



City of Milwaukee

City Hall
200 East Wells Street
Milwaukee, WI 53202

Meeting Agenda JUDICIARY & LEGISLATION COMMITTEE

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

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

Monday, October 26, 2009

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, October 26, 2009 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 is rendering advice concerning strategy to be adopted by the City with respect to Item #1...Resolution authorizing settlement of the lawsuit entitled Minerva Castillo and Joaquin C. Castillo, plaintiffs, and Michael L. Leavitt, Secretary of Dept. of Health & Human Services, involuntary plaintiffs, v. City of Milwaukee, defendant and then will go into open session for the regular agenda.

1. [090835](#) Resolution authorizing settlement of the lawsuit entitled Minerva Castillo and Joaquin C. Castillo, plaintiffs, and Michael L. Leavitt, Secretary of Dept. of Health & Human Services, involuntary plaintiffs, v. City of Milwaukee, defendant.

Sponsors: THE CHAIR

Attachments: [City Attorney Letter](#)
[Fiscal Note.doc](#)
[Hearing Notice List](#)

1:45 P.M.

2. [090504](#) Substitute resolution authorizing the return of real estate located at 1616-1618 S. Cesar E. Chavez Dr., in the 12th Aldermanic District to its former owner. (Maria de La Luz Hernandez)

Sponsors: THE CHAIR

Attachments: [Fiscal Note](#)
[Application for Vacation of Inrem Judgment](#)
[Treasurer's Office - Updated](#)
[Treasurer's Office](#)
[Dept of Neighborhood Services](#)
[Health Dept](#)
[Dept of City Development](#)
[Hearing Notice List](#)

3. [090507](#) Substitute resolution authorizing the return of real estate located at 3015 N. 12th St., in the 6th Aldermanic District to its former owner. (Wacheyne Evans)
- Sponsors:** THE CHAIR
- Attachments:** [Fiscal Note](#)
[Application for Vacation of Inrem Judgment](#)
[Treasurer's Office - Updated](#)
[Treasurer's Office](#)
[Dept of Neighborhood Services](#)
[Health Dept](#)
[Dept of City Development](#)
[Hearing Notice List](#)
4. [090632](#) Substitute resolution authorizing the return of real estate located at 2619 S. 66th St, in the 11th Aldermanic District to its former owner. (US Bank)
- Sponsors:** THE CHAIR
- Attachments:** [Fiscal Note](#)
[Request for Vacation of Inrem Judgment](#)
[Treasurer's Office - Updated](#)
[Treasurer's Office](#)
[Health Dept](#)
[Dept of City Development](#)
[Dept of Neighborhood Services](#)
[Hearing Notice List](#)
5. [090633](#) Substitute resolution authorizing the return of real estate located at 5557-5557A N. 40th St., in the 1st Aldermanic District to its former owner. (Todd Michael Beale)
- Sponsors:** THE CHAIR
- Attachments:** [Fiscal Note](#)
[Request for Vacation of Inrem Judgment](#)
[Treasurer's Office - Final](#)
[Treasurer's Office - Updated](#)
[Treasurer's Office](#)
[Health Dept](#)
[Hearing Notice List](#)
6. [090646](#) Substitute resolution authorizing the return of real estate located at 4830 N. 39th St., in the 1st Aldermanic District to its former owner. (Gary Michels)
- Sponsors:** THE CHAIR

Attachments: [Fiscal Note](#)
[Request for Vacation of Inrem Judgment](#)
[Treasurer's Office - Updated](#)
[Treasurer's Office](#)
[Health Dept](#)
[Dept of City Development](#)
[Dept of Neighborhood Services](#)
[Hearing Notice List](#)

7. [090648](#) Substitute resolution authorizing the return of real estate located at 2532-2534 S. 5th Pl., in the 14th Aldermanic District to its former owner. (Liz Jackman, Agent for First American Tax Service for Washington Mutual)

Sponsors: THE CHAIR

Attachments: [Fiscal Note](#)
[Request for Vacation of Inrem Judgment](#)
[Treasurer's Office - Updated](#)
[Treasurer's Office](#)
[Health Dept](#)
[Dept of City Development](#)
[Dept of Neighborhood Services](#)
[Hearing Notice List](#)

8. [090649](#) Substitute resolution authorizing the return of real estate located at 3530 N. 20th St., in the 6th Aldermanic District to its former owner. (Charles Fowlkes for the Fowlkes Estate)

Sponsors: THE CHAIR

Attachments: [Fiscal Note](#)
[Request for Vacation of Inrem Judgment](#)
[Treasurer's Office - Updated](#)
[Treasurer's Office](#)
[Health Dept](#)
[Dept of City Development](#)
[Dept of Neighborhood Services](#)
[Hearing Notice List](#)

9. [090650](#) Substitute resolution authorizing the return of real estate located at 2479 S. 11th St., in the 12th Aldermanic District to its former owner. (Antonio Mayfield)

Sponsors: THE CHAIR

Attachments: [Fiscal Note](#)
[Request for Vacation of Inrem Judgment](#)
[Treasurer's Office - Updated](#)
[Treasurer's Office](#)
[Health Dept](#)
[Dept of City Development](#)
[Dept of Neighborhood Services](#)
[Hearing Notice List](#)

2:00 P.M.

10. [090776](#) Resolution approving and authorizing the execution of a settlement agreement for delinquent real estate taxes in the matter of Old Carco LLC f/k/a Chrysler LLC. for property located at 3280 S. Clement Avenue.
Sponsors: THE CHAIR
Attachments: [Fiscal Note](#)
[Cover Letter](#)
[Hearing Notice List](#)
11. [090837](#) Resolution to authorize settlement of benefit and interest claims made by Gregory Koestering in Koestering v. City of Milwaukee.
Sponsors: THE CHAIR
Attachments: [City Attorney Letter.doc](#)
[Fiscal Note.doc](#)
[Hearing Notice List](#)
12. [090802](#) Resolution authorizing settlement of the lawsuit entitled Church Mutual Insurance Company (Northwest Lutheran School Association) v. City of Milwaukee.
Sponsors: THE CHAIR
Attachments: [City Attorney Letter](#)
[Fiscal Note](#)
[Hearing Notice List](#)
13. [081060](#) Communication from the City Attorney relative to expenditures from the Outside Counsel/Expert Witness Fund Special Purpose Account.
Sponsors: THE CHAIR

Attachments: [October 20 Report](#)
[September 9 Report](#)
[September 1 Report Re Retention of Outside Counsel](#)
[Sept 11 Report Re Retention of Outside Counsel](#)
[June 23 Report](#)
[May 15 Report](#)
[April 1 Report](#)
[Jan 29 Report](#)
[Hearing Notice List](#)

14. [090666](#) Communication from the City Attorney relating to semiannual reports as to the determination and disposition of all claims pending and closed and litigation matters closed through June 30, 2009.

Sponsors: THE CHAIR

Attachments: [Semi-Annual Claims & Litigation Reports.pdf](#)
[Claims Closed through 6-30-09](#)
[Hearing Notice List](#)

15. [090568](#) Communication from the Comptroller's Office relating to a report analyzing delinquent outstanding debt.

