MEDCO)	1243107 / 0 / 100 Take one (1) tablet orally (by mouth) twice daily as needed	60.00	30	MM	04/16/2010		
	811230525	YL3HRQQ	17.25				3.05
Omeprazole Capsule DR 20 MG 55111-0158-10 R. RATHOUR PAID (MEDCO)	1240117 / 1 / 100 Take one (1) capsule orally (by mouth) daily	30.00	30	MM	04/17/2010		
	811230525	YL3TNW3	14.00				2.68
X Hydrocodone-Acetaminophen Tablet *00603-3881-28 R. RATHOUR PAID (MEDCO)	1244972 / 0 / 100 Take one (1) tablet every 6 hours as needed	15.00	4	KK	04/20/2010		
	811230525	YMCKNE1	7.55				<u>1.32</u>
Oxybutynin Chloride Tablet 5 MG 00603-4975-32 R. RATHOUR PAID (MEDCO)	1229502 / 0 / 100 Take one (1) tablet orally (by mouth) three times daily	90.00	30	KK	04/25/2010		
	811230525	OKMN9CF	11.75				2.94
Acetaminophen-Codeine #3 Tablet 3l *00406-0484-01 CARTER AUNE PAID (MEDCO)	1245522 / 0 / 100 Take one (1) tablet orally (by mouth) twice daily as needed	45.00	20	KK	04/25/2010		
	811230525	9CP3MTM	14.45				3.31
Triamcinolone Acetonide Cream 0.5 ' 45802-0065-35 R. RATHOUR PAID (MEDCO)	1240340 / 1 / 100 Apply locally twice daily	30.00	15	KK	04/28/2010		
	811230525	RQ7E7RE	15.35				1.93
X Hydrocodone-Acetaminophen Tablet *53746-0109-05 R. RATHOUR PAID (MEDCO)	1245862 / 0 / 100 Take one (1) tablet orally (by mouth) every 6 hours as needed	30.00	8	KK	04/28/2010		
	811230525	RQ7NRPL	17.25				<u>2.45</u>
Phentermine HCI Tablet 37.5 MG *53489-0406-01 R. RATHOUR Cash	1243106 / 1 / 100 Take one (1) tablet orally (by mouth) daily	30.00	30	JJ	05/01/2010		
			23.25				23.25

I certify that the charges on this form are for prescriptions as shown in my records and that they are accurate to the best of my knowledge and belief.

Pharmacist's Signature : \_\_\_\_\_

Printed: Thursday, August 05, 2010 04:05 PM



**JEROME DRUGS-MUSKEGO**

S.75 W.17301 JANESVILLE RD

MUSKEGO, WI 53150

Phone: (262) 679-1800 Fax: (262) 679-5766

**Patient Medical Expenses**

From: 04/10/2010 To: 08/05/2010

SUSAN J. FINK

8360 S.100 TH.#2

FRANKLIN, WI 53132-

Date of Birth: 09/30/1959

MRN:

Product NDC Prescriber Plan	Rx / Fill / Pharmacy Sig	Qty	Days Supply	RPh	Fill Date	Triplicate	DAW
Subscriber	Adj Auth Id	Amt Billed	Pat Pay				
Premarin Tablet 0.9 MG 00046-1103-81 R. RATHOUR PAID (MEDCO)	1235450 / 4 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00 30 NCLCCK1	JJ	05/01/2010	67.25		13.14
Lisinopril Tablet 20 MG 68180-0515-03 R. RATHOUR PAID (MEDCO)	1246120 / 0 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00 30 O393M11	JJ	05/01/2010	14.00		2.68
LORazepam Tablet 1 MG *00591-0241-05 R. RATHOUR Cash	1243107 / 1 / 100 Take one (1) tablet orally (by mouth) twice daily as needed 811230525	30.00 15 MM	MM	05/04/2010	8.50		8.50
Acetaminophen-Codeine #3 Tablet 3l *00406-0484-01 CARTER AUNE PAID (MEDCO)	1247485 / 0 / 100 Take one (1) tablet every 4 to 6 hours as needed 811230525	45.00 8 ONAANQ9	JJ	05/14/2010	14.45		3.31
LORazepam Tablet 1 MG *00591-0241-05 CARTER AUNE PAID (MEDCO)	1247486 / 0 / 100 Take one (1) tablet every 4 to 6 hours as needed 811230525	45.00 8 WQTNCCC	JJ	05/14/2010	14.00		2.41
Omeprazole Capsule DR 20 MG 55111-0158-10 R. RATHOUR PAID (MEDCO)	1240117 / 2 / 100 Take one (1) capsule orally (by mouth) daily 811230525	30.00 30 OAAEP1H	MM	05/20/2010	14.00		3.43
Phentermine HCl Tablet 37.5 MG *53489-0406-01 R. RATHOUR Cash	1243106 / 2 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00 30 MM	MM	05/23/2010	23.25		23.25
LORazepam Tablet 1 MG *00591-0241-05 R. RATHOUR PAID (MEDCO)	1243107 / 2 / 100 Take one (1) tablet orally (by mouth) twice daily as needed 811230525	60.00 30 WRN99PA	KK	05/25/2010	17.25		3.05
X Hydrocodone-Acetaminophen Tablet *00406-0358-05 R. RATHOUR PAID (MEDCO)	1248772 / 0 / 100 Take one (1) tablet orally (by mouth) twice daily as needed 811230525	60.00 30 WR1AFC1	JJ	05/28/2010	20.25		3.50

I certify that the charges on this form are for prescriptions as shown in my records and that they are accurate to the best of my knowledge and belief.

Pharmacist's Signature : \_\_\_\_\_

Printed: Thursday, August 05, 2010 04:05 PM



**JEROME DRUGS-MUSKEGO**

S.75 W.17301 JANESVILLE RD

MUSKEGO, WI 53150

Phone: (262) 679-1800 Fax: (262) 679-5766

**Patient Medical Expenses**

From: 04/10/2010 To: 08/05/2010

SUSAN J. FINK

8360 S.100 TH.#2

FRANKLIN, WI 53132-

Date of Birth: 09/30/1959

MRN:

Product NDC Prescriber Plan	Rx / Fill / Pharmacy Sig	Qty	Days Supply	RPh	Fill Date	Triplicate	DAW
	Subscriber		Adj Auth Id		Amt Billed		Pat Pay
Lisinopril Tablet 20 MG 68180-0515-03 R. RATHOUR PAID (MEDCO)	1246120 / 1 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00	30	JJ	06/05/2010 14.00		2.68
Premarin Tablet 0.9 MG 00046-1103-81 R. RATHOUR PAID (MEDCO)	1235450 / 5 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00	30	JJ	06/05/2010 67.25		13.14
Oxybutynin Chloride Tablet 5 MG 00603-4975-32 R. RATHOUR PAID (MEDCO)	1229502 / 1 / 100 Take one (1) tablet orally (by mouth) three times daily 811230525	90.00	30	JJ	06/05/2010 11.75		2.94
Cyclobenzaprine HCl Tablet 10 MG 65162-0541-11 R. RATHOUR PAID (MEDCO)	1249357 / 0 / 100 Take one (1) tablet twice daily as needed 811230525	20.00	10	JJ	06/05/2010 11.00		1.55
Acetaminophen-Codeine #3 Tablet 3l *00406-0484-01 CARTER AUNE PAID (MEDCO)	1249734 / 0 / 100 Take one (1) tablet orally (by mouth) every 4 to 6 hours as needed 811230525	45.00	8	KK	06/09/2010 14.45		3.31
Phentermine HCl Tablet 37.5 MG *53489-0406-01 R. RATHOUR Cash	1249737 / 0 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00	30	JJ	06/12/2010 23.25		23.25
Omeprazole Capsule DR 20 MG 55111-0158-10 R. RATHOUR PAID (MEDCO)	1240117 / 3 / 100 Take one (1) capsule orally (by mouth) daily 811230525	30.00	30	JJ	06/12/2010 14.00		3.43
LORazepam Tablet 1 MG *00591-0241-05 R. RATHOUR Cash	1243107 / 3 / 100 Take one (1) tablet orally (by mouth) twice daily as needed 811230525	30.00	15	JJ	06/14/2010 11.00		11.00
Phentermine HCl Tablet 37.5 MG *53489-0406-01 R. RATHOUR Cash	1249737 / 1 / 100 Take one (1) tablet orally (by mouth) daily 811230525	30.00	30	JJ	07/05/2010 23.25		23.25

I certify that the charges on this form are for prescriptions as shown in my records and that they are accurate to the best of my knowledge and belief.