Sponsors: THE CHAIR

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

Items below will be heard no earlier than 2:15 P.M.:

16. [090683](#) Resolution relating to an appeal from Sabrina Childs for property damage. (9th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [City Attorney Letter](#)
[Appeal](#)
[Error regarding disallow letter](#)
[Police Report and Pictures from Claimant](#)
[Hearing Notice List](#)

---\$2,819.24

17. [090824](#) Resolution relating to an appeal from Richard Benish, Jr. for property damage. (10th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [City Attorney Letter](#)
[Appeal](#)
[Hearing Notice List](#)

---\$11,324.00

18. [090758](#) Resolution relating to an appeal from Charmond Peterson for property damage.

Sponsors: THE CHAIR

Attachments: [City Attorney Letter](#)
[Appeal](#)
[Hearing Notice List](#)

---\$1,073.93

19. [090749](#) Resolution relating to an appeal from Rachel Luttenberger for property damage.

Sponsors: THE CHAIR

Attachments: [City Attorney Letter](#)
[Appeal](#)
[Hearing Notice List](#)

---\$365.57

20. [090750](#) Resolution relating to the claim of Christopher and Karra Esenberg for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [City Attorney Letter.doc](#)
[Claim](#)
[Hearing Notice List](#)

---\$5,350.97

21. [090834](#) Resolution relating to the claim of Shirley Lloyd and Sherrel Cannon for property damage. (2nd Aldermanic District)

Sponsors: THE CHAIR

Attachments: [City Attorney Letter](#)
[Claim](#)
[Hearing Notice List](#)

---\$10,000

22. [090751](#) Resolution relating to the claim of Mount Zion Missionary Baptist Church for property damage. (6th Aldermanic District)

Sponsors: THE CHAIR

Attachments: [City Attorney Letter](#)
[Claim](#)
[Hearing Notice List](#)

---\$113,365.31

2:45 P.M.

23. [090838](#) Substitute resolution directing the Intergovernmental Relations Division-Department of Administration to pursue introduction and passage of state legislation related to enforcement of laws regulating the illegal transfer and possession of firearms, requiring reporting of lost and stolen firearms, and prohibiting felons from approaching within 1,000 feet of retail firearms establishments.

Sponsors: Ald. Donovan

Attachments: [Fiscal Note](#)
[Hearing Notice List](#)

24. [090820](#) Resolution relative to legislative bills.

Sponsors: THE CHAIR

Attachments: [Agenda 10-26-09.doc](#)
[2009 Senate Bill 174](#)
[2009 Senate Bill 144](#)
[Letter from Dan Casanova](#)
[2009 Bill - Self Insured Health Plans.pdf](#)
[Preliminary Draft](#)
[Hearing Notice List](#)

--AB-174/ Authorizing sharing of tax increments by certain environmental remediation tax incremental SB-144 districts.

--LRB-1657/2 Regulation by the office of the commissioner of insurance of self-insured health plans offered by a city, town, village, county, or school district, providing a penalty, and granting rule-making authority.

--LRB-3451/P1 The southeastern regional transit authority, the creation of interim regional transit authorities in southeast Wisconsin, and requiring the exercise of rule-making authority.

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

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

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

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.



Legislation Details (With Text)

File #: 090835 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 10/13/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Resolution authorizing settlement of the lawsuit entitled Minerva Castillo and Joaquin C. Castillo, plaintiffs, and Michael L. Leavitt, Secretary of Dept. of Health & Human Services, involuntary plaintiffs, v. City of Milwaukee, defendant.

Sponsors: THE CHAIR

Indexes: LITIGATION, SUITS PAYMENT, SUITS SETTLEMENT

Attachments: City Attorney Letter, Fiscal Note.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
090835
Version
ORIGINAL
Reference

Sponsor
THE CHAIR

Title
Resolution authorizing settlement of the lawsuit entitled *Minerva Castillo and Joaquin C. Castillo* , plaintiffs, and *Michael L. Leavitt, Secretary of Dept. of Health & Human Services* , involuntary plaintiffs, *v. City of Milwaukee*, defendant.

Analysis
This resolution authorizes the settlement of the lawsuit of *Minerva Castillo, et al. v. City of Milwaukee* , Case No. 08-CV-008444, in the amount of \$23,646.17.

Body
Whereas, The plaintiff filed a lawsuit alleging personal injury as a result of an incident occurring on April 21, 2005 in the area of South 9th Street and West Oklahoma Avenue in the City of Milwaukee; and

Whereas, This matter was tried to a jury on September 28-29, 2009; and

Whereas, The jury found the City of Milwaukee to be 90% negligent and plaintiff 10% negligent, and awarded damages to plaintiffs; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it expeditious and just to pay this verdict; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers be and are hereby authorized and directed to issue a City check in the amount of \$23,646.17, payable to the client Trust Account of Cannon & Dunphy, S.C., in full and final settlement of this claim, upon receipt of a release of claim, approved as to form and execution by the City Attorney, said amount to be charged to the Damage and Claims Fund, Account No. 006300 0001 1490 2631 S118-2009.

Requestor
City Attorney
Drafter
PAF:enm
October 7, 2009

1029-2009-2521/150679

GRANT F. LANGLEY
City Attorney

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



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

October 9, 2009

To the Honorable
Judiciary and Legislation Committee
Common Council, City of Milwaukee
Room 205 – City Hall

Re: Resolution authorizing payment of verdict in *Minerva Castillo and Joaquin C. Castillo*, plaintiffs, and *Michael L. Leavitt, Secretary of Dept. of Health & Human Services*, involuntary plaintiffs, v. *City of Milwaukee*, defendant
Case No. 08-CV-008444

Dear Committee Members:

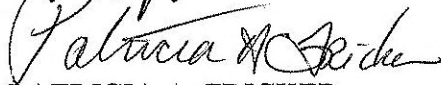
Enclosed please find a proposed resolution. We ask that this be considered by the Committee on Judiciary and Legislation with the following recommendation.

The plaintiff, Minerva Castillo, filed a lawsuit against the City of Milwaukee seeking damages as a result of an incident occurring on South 9th Street and West Oklahoma Avenue on April 21, 2005.

Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend payment of the proposed settlement amount, and have enclosed an appropriate resolution for your convenience.

Very truly yours,


GRANT F. LANGLEY
City Attorney


PATRICIA A. FRICKER
Assistant City Attorney

GFL:PAF:enm
Enclosure
1029-2009-2521/150680

CITY OF MILWAUKEE FISCAL NOTE

A) DATE: October 7, 2009

FILE NUMBER: 090835

X ORIGINAL FISCAL NOTE _____ SUBSTITUTE

SUBJECT: Resolution authorizing settlement of lawsuit entitled Minerva Castillo, et al. v. City of Milwaukee, Milwaukee County Circuit Court Case No. 08-CV-008444

B) SUBMITTED BY name/title/dept./ext.): Patricia A. Fricker, Assistant City Attorney; City Attorney; Ext. 2626

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

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

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER: Settlement of Lawsuit	Settlement of Lawsuit entitled Minerva Castillo, et al. v. City of Milwaukee,.	0001 1490 S118 006300			
TOTALS			\$23,646.17	\$	

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) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



Legislation Details (With Text)

File #: 090504 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 9/1/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution authorizing the return of real estate located at 1616-1618 S. Cesar E. Chavez Dr., in the 12th Aldermanic District to its former owner. (Maria de La Luz Hernandez)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office - Updated, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/1/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/3/2009	1	CITY CLERK	DRAFT SUBMITTED		
9/4/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/4/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/4/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/14/2009	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
9/22/2009	1	COMMON COUNCIL	REFERRED TO	Pass	14:0
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/5/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
10/19/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090504

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 1616-1618 S. Cesar E. Chavez Dr., in the 12th Aldermanic District to its former owner. (Maria de La Luz Hernandez)

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 1616-1618 S. Cesar E. Chavez Dr., previously owned by Maria de La Luz Hernandez, has delinquent taxes for 2005-2008 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 20, 2009; and

Whereas, Maria de La Luz Hernandez 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 20, 2009; and

Whereas, Maria de La Luz Hernandez 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 1616-1618 S. Cesar E. Chavez Dr., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) 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. 09CV005281 known as the 2009-01 In Rem Parcel 628, 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 forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

lme

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 8/12/09

FILE NUMBER: 090504

Original Fiscal Note Substitute

SUBJECT: Substitute resolution authorizing the return of real estate to its former owner.

B) SUBMITTED BY (Name/title/dept./ext.): Linda Elmer/Staff Assistant/City Clerk/2232

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.

(Please see enclosed reports from Departments)

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

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

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) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

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

August 14, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow 
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 4601268000-7
Address: 1616 1618 S CESAR E CHAVEZ DR
Applicant/Requester: MARIA DE LA LUZ HERNANDEZ
2009-01 Inrem File
Parcel: 628
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

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 45 days has elapsed from the date of entry of the interim 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:

460-1268-7

A. PROPERTY ADDRESS 1616 S. Cesar Chavez DR.
 TAXKEY NUMBER MA De LA LUZ
 NAME OF APPLICANT ~~Maria~~ Hernandez De Rivera
 MAILING ADDRESS 1616 S. Cesar Chavez DR.
Milwaukee, WI 53204

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).

- ① 1801 South 11 Street, Milw, WI 53204
 - ② 1648 South Cesar Chavez Dr, Milw, 53204
- (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

Maria de la Luz Hernandez

DATE

8-14-09



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

Received of:
Tax Account No.:
Property Address:

Cash \$ Check No.:

Payment Type:

- Installment Payment
- Delinquent Payment Year
- Bond Payment
- Current Collection Tax Payment
- Duplicate Bill Fee
- Other Explain

Received By:

Signature: 

Date:

Payment acknowledgement is not valid until tax payment checks have cleared all banks

CITY OF MILWAUKEE

Office of the City Treasurer - Milwaukee, Wisconsin
Administration Division

2009 AUG 17 AM 11:10

Cash Deposit of Delinquent Tax Collection

RONALD D. LEONHARDT
CITY CLERK

<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	1,370.00

Date 8/14/2009

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01
Taxkey Number: 460-1268-000 - 7
Property Address: 1616 1618 S CESAR E CHAVEZ DR
Applicant: MARIA DE LA LUZ HERNANDEZ

Parcel Number: 628
CaseNumber: 09-CV005281

Teller Validation



OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
 TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

Wayne F. Whittow
 CITY TREASURER

October 21, 2009

To: Milwaukee Common Council
 Room 205, City Hall

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

Re: 090504 Reopening and Vacating InRem Judgment
 Tax Key No.: 460-1268-000-7
 Address: 1616 1618 S CESAR E CHAVEZ DR
 Applicant/Requester: MARIA DE LA LUZ HERNANDEZ
 2009-01 in rem, Parcel: 628
 Case: 09-CV005281, Acquired: 7/20/2009

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.

TAX YEARS	IF PAID IN NOV	IF PAID IN DEC
2005-2008	\$6,563.01	\$6,563.01
Interest	\$1,130.95	\$1,195.22
Penalty	\$565.48	\$597.61
TOTAL*	\$8,259.44	\$8,355.84

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

The applicant also lists ownership interest in the following properties:

1801 S 11th St – Tax Key #461-0646-0 with delinquent 2007-2008 taxes totaling \$7,754.60. The 2007 levy is at the Kohn Law Firm for collection.

1648 S Cesar E Chavez Dr – Tax Key#460-1021-3 – City acquired 7/20/09, Parcel 627.

WFW/slk



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

Art Dahlberg
Commissioner
Thomas G. Mishefske
Operations Manager

September 1, 2009

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

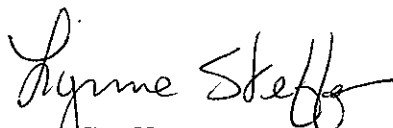
Re: File No. 090504
 Address 1616-18 S Cesar E Chavez Dr

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, provided the applicant files an updated recording application for this property.

There is a pending Recording Enforcement fee of \$300.00 for the property located at 1801 S 11th St, which is also owned by the applicant. The Department requests that this fee be paid.

Sincerely,


Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

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

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.

-----Original Message-----

From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

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

Dear Ms. Elmer:

Re: File Number 090504
1616-18 South Cesar E. Chavez Drive

The Department of City Development reports that the tax foreclosed property located at 1616-18 South Cesar E. Chavez Drive, Tax Key No. 460-1268-000-7, 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 commercial structure is occupied; rent has not been collected. 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



Legislation Details (With Text)

File #: 090507 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 9/1/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution authorizing the return of real estate located at 3015 N. 12th St., in the 6th Aldermanic District to its former owner. (Wacheyne Evans)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Fiscal Note, Application for Vacation of Inrem Judgment, Treasurer's Office - Updated, Treasurer's Office, Dept of Neighborhood Services, Health Dept, Dept of City Development, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/1/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/3/2009	1	CITY CLERK	DRAFT SUBMITTED		
9/4/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/4/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/4/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/14/2009	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	3:0
9/22/2009	1	COMMON COUNCIL	REFERRED TO	Pass	14:0
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/5/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:1
10/19/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090507

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 3015 N. 12th St., in the 6th Aldermanic District to its former owner. (Wacheyne Evans)

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 3015 N. 12th St., previously owned by Wacheyne Evans, has delinquent taxes for 2006-2008 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 20, 2009; and

Whereas, Wacheyne Evans 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 20, 2009; and

Whereas, Wacheyne Evans 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 3015 N. 12th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) 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. 09CV005281 known as the 2009-01 In Rem Parcel 376, 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 forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

lme

9/2/09

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/1/09

FILE NUMBER: 090507

Original Fiscal Note Substitute

SUBJECT: Substitute resolution authorizing the return of real estate to its former owner.

B) SUBMITTED BY (Name/title/dept./ext.): Linda Elmer/Staff Assistant/City Clerk/2232

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.

(Please see enclosed reports from Departments)

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

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

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) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

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

August 17, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: Wayne F. Whittow *WFW*
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 312-3318-000-1
Address: 3015 N 12TH ST
Applicant/Requester: WACHEYNE EVANS
2009-01 Inrem File
Parcel: 376
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

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 45 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 3015 North 12th Street
 TAXKEY NUMBER 312-3318-1
 NAME OF APPLICANT Wachyne Evans Cell # 2
 MAILING ADDRESS 3015 No. 12th St. #414/544-1109
Milwaukee, WI 53206 #414/460-3029 cell
 CITY STATE ZIP CODE TELEPHONE NUMBER (1)

B. FORMER OWNER YES NO

If no, describe interest in this property N/A.