Pharmacist's Signature : \_\_\_\_\_

Printed: Thursday, August 05, 2010 04:05 PM



**JEROME DRUGS-MUSKEGO**

S.75 W.17301 JANESVILLE RD

MUSKEGO, WI 53150

Phone: (262) 679-1800 Fax: (262) 679-5766

**Patient Medical Expenses**

From: 04/10/2010 To: 08/05/2010

SUSAN J. FINK

8360 S.100 TH.#2

FRANKLIN, WI 53132-

Date of Birth: 09/30/1959

MRN:

Product NDC Prescriber Plan	Rx / Fill / Pharmacy Sig	Qty	Days Supply	RPh	Fill Date	Triplicate	DAW
	Subscriber		Adj Auth Id		Amt Billed		Pat Pay
LORazepam Tablet 1 MG *00591-0241-10 CARTER AUNE PAID (MEDCO)	1249735 / 0 / 100 Take one (1) tablet orally (by mouth) twice daily as needed  811230525	45.00	23	JJ	07/05/2010		
			Y1MLTCX		18.75		2.41
Lisinopril Tablet 20 MG 68180-0515-03 R. RATHOUR PAID (MEDCO)	1246120 / 2 / 100 Take one (1) tablet orally (by mouth) daily  811230525	30.00	30	JJ	07/30/2010		
			QHM13NX		14.00		2.68
Phentermine HCl Tablet 37.5 MG *53489-0406-01 R. RATHOUR Cash	1249737 / 2 / 100 Take one (1) tablet orally (by mouth) daily  811230525	30.00	30	JJ	07/30/2010		
					23.25		23.25
Omeprazole Capsule DR 20 MG 55111-0158-10 R. RATHOUR PAID (MEDCO)	1240117 / 4 / 100 Take one (1) capsule orally (by mouth) daily  811230525	30.00	30	JJ	07/30/2010		
			9WA91NE		14.00		3.43
Oxybutynin Chloride Tablet 5 MG 00603-4975-32 R. RATHOUR PAID (MEDCO)	1229502 / 2 / 100 Take one (1) tablet orally (by mouth) three times daily  811230525	90.00	30	JJ	07/30/2010		
			W7TRQNW		11.75		2.94
Premarin Tablet 0.9 MG 00046-1103-81 AYMEN KHOGALI PAID (MEDCO)	1254322 / 0 / 100 Take one (1) tablet orally (by mouth) daily  811230525	30.00	30	JJ	07/30/2010		
			W7TRWCC		67.25		13.64

*Amounts in italics are batch/paper bills that have not been reconciled (Amt. Billed - Copay = Ins Paid).***Patient Pay Total :****239.48**

I certify that the charges on this form are for prescriptions as shown in my records and that they are accurate to the best of my knowledge and belief.

Pharmacist's Signature : \_\_\_\_\_

Printed: Thursday, August 05, 2010 04:05 PM



**NOTICES SENT TO FOR FILE 100836:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 100912      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 11/11/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution expressing the City of Milwaukee's support for development of a high-speed passenger rail network in the Midwest, including an extension of Amtrak's Hiawatha service from Milwaukee to Madison.

**Sponsors:** ALD. COGGS, ALD. BAUMAN, ALD. HINES JR.

**Indexes:**

**Attachments:** Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	CITY CLERK	Sponsor added		
12/13/2010	1	JUDICIARY & LEGISLATION COMMITTEE			

Number  
100912  
Version  
SUBSTITUTE 1  
Reference

Sponsor  
ALD. COGGS, BAUMAN AND HINES

Title  
Resolution expressing the City of Milwaukee's support for development of a high-speed passenger rail network in the Midwest, including an extension of Amtrak's *Hiawatha* service from Milwaukee to Madison.