MILWAUKEE CITY TREASURER RECEIVED OFFICE 2009 AUG 17 PM 2:12

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).

916 West Clark Street, Milw, WI. 53206

(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 X [Signature] DATE X 8/17/09



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

Received of: WACHEYNE EVANS
Tax Account No.: 312-3318-1
Property Address: 3015 N 12TH STREET, MILWAUKEE, WI 53206

CASH Amount \$ Check No.: 1370.00

Payment Type:

- Installment Payment
- Delinquent Payment : Year
- Bond Payment
- Current Collection Tax Payment
- Duplicate Bill Fee
- Other Explain VACATION OF JUDGMENT

Received By: CHARLOTTE A. SERAZIO

Signature: *Charlotte A. Serazio*

Date: AUGUST 17, 2009

Payment acknowledgement is not valid until tax payment checks have cleared all banks

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

CITY OF MILWAUKEE
2009 AUG 19 AM 11: 28

RONALD D. LEONHARDT
CITY CLERK

<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	1,370.00

Date 8/17/2009

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01
Taxkey Number: 312-3318-000 - 1
Property Address: 3015 3015 N 12TH ST
Applicant: WACHEYNE EVANS

Parcel Number: 376
CaseNumber: 09-CV005281

Teller Validation



OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
 TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

Wayne F. Whittow
 CITY TREASURER

October 16, 2009

To: Milwaukee Common Council
 Room 205, City Hall

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

Re: 090507 Reopening and Vacating InRem Judgment
 Tax Key No.: 312-3318-000-1
 Address: 3015 N 12TH ST
 Applicant/Requester: WACHEYNE EVANS
 2009-01 in rem, Parcel: 376
 Case: 09-CV005281, Acquired: 7/20/2009

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.

TAX YEARS	IF PAID IN NOV	IF PAID IN DEC
2006-2008	\$3,243.52	\$3,243.52
Interest	\$646.02	\$678.45
Penalty	\$323.01	\$339.22
TOTAL*	\$4,212.55	\$4,261.19

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

The applicant also lists ownership interest in the following property:

916 W Clarke St – Tax Key #323-0018-X with taxes paid in full.

WFW/slk



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

Art Dahlberg
Commissioner
Thomas G. Mishefske
Operations Manager

September 1, 2009

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

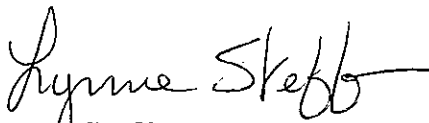
Re: File No. 090507
 Address 3015 N 12th St

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, provided the applicant files a property recording application.

There is a pending Reinspection fee of \$50.00 for the property located at 916 W Clarke St, which is also owned by the applicant. The Department requests that this fee be paid.

Sincerely,


Lynne Steffen
Business Operations Manager

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

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

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-----Original Message-----

From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

September 11, 2009

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

Dear Ms. Elmer:

Re: File Number 090507
3015 North 12th Street

The Department of City Development reports that the tax foreclosed property located at 3015 North 12th Street, Tax Key No. 312-3318-000-1, 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; rent has not been collected. 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



Legislation Details (With Text)

File #: 090632 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 9/22/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution authorizing the return of real estate located at 2619 S. 66th St, in the 11th Aldermanic District to its former owner. (US Bank)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Fiscal Note, Request for Vacation of Inrem Judgment, 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
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/5/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
10/19/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090632

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 2619 S. 66th St, in the 11th Aldermanic District to its former owner. (US Bank)

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 2619 S. 66th St, previously owned by US Bank, has delinquent taxes for 2006 -2008 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 20, 2009; and

Whereas, US Bank 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 20, 2009; and

Whereas, US Bank 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 2619 S. 66th St, a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) 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. 09CV005281 known as the 2009-01 In Rem Parcel 670, 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 forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

lme

9/2/09

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/9/09

FILE NUMBER: 090632

Original Fiscal Note Substitute

SUBJECT: Substitute resolution authorizing the return of real estate to its former owner.

B) SUBMITTED BY (Name/title/dept./ext.): Linda Elmer/Staff Assistant/City Clerk/2232

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.

(Please see enclosed reports from Departments)

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

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

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) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

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 2, 2009

To: Milwaukee Common Council
City Hall, Room 205

From:  Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 490-1173-000-X
Address: 2619 S 66TH ST
Applicant/Requester: US BANK NA
2009-01 Inrem File
Parcel: 670
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

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 45 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. *Milwaukee*
4. Administrative costs totaling \$1370 must be paid by Cashiers Check 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 2619 S. 66th Street, Milwaukee, WI 53219

TAX KEY NUMBER 490-1173-X

NAME OF APPLICANT U.S. Bank, N.A.

MAILING ADDRESS 200 South 6th Street Mail Code: EP-MN-L22F

<u>Minneapolis</u>	<u>MN</u>	<u>55402-1403</u>	<u>612-973-0761</u>
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).

(Use reverse side, if additional space is needed.)

<p>D. HAVE MONIES FOR ADMINISTRATIVE COSTS BEEN DEPOSITED WITH THE CITY TREASURER'S OFFICE: (Documentation must be attached)</p> <p style="text-align: center;">*Attached to request.</p> <p>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></p>	<p>E. DEPT OF NEIGHBORHOOD SERVICES FILING:</p> <p>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?</p> <p>YES _____ NO <input checked="" type="checkbox"/> N/A</p>
--	--

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 Megan C. Dahlin DATE 9/1/09
 Megan C. Dahlin, REO Representative
 U.S. Bank

I:\COMMONTAXENFOR\VACATE.APP

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	1,370.00

Date 9/2/2009

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01
Taxkey Number: 490-1173-000 - X
Property Address: 2619 2619 S 66TH ST
Applicant: US BANK NA

Parcel Number: 670
CaseNumber: 09-CV005281

Teller Validation

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 09/02/09 Receipt # 00677204
Teller ID: mgutierrez210001

Payment Tendered: 9/2/2009 12:02 PM
1910 Delinquent Tax Cost Recovery
Document No. 490-1173-X
Transaction Total: \$1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: \$220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: \$450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: \$200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: \$500.00

CK 10265035 \$1,370.00

WAYNE F. WHITTOW
City Treasurer

**** DUPLICATE ****



OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
 TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

Wayne F. Whittow
 CITY TREASURER

October 16, 2009

To: Milwaukee Common Council
 Room 205, City Hall

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

Re: 090632 Reopening and Vacating InRem Judgment
 Tax Key No.: 490-1173-000-X
 Address: 2619 S 66TH ST
 Applicant/Requester: US BANK NA
 2009-01 in rem, Parcel: 670
 Case: 09-CV005281, Acquired: 7/20/2009

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.

TAX YEARS	IF PAID IN NOV	IF PAID IN DEC
2006-2008	\$11,159.15	\$11,159.15
Interest	\$2,161.93	\$2,272.16
Penalty	\$1,080.96	\$1,136.08
TOTAL*	\$14,402.04	\$14,567.39

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

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

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.

-----Original Message-----

From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.



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 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090632
2619 South 66th Street

The Department of City Development reports that the tax foreclosed property located at 2619 South 66th Street, Tax Key No. 490-1173-000-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 vacant and no rent has been collected. 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

September 21, 2009

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

Re: File No. 090632
 Address 2619 S 66th 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, provided the applicant files a property recording application.

Sincerely,

Lynne Steffen
Business Operations Manager

NOTICES SENT TO FOR FILE 090632:

NAME	ADDRESS	DATE NOTICE SENT		
Mary Smith	Health	9/29/09	10/20/09	
Rosemary Binder	Health	x	10/19/09	
Lynne Steffen	DNS	x	x	
Karen Taylor	DCD	x	x	
Kerry Urban	Treasurer's Office	x	x	
Megan Dahlin	U.S. Bank NA 200 S. 6 th St., Mail Code: EP-MN-L22F Minneapolis, MN 55402-1403	x	x	
Ald. Dudzik		x	x	



Legislation Details (With Text)

File #: 090633 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 9/22/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution authorizing the return of real estate located at 5557-5557A N. 40th St., in the 1st Aldermanic District to its former owner. (Todd Michael Beale)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Fiscal Note, Request for Vacation of Inrem Judgment, Treasurer's Office - Final, Treasurer's Office - Updated, Treasurer's Office, Health Dept, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090633

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 5557-5557A N. 40th St., in the 1st Aldermanic District to its former owner. (Todd Michael Beale)

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 5557-5557A N. 40th St., previously owned by Todd Michael Beale, has delinquent taxes for 2003-2008 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 20, 2009; and

Whereas, Todd Michael Beale 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 20, 2009; and

Whereas, Todd Michael Beale 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 5557-5557A N. 40th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) 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. 09CV005281 known as the 2009-01 In Rem Parcel 68, 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 forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

lme

9/2/09

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/9/09

FILE NUMBER: 090633

Original Fiscal Note Substitute

SUBJECT: Substitute resolution authorizing the return of real estate to its former owner.

B) SUBMITTED BY (Name/title/dept./ext.): Linda Elmer/Staff Assistant/City Clerk/2232

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.

(Please see enclosed reports from Departments)

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

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

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) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

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 2, 2009

To: Milwaukee Common Council
City Hall, Room 205

From:  Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 192-1248-000-5
Address: 5557 5557 -A N 40TH ST
Applicant/Requester: TODD MICHAEL BEALE
2009-01 Inrem File
Parcel: 68
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

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 45 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 5557 N 40 Street milw WI 53209
TAXKEY NUMBER 192-1248-000-5
NAME OF APPLICANT TOON M. BEALE
MAILING ADDRESS P.O. BOX 371248 Milwaukee WI 53237-1248
Milwaukee WI 53237-1248 414-535-2571
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).

9419 W Capital St Milwaukee WI 53222-1536

(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
9/2/09

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 Toon M. Beale DATE Sept 1 - 2009



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

Received of:

TODD MICHAEL BEALE

Tax Account No.:

192-1248-000-5

Property Address:

5557 N 40TH ST, MILWAUKEE

Check Amount \$

1370.00

Check No.:

CASH

Payment Type:

Installment Payment

Delinquent Payment

Year

Bond Payment

Current Collection Tax Payment

Duplicate Bill Fee

Other

Explain

VAC OF JDMT IN REM

Received By:

TERRY WAIT

Signature:

Date:

9/2/09

Payment acknowledgement is not valid until tax payment checks have cleared all banks

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	1,370.00

Date 9/2/2009

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01
Taxkey Number: 192-1248-000 - 5
Property Address: 5557 5557 -A N 40TH ST
Applicant: TODD MICHAEL BEALE

Parcel Number: 68
CaseNumber: 09-CV005281

Teller Validation

Batch Date: 09/02/09 Receipt # 00577157
Teller ID: mgutie2210001

Payment Tendered: 9/2/2009 11:10 AM
1910 Delinquent Tax Cost Recovery
Document No. 192-1448-5
Transaction Total: \$1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: \$220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: \$450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: \$200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: \$500.00

CA \$1,400.00
CA (\$30.00)

WAYNE F. WHITTOW
City Treasurer

***** DUPLICATE *****

**** DUPLICATE ****
City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103



OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
 TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

Wayne F. Whittow
 CITY TREASURER

September 28, 2009

To: Milwaukee Common Council
 Room 205, City Hall

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

Re: 090633 Reopening and Vacating InRem Judgment
 Tax Key No.: 192-1248-000-5
 Address: 5557 5557 -A N 40TH ST
 Applicant/Requester: TODD MICHAEL BEALE
 2009-01 in rem, Parcel: 68
 Case: 09-CV005281, Acquired: 7/20/2009

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.

TAX YEARS	IF PAID IN NOV	IF PAID IN DEC
2003-2008	\$11,299.83	\$11,299.83
Interest	\$4370.48	\$4,482.14
Penalty	\$2,185.23	\$2,241.07
TOTAL*	\$17,855.54	\$18,023.04

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

The applicant also lists ownership interest in the following property:
9417 W Capitol Dr, Tax Key #261-0415-3 with taxes paid in full.

WFW/slk

I do not have anything for any of these addresses nor any of the other ones that you have sent in the past. In the future I will send you an e-mail back letting you know if the lead program has any outstanding items for each address. That way you will have something to add to your file. Thanks and keep up the enthusiasm for these. Such a refreshing perspective (he he he..)

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

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.

-----Original Message-----

From: Elmer, Linda
Sent: Wednesday, September 09, 2009 2:11 PM
To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry
Subject: These are NOT on the upcoming JL agenda --

but I figured I'd pass them along as I can access them in the system. They'll be on the Oct. 5 JL agenda.

NOTICES SENT TO FOR FILE 090633:

NAME	ADDRESS	DATE NOTICE SENT		
Mary Smith	Health	10/19/09		
Rosemary Binder	Health	x		
Lynne Steffen	DNS	x		
Karen Taylor	DCD	x		
Kerry Urban	Treasurer's Office	x		
Todd Beale	PO Box 371248	x		
	Milwaukee, WI 53237-1248			



Legislation Details (With Text)

File #: 090646 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 9/22/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution authorizing the return of real estate located at 4830 N. 39th St., in the 1st Aldermanic District to its former owner. (Gary Michels)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Fiscal Note, Request for Vacation of Inrem Judgment, 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
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/5/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
10/19/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090646

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 4830 N. 39th St., in the 1st Aldermanic District to its former owner. (Gary Michels)

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 4830 N. 39th St., previously owned by Gary Michels, has delinquent taxes for 2006-2008 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 20, 2009; and

Whereas, Gary Michels 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 20, 2009; and

Whereas, Gary Michels 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 4830 N. 39th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) 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. 09CV005281 known as the 2009-01 In Rem Parcel 77, 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 forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

lme

9/2/09

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/15/09

FILE NUMBER: 090646

Original Fiscal Note Substitute

SUBJECT: Substitute resolution authorizing the return of real estate to its former owner.

B) SUBMITTED BY (Name/title/dept./ext.): Linda Elmer/Staff Assistant/City Clerk/2232

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.