Analysis  
This resolution expresses the City of Milwaukee's support for development of a high-speed passenger rail network in the Midwest, including an extension of Amtrak's *Hiawatha* service from Milwaukee to Madison.

Body  
Whereas, In 2004, nine Midwestern states released plans for a Midwest Regional Rail Initiative that would consist of a "hub-and-spoke" passenger rail network on 3,000 miles of track in those nine states, using modern train equipment operating at speeds up to 110 miles per hour to connect Chicago, Detroit, Milwaukee, St. Louis, Cincinnati, Cleveland, Minneapolis and other cities; and

Whereas, In 2010, the Obama administration authorized the expenditure of \$8 billion in federal stimulus money for the development of 13 high-speed rail corridors throughout the nation, including \$810 million for an extension of Amtrak's *Hiawatha* service from Milwaukee to Madison, \$1.1 billion for the Chicago-St. Louis corridor and \$244 million for the Chicago-Detroit route; and

Whereas, Development of high-speed passenger rail service in Wisconsin and the Midwest will produce numerous and substantial benefits for Milwaukee and the entire region, including:

1. Providing a time- and cost-competitive alternative to automobile and air travel that will be increasingly attractive as energy prices rise, highway congestion grows and security rules continue to slow traffic through airports.
2. Giving Milwaukee, Wisconsin and the Midwest an advantage -- over other parts of the country that do not have high-speed rail available -- in terms of competing for new employers and young workers who are attracted to locations with multiple, efficient transportation options.
3. Creating thousands of jobs, not only in designing and constructing the system, but also many new permanent jobs (an estimated 9,500 new jobs in Wisconsin alone).
4. Stimulating economic development in the Midwest by linking people with job opportunities, connecting the region's major research and development centers with its top universities, and generating new development and investment around stations on the network.
5. Increasing the productivity of workers, who will be able to avoid hours of traffic congestion and air travel delays, and instead use their time to read, make cell phone calls, work on laptop computers and otherwise conduct business while traveling.

6. Bringing more tourists and other visitors to Midwestern cities by making these cities accessible and by reducing travel times, thereby giving visitors more time to spend at their destinations.

7. Lowering energy consumption and emission of greenhouse gases, as trains use less fuel and emit less pollution than airplanes or automobiles.

; and

Whereas, The estimated annual operating support for the Milwaukee-Madison extension -- \$7.5 million - is miniscule compared to the State of Wisconsin's annual transportation budget (\$2.4 billion), not to mention the total State budget (over \$31 billion), and may be largely funded through federal aid; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the City of Milwaukee supports development of a high-speed passenger rail network in the Midwest, including the extension of Amtrak's *Hiawatha* service from Milwaukee to Madison; and, be it

Further Resolved, That the City Clerk shall send copies of this resolution to all members of Wisconsin's Congressional delegation, U.S. Secretary of Transportation Ray LaHood, Wisconsin Secretary of Transportation Frank Busalacchi and Governor-Elect Scott Walker.  
Requestor

Drafter  
LRB123550-1  
JDO  
11/30/2010

**NOTICES SENT TO FOR FILE 100912:**

[illegible]



## Legislation Details (With Text)

**File #:** 101004      **Version:** 0

**Type:** Resolution      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Resolution relative to the 2011 City of Milwaukee Federal Legislative Package.

**Sponsors:** THE CHAIR

**Indexes:** FEDERAL LEGISLATION

**Attachments:** Federal Legislative Agenda, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/29/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
12/13/2010	0	JUDICIARY & LEGISLATION COMMITTEE			

**Number**

101004

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

Resolution relative to the 2011 City of Milwaukee Federal Legislative Package.