(Please see enclosed reports from Departments)

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

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

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) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

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 3, 2009

To: Milwaukee Common Council
City Hall, Room 205

From:  Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 208-0610-000-6
Address: 4830 N 39TH ST
Applicant/Requester: GARY A MICHELS
2009-01 Inrem File
Parcel: 77
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

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 45 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 4830 N. 39th STREET
TAXKEY NUMBER 208 - 0610 - 000 - 6
NAME OF APPLICANT GARY A. MICHELS
MAILING ADDRESS 151 W. MT ROYAL
GLENDALE WI 53217 414 351 4611
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

Gary A. Michels

DATE

9-2-09

MILWAUKEE CITY TREASURER
RECEIVED OFFICE
009 SEP -3 AM 9:56



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

Received of: GARY MICHELS
Tax Account No.: 208-0610-000-6
Property Address: 4830 N 39TH STREET
Check Amount \$ 1370 Check No.: 20003232

Payment Type:

- Installment Payment
- Delinquent Payment Year 2008
- Bond Payment
- Current Collection Tax Payment
- Duplicate Bill Fee
- Other Explain VACATION OF JUDGMENT

Received By: JACKIE CARTER

Signature: 

Date: 9/3/09

Payment acknowledgement is not valid until tax payment checks have cleared all banks

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	1,370.00

Date 9/3/2009

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01
Taxkey Number: 208-0610-000 - 6
Property Address: 4830 4830 N 39TH ST
Applicant: GARY A MICHELS

Parcel Number: 77
CaseNumber: 09-CV005281

Teller Validation

*** DUPLICATE ***

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 09/03/09 Receipt # 00678029
Teller ID: mgutie2210001
Payment Tendered: 9/3/2009 9:48 AM
1910 Delinquent Tax Cost Recovery
Document No. 208-0610-6
Transaction Total: \$1,370.00

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: \$220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: \$450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: \$200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: \$500.00

CK 20003232 \$1,370.00

WAYNE F. WHITTOW
City Treasurer

*** DUPLICATE ***



OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
 TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

Wayne F. Whittow
 CITY TREASURER

October 16, 2009

To: Milwaukee Common Council
 Room 205, City Hall

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

Re: 090646 Reopening and Vacating InRem Judgment
 Tax Key No.: 208-0610-000-6
 Address: 4830 N 39TH ST
 Applicant/Requester: GARY A MICHELS
 2009-01 in rem, Parcel: 77
 Case: 09-CV005281, Acquired: 7/20/2009

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.

TAX YEARS	IF PAID IN NOV	IF PAID IN DEC
2006-2008	\$7,070.67	\$7,070.67
Interest	\$1,431.66	\$1,501.01
Penalty	\$715.83	\$750.51
TOTAL*	\$9,218.16	\$9,322.19

The Assessor's office also lists ownership interest in the following property:
937 N 17th St – Tax Key #363-2557-2 with delinquent 2008 taxes of \$1,953.38.

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk

From: Binder, Rosemary

Sent: Monday, September 21, 2009 9:27 AM

To: Elmer, Linda

Subject: RE: The new in-rem files that just came in - good luck!

Just so that you have something to put in your file you can print this out to show that our program (lead program) has nothing open on any of these addresses. Thanks

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

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 15, 2009 10:59 AM

To: Binder, Rosemary; Smith, Mary; Steffen, Lynne; Taylor, Karen; Urban, Kerry

Subject: The new in-rem files that just came in - good luck!



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 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090646
4830 North 39th Street

The Department of City Development reports that the tax foreclosed property located at 4830 North 39th Street, Tax Key No. 208-0610-000-6, 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; \$995.00 rent has been collected. Administrative costs incurred by our Department total \$465.00.

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

September 21, 2009

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

Re: File No. 090646
 Address 4830 N 39th 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 \$25.00 in pending Litter Nuisance Abatement fees and files a property recording application.

Sincerely,

Lynne Steffen
Business Operations Manager



Legislation Details (With Text)

File #: 090648 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 9/22/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution authorizing the return of real estate located at 2532-2534 S. 5th Pl., in the 14th Aldermanic District to its former owner. (Liz Jackman, Agent for First American Tax Service for Washington Mutual)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Fiscal Note, Request for Vacation of Inrem Judgment, 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
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/5/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
10/19/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090648

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 2532-2534 S. 5th Pl., in the 14th Aldermanic District to its former owner. (Liz Jackman, Agent for First American Tax Service for Washington Mutual)

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 2532-2534 S. 5th Pl., previously owned by Liz Jackman, Agent for First American Tax Service for Washington Mutual, has delinquent taxes for 2006-2008 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 20, 2009; and

Whereas, Liz Jackman, Agent for First American Tax Service for Washington Mutual 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 20, 2009; and

Whereas, Liz Jackman, Agent for First American Tax Service for Washington Mutual 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 2532-2534 S. 5th Pl., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) 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. 09CV005281 known as the 2009-01 In Rem Parcel 683, 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 forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

lme

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/15/09

FILE NUMBER: 090648

Original Fiscal Note Substitute

SUBJECT: Substitute resolution authorizing the return of real estate to its former owner .

B) SUBMITTED BY (Name/title/dept./ext.): Linda Elmer/Staff Assistant/City Clerk/2232

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.

(Please see enclosed reports from Departments)

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

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

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) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

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 3, 2009

To: Milwaukee Common Council
City Hall, Room 205

From:  Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 498-1526-000-6
Address: 2532 2534 S 5TH PL
Applicant/Requester: FIRST AMERICAN TAX SERV FOR
WASHINGTON MUTUAL
2009-01 Inrem File
Parcel: 683
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

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 45 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 2532-2534 S 5th PL
 TAXKEY NUMBER 49815260006
 NAME OF APPLICANT LIZ JACKMAN-REP FIRST AMERICAN TAX SERVICE FOR WASHINGTON MUTUAL
 MAILING ADDRESS 6053 S. FASHION SQ DR SUITE 200
MURRAY UT 84107 801-284-4618
 CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES _____ NO

If no, describe interest in this property FA. PAYS TAXES ON BEHALF OF WAMU, THE WRONG TAX ID WAS BEING PAID ON FOR LAST YEAR

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)

MILWAUKEE CITY TREASURER RECEIVED ON 2009 SEP -3 AM 11:2

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 Liz Jackman DATE 9-1-09

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	1,370.00

Date 9/3/2009

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01
Taxkey Number: 498-1526-000 - 6
Property Address: 2532 2534 S 5TH PL
Applicant: FIRST AMERICAN TAX SERV FOR WASHINGTON MUTUAL

Parcel Number: 683
CaseNumber: 09-CV005281

Teller Validation

**** DUPLICATE ****
City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 09/03/09 Receipt # 00678282
Teller ID: mgurie2210001
Payment Tendered: 9/3/2009 11:55 AM
1910 Delinquent Tax Cost Recovery
Document No. 498-1526-6
Transaction Total: \$1,370.00
1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: \$220.00
1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: \$450.00
1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: \$200.00
1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: \$500.00

CK 32424954 \$1,370.00
WAYNE F. WHITTOW
City Treasurer
**** DUPLICATE ****



OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
 TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

Wayne F. Whittow
 CITY TREASURER

October 16, 2009

To: Milwaukee Common Council
 Room 205, City Hall

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

Re: 090648 Reopening and Vacating InRem Judgment
 Tax Key No.: 498-1526-000-6
 Address: 2532 2534 S 5TH PL
 Applicant/Requester: FIRST AMERICAN TAX SERV FOR WASHINGTON
 MUTUAL
 2009-01 in rem, Parcel: 683
 Case: 09-CV005281, Acquired: 7/20/2009

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.

TAX YEARS	IF PAID IN NOV	IF PAID IN DEC
2006-2008	\$5,838.67	\$5,838.67
Interest	\$1,050.34	\$1,107.38
Penalty	\$525.17	\$553.69
TOTAL*	\$7,414.18	\$7,499.74

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk



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 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090648
2532-34 South 5th Place

The Department of City Development reports that the tax foreclosed property located at 2532-34 South 5th Place, Tax Key No. 498-1526-000-6, 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; \$650.00 rent has been collected. 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

September 21, 2009

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

Re: File No. 090648
 Address 2532 S 5th Pl

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, provided the applicant files a property recording application.

Sincerely,

Lynne Steffen
Business Operations Manager



Legislation Details (With Text)

File #: 090649 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 9/22/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution authorizing the return of real estate located at 3530 N. 20th St., in the 6th Aldermanic District to its former owner. (Charles Fowlkes for the Fowlkes Estate)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Fiscal Note, Request for Vacation of Inrem Judgment, 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
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/5/2009	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
10/13/2009	1	COMMON COUNCIL	REFERRED TO	Pass	15:0
10/19/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090649

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 3530 N. 20th St., in the 6th Aldermanic District to its former owner. (Charles Fowlkes for the Fowlkes Estate)

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 3530 N. 20th St., previously owned by Charles Fowlkes for the Fowlkes Estate, has delinquent taxes for 2006-2008 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 20, 2009; and

Whereas, Charles Fowlkes for the Fowlkes Estate 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 20, 2009; and

Whereas, Charles Fowlkes for the Fowlkes Estate 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 3530 N. 20th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) 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. 09CV005281 known as the 2009-01 In Rem Parcel 178, 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 forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

lme

9/2/09

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/15/09

FILE NUMBER: 090649

Original Fiscal Note Substitute

SUBJECT: Substitute resolution authorizing the return of real estate to its former owner .

B) SUBMITTED BY (Name/title/dept./ext.): Linda Elmer/Staff Assistant/City Clerk/2232

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.

(Please see enclosed reports from Departments)

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

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

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) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

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 3, 2009

To: Milwaukee Common Council
City Hall, Room 205

From:  Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 271-1041-100-1
Address: 3530 3530 N 20TH ST
Applicant/Requester: CHARLES E. FOWLKES, REP OF
FOWLKES ESTATE
2009-01 Inrem File
Parcel: 178
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

WFW/slk

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 45 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 3530 n 20th Street
 TAXKEY NUMBER 271-1041-100-1
 NAME OF APPLICANT Charles E Fowlkes Rep of Fowlkes Estate
 MAILING ADDRESS 3884 n 85th Street
Milw WI 53222
 CITY STATE ZIP CODE TELEPHONE NUMBER

B. FORMER OWNER YES NO
 If no, describe interest in this property Parent decedent

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)

MILWAUKEE CITY TREASURER RECEIVED ON 2009 SEP -3 PM 12:59

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 Charles E Fowlkes DATE 9-3-2009



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

Received of: CHARLES FOWLKES
Tax Account No.: 271-1041-100-1
Property Address: 3530 N 20TH ST
Check Amount \$ 1370 Check No.: 1566980

Payment Type:

- Installment Payment
- Delinquent Payment Year
- Bond Payment
- Current Collection Tax Payment
- Duplicate Bill Fee
- Other Explain VAC OF JUDGMENT

Received By: S JACKSON

Signature: 

Date: 9-3-09

Payment acknowledgement is not valid until tax payment checks have cleared all banks

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	1,370.00

Date 9/3/2009

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01
 Taxkey Number: 271-1041-100 - 1
 Property Address: 3530 3530 N 20TH ST
 Applicant: CHARLES E FOWLKES, REP OF FOWLKES EST

Parcel Number: 178
 CaseNumber: 09-CV005281

Teller Validation

**** DUPLICATE ****

City of Milwaukee
PAYMENT RECEIPT
 Office of the City Treasurer
 City Hall, Room 103

Batch Date: 09/04/09 Receipt # 00678498
 Teller ID: ljones2210002

Payment Tendered: 9/3/2009 1:55 PM
 1910 Delinquent Tax Cost Recovery
 Document No.
 Transaction Total: \$1,370.00

1911 City Treasurer-Cost Recovery
 987016 0001 2210 1840
 Allocation Total: \$220.00

1912 DCD-Cost Recovery
 987016 0001 1911 1840
 Allocation Total: \$450.00

1913 City Clerk-Cost Recovery
 987016 0001 1310 1840
 Allocation Total: \$200.00

1914 City Attorney-Cost Recovery
 987016 0001 1490 1840
 Allocation Total: \$500.00

CK 1566980 \$1,370.00

WAYNE F. WHITTOW
 City Treasurer

**** DUPLICATE ****



OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
 TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

Wayne F. Whittow
 CITY TREASURER

October 16, 2009

To: Milwaukee Common Council
 Room 205, City Hall

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

Re: 090649 Reopening and Vacating InRem Judgment
 Tax Key No.: 271-1041-100-1
 Address: 3530 N 20TH ST
 Applicant/Requester: CHARLES E FOWLKES REP OF FOWLKES ESTATE
 2009-01 in rem, Parcel: 178
 Case: 09-CV005281, Acquired: 7/20/2009

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.

TAX YEARS	IF PAID IN NOV	IF PAID IN DEC
2006-2008	\$11,582.85	\$11,582.85
Interest	\$2,093.94	\$2,208.42
Penalty	\$1,046.97	\$1,104.21
TOTAL*	\$14,723.76	\$14,895.48

The Assessor's office also lists ownership interest in the following property:

3522-3524 N 20th St – Tax Key #271-2715-7 with delinquent 2006-2008 taxes totaling \$273.61.

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk



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 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090649
3530 North 20th Street

The Department of City Development reports that the tax foreclosed property located at 3530 North 20th Street, Tax Key No. 271-1041-100-1, 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; \$250.00 rent has been collected. Administrative costs incurred by our Department total \$565.00.

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

September 21, 2009

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

Re: File No. 090649
 Address 3530 N 20th 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 \$3,300.00 in pending Reinspection fees and files a property recording application. Also, the department requests that the applicant work cooperatively with our inspector to correct the outstanding code violations.

Sincerely,

Lynne Steffen
Business Operations Manager



Legislation Details (With Text)

File #: 090650 **Version:** 1
Type: Resolution **Status:** In Committee
File created: 9/22/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Substitute resolution authorizing the return of real estate located at 2479 S. 11th St., in the 12th Aldermanic District to its former owner. (Antonio Mayfield)

Sponsors: THE CHAIR

Indexes: IN REM JUDGMENTS

Attachments: Fiscal Note, Request for Vacation of Inrem Judgment, 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
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/5/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
10/19/2009	1	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090650

Version

SUBSTITUTE 1

Sponsor

THE CHAIR

Title

Substitute resolution authorizing the return of real estate located at 2479 S. 11th St., in the 12th Aldermanic District to its former owner. (Antonio Mayfield)

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 2479 S. 11th St., previously owned by Antonio Mayfield, has delinquent taxes for 2006-2008 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 20, 2009; and

Whereas, Antonio Mayfield 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 20, 2009; and

Whereas, Antonio Mayfield 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 2479 S. 11th St., a cashier's check must be submitted in the amount indicated by the City Treasurer within forty-five (45) 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. 09CV005281 known as the 2009-01 In Rem Parcel 678, 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 forty-five (45) calendar days of the adoption of this resolution, this process becomes null and void.