**Drafter**

IRD

Mo

11/22/10

City of Milwaukee 2011 Federal Legislative Priorities		
<b>Basic Principles</b>		
	Support direct appropriations to local governments and strong local control over funding decisions for all federal appropriations.	
	Seek to sustain the City's annual federal funding levels, adjusted as appropriate for inflation or change in need.	
<b>Strategic Planning Area</b>		<b>City Dept</b>
<b>Fiscal Capacity</b>		
	Create a direct revenue sharing program with the 50 largest city governments	DOA
<b>Community Health</b>		
	Seek funding for HIV Prevention from the Center for Disease Control and Prevention	MHD
	Support Implementation of the Patient Protection and Affordable Care Act (Health Care Reform)	MHD
<b>Protecting Public Safety</b>		
	Increase funding for Community Oriented Policing Services (COPS) and Byrne Justice Assistance Grants (JAG)	MPD
<b>Quality of Life</b>		
	Increase funding for Community Development Block Grants (CDBG) and other HUD programs	DOA
	Support funding for the National Housing Trust Fund	CC
	Expand use of funds under the HOME Investment Partnerships Act so that they may be used with Capital Funds to develop public housing units.	HACM
	Fully fund the Energy Efficiency and Conservation Block Grant (EECBG) Programs	DOA
	Support Property Assessed Clean Energy (PACE) Programs.	DOA
	Increase resources and tools to deal with foreclosed and abandoned properties.	DOA
<b>Sound and Efficient Infrastructure</b>		
	Support a fix-it-first policy for local roadway improvements as part of Reauthorization of Safe, Accountable, Flexible, Efficient Transportation Equity Act. (SAFETEA-LU)	DPW
	Obtain federal support for City of Milwaukee projects related to roads, bridges, infrastructure, mass transit, technology, ports, etc. as part of the reauthorization of SAFETEA - LU	DOA
	Include sewer lateral repairs as part of Administration's proposed Infrastructure bill	DPW
<b>Economic Development and Well-Being</b>		
	Support for Aerotropolis concept, including HR 5236	CC/DCD
	Extend the Renewal Communities tax incentives	DCD
	Exempt Non-Profit Community Development Corporations from the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (SAFE Act)	DCD
	Increase funding for youth training and summer youth jobs, including emergency TANF funds extension.	DOA / MAWIB
	Support reauthorization of the Workforce Investment Act	MAWIB
	Preserve and expand the Community Reinvestment Act	DOA / DCD
	Provide funding to cleanup brownfields through the Brownfield Economic Development Initiative (BEDI) and related programs.	DCD



**Department of Administration  
Intergovernmental Relations Division**

December 8, 2010

**Tom Barrett**  
Mayor

**Sharon Robinson**  
Director of Administration

**Audra Brennan**  
Intergovernmental Relations Director

TO: Alderman Ashanti Hamilton, Chairman  
Judiciary and Legislation Committee

Members, Judiciary and Legislation Committee

FROM: Audra Brennan, Director  
Intergovernmental Relations Division

RE: City of Milwaukee's 2011 Federal Legislative Package

Attached for your consideration is a proposed 2011 Federal Legislative Package for the City of Milwaukee. The proposals have been generated by City Departments, Common Council members and Mayor Barrett. Together they reflect issues of importance to the City that can be addressed by the Federal Legislature and Administration.

Departments were asked to submit items for consideration which required Federal action to provide better outcomes in one of the following strategic planning areas:

- City fiscal capacity
- Public safety
- Public Health
- City Infrastructure
- Quality of life (Education, Neighborhoods, Environment)
- Economic Well-being

This agenda is intended to help track the City's efforts at the federal level and to facilitate a consistent message in interactions with members of our federal delegation and administration officials in the 2011 Federal Legislative Session. As with the State Legislative Package, additional items may be added through separate resolution.

The Intergovernmental Relations staff looks forward to responding to any of your questions regarding the 2011-12 Federal Legislative Package.

cc: Mayor Tom Barrett

Attachments

**NOTICES SENT TO FOR FILE 101004:**

[illegible]



## Legislation Details (With Text)

**File #:** 101005      **Version:** 1

**Type:** Resolution      **Status:** In Committee

**File created:** 11/23/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE

**On agenda:**      **Final action:**

**Effective date:**

**Title:** Substitute resolution authorizing alternative executive representation on the League of Wisconsin Municipalities' Urban Alliance.

**Sponsors:** ALD. WITKOWSKI

**Indexes:** LEAGUE OF WISCONSIN MUNICIPALITIES

**Attachments:** Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
11/23/2010	0	COMMON COUNCIL	ASSIGNED TO		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
11/30/2010	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
12/2/2010	1	CITY CLERK	Sponsor added		
12/13/2010	1	JUDICIARY & LEGISLATION COMMITTEE			

Number

101005

Version

Reference

SUBSTITUTE 1

Sponsor

ALD. WITKOWSKI

Title

Substitute resolution authorizing alternative executive representation on the League of Wisconsin Municipalities' Urban Alliance.

Analysis

This resolution designates the Legislative Liaison Director as the City's voting representative to the Urban Alliance of the League of Wisconsin Municipalities in the Mayor's absence.

Body

Whereas, The Wisconsin Alliance of Cities was founded in 1969 by 15 urban municipalities to collectively seek to equalize the shared revenue formula and to expand tax increment financing; and

Whereas, The City of Milwaukee was a founding member of the Alliance and since then has been represented by the Mayor or a representative of the Mayor from within the City Department of Administration; and

Whereas, The members of the Alliance of Cities determined that it was in the best interest of the municipalities statewide to terminate the Alliance of Cities as a separate organization and to merge the Alliance activities into the League of Wisconsin Municipalities; and

Whereas, The League of Municipalities has revised its bylaws to establish an Urban Alliance comprised of those League members with populations over 10,000 who choose to also become members of the Urban Alliance; and

Whereas, The City of Milwaukee is a member of the Urban Alliance; and

Whereas, The Urban Alliance bylaws specify that it is anticipated that the chief executive officer of each member city will serve as the voting representative for the Urban Alliance, but allow the Chief Executive Officer to designate an alternate administrative representative if approved by Common Council resolution; and

Whereas, The Mayor has designated the position of the Legislative Liaison Director to serve as the voting representative for the Urban Alliance in the Mayor's absence; now, therefore, be it.

Resolved, By the Common Council of the City of Milwaukee, that in the Mayor's absence, the Legislative Liaison Director of the City of Milwaukee may serve as the City's voting representative to the Urban Alliance of the League of Wisconsin Municipalities.

Requestor

Drafter

DOA-IRD

12/2/10

**NOTICES SENT TO FOR FILE 101005:**

[illegible]



## Legislation Details (With Text)

---

**File #:** 091347      **Version:** 0  
**Type:** Communication-Report      **Status:** In Committee  
**File created:** 1/27/2010      **In control:** JUDICIARY & LEGISLATION COMMITTEE  
**On agenda:**      **Final action:**  
**Effective date:**

**Title:** Communication relating to the 2010 activities of the Administrative Review Appeals Board.

**Sponsors:** THE CHAIR

**Indexes:** ADMINISTRATIVE REVIEW APPEALS BOARD, REPORTS AND STUDIES

**Attachments:** Minutes of the 12/1 Meeting, Recording of the 12/1 Meeting, Minutes of the 10/5 Meeting, Recording of the 10/5 Meeting, Minutes of the 9/20 Meeting, Recording of the 9/20 Meeting, Minutes of the 7/21 Meeting, Recording of the 7/21 Meeting, Recording of the 6/8 Meeting, Minutes of the 6/8 Meeting, Recording of the 4/23 Meeting, Minutes of the 4/23 Meeting, Recording of the 4/23 Meeting, Recording of the 3/30 Meeting Part 2, Recording of the 3/30 Meeting Part 1, Minutes of the 3/30 Meeting, Recording of the 2/26 Meeting, Minutes of the 2/26 Meeting, Minutes of the 1/29 Meeting, Recording of the 1/29 Meeting

Date	Ver.	Action By	Action	Result	Tally
1/27/2010	0	COMMON COUNCIL	ASSIGNED TO		

**Number**

091347

**Version**

ORIGINAL

**Reference**

**Sponsor**

THE CHAIR

**Title**

*Communication relating to the 2010 activities of the Administrative Review Appeals Board.*

**Requestor**

**Drafter**

CC-CC

lme

2/1/10