Drafter

CC CC

lme

9/2/09

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 9/15/09

FILE NUMBER: 090650

Original Fiscal Note Substitute

SUBJECT: Substitute resolution authorizing the return of real estate to its former owner.

B) SUBMITTED BY (Name/title/dept./ext.): Linda Elmer/Staff Assistant/City Clerk/2232

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.

(Please see enclosed reports from Departments)

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

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

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) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

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 3, 2009

To: Milwaukee Common Council
City Hall, Room 205

From: *Jim Hanna*
Wayne F. Whittow
City Treasurer

Re: Request for Vacation of Inrem Judgment
Tax Key No.: 497-0076-000-5
Address: 2479 2479 S 11TH ST
Applicant/Requester: ANTONIO MAYFIELD
2009-01 Inrem File
Parcel: 678
Case: 09-CV005281

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

The City of Milwaukee acquired this property on 7/20/2009.

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 45 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 2479 S. 114th St.
 TAXKEY NUMBER 497-0076-5
 NAME OF APPLICANT ANTONIO MAXFIELD
 MAILING ADDRESS P O Box 16831 MIL WI 53216
 CITY STATE ZIP CODE TELEPHONE NUMBER
414-795-7169

MILWAUKEE CITY TREASURER RECEIVED IN 2009 SEP - 3 PM 4:09

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. 200-51.1

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.

X APPLICANT'S SIGNATURE Tony Maxfield DATE 9-3-09



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

Received of: ANTONIO MAYFIELD

Tax Account No.: 497-0076-5

Property Address: 2479 SOUTH 11TH STREET

Check Amount \$ 1370.00

Check No.: 0130804888

Payment Type:

- Installment Payment
- Delinquent Payment Year _____
- Bond Payment
- Current Collection Tax Payment
- Duplicate Bill Fee
- Other Explain _____

Received By: Kim Uhen-McCarthy

Signature: _____

Date: 9-3-09

Payment acknowledgement is not valid until tax payment checks have cleared all banks

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	1,370.00

Date 9/3/2009

Comments for Treasurer's Use Only

Administrative Costs - Request for Vacation of Judgment

File Number: 2009 - 01
Taxkey Number: 497-0076-000 - 5
Property Address: 2479 2479 S 11TH ST
Applicant: ANTONIO MAYFIELD

Parcel Number: 678
CaseNumber: 09-CV005281

Teller Validation

1911 City Treasurer-Cost Recovery
987016 0001 2210 1840
Allocation Total: \$220.00

1912 DCD-Cost Recovery
987016 0001 1911 1840
Allocation Total: \$450.00

1913 City Clerk-Cost Recovery
987016 0001 1310 1840
Allocation Total: \$200.00

1914 City Attorney-Cost Recovery
987016 0001 1490 1840
Allocation Total: \$500.00

OK 13080488 \$1,370.00

WAYNE F. WHITTOW
City Treasurer

***** DUPLICATE *****

City of Milwaukee
PAYMENT RECEIPT
Office of the City Treasurer
City Hall, Room 103

Batch Date: 09/04/09 Receipt # 00678812
Teller ID: mgutie2210001

Payment Tendered: 9/3/2009 4:10 PM
1910 Delinquent Tax Cost Recovery
Document No. 497-0076-5
Transaction Total: \$1,370.00

***** DUPLICATE *****



OFFICE OF THE CITY TREASURER

CITY HALL - ROOM 103 • 200 EAST WELLS STREET • MILWAUKEE, WISCONSIN 53202
 TELEPHONE: (414) 286-2240 • FAX: (414) 286-3186 • TTY: (414) 286-2025

Wayne F. Whittow
 CITY TREASURER

October 16, 2009

To: Milwaukee Common Council
 Room 205, City Hall

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

Re: 090650 Reopening and Vacating InRem Judgment
 Tax Key No.: 497-0076-000-5
 Address: 2479 2479 S 11TH ST
 Applicant/Requester: ANTONIO MAYFIELD
 2009-01 in rem, Parcel: 678
 Case: 09-CV005281, Acquired: 7/20/2009

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.

TAX YEARS	IF PAID IN NOV	IF PAID IN DEC
2006-2008	\$6,358.47	\$6,358.47
Interest	\$1,317.62	\$1,379.84
Penalty	\$658.81	\$689.92
TOTAL*	\$8,334.90	\$8,428.23

*The above figures may change prior to payment due to possible additional costs and/or rental reimbursement.

WFW/slk



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 28, 2009

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

Dear Ms. Elmer:

Re: File Number 090650
2479 South 11th Street

The Department of City Development reports that the tax foreclosed property located at 2479 South 11th Street, Tax Key No. 497-0076-000-5, 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; no rent has been collected. 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

September 21, 2009

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

Re: File No. 090650
 Address 2479 S 11th 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 \$276.38 in pending Litter Nuisance Abatement charges and files a property recording application.

Sincerely,

Lynne Steffen
Business Operations Manager



Legislation Details (With Text)

File #: 090776 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 10/13/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Resolution approving and authorizing the execution of a settlement agreement for delinquent real estate taxes in the matter of Old Carco LLC f/k/a Chrysler LLC. for property located at 3280 S. Clement Avenue.

Sponsors: THE CHAIR

Indexes: AGREEMENTS, SUITS PAYMENT, SUITS SETTLEMENT, TAX CANCELLATIONS

Attachments: Fiscal Note, Cover Letter, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
090776
Version
ORIGINAL

Reference

Sponsor
THE CHAIR

Title

Resolution approving and authorizing the execution of a settlement agreement for delinquent real estate taxes in the matter of Old Carco LLC f/k/a Chrysler LLC. for property located at 3280 S. Clement Avenue.

Analysis

Resolution approving and authorizing the execution of a settlement agreement for delinquent real estate taxes in the matter of Old Carco LLC f/k/a Chrysler LLC. for property located at 3280 S. Clement Avenue.

Body

Whereas, Old Carco LLL f/k/a Chrysler filed for Chapter 11 Bankruptcy in April 30, 2009; and

Whereas, The City submitted a claim for real estate taxes for tax levy year 2008; and

Whereas, Chrysler has offered the City \$85,000 as a settlement for the real estate taxes for 2008; and

Whereas, This amount represents the principal due and excludes the majority of interest and penalties; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the settlement agreement regarding Chrysler be executed for \$85,000 with the remaining accrued delinquent interest, penalties, fees, and costs for levy years 2008 are hereby cancelled.

Requestor

City Attorney

Drafter
MC:mtc 142242
October 6, 2009
1060-2005-1262/150594

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 10/05/2009

FILE NUMBER: _____
 Original Fiscal Note Substitute

SUBJECT: Resolution approving and authorizing the settlement of delinquent taxes outstanding by the City of Milwaukee with Chrysler, LLC,
which had filed for bankruptcy. (Parcel Located at 3280 South Clement Avenue -Tax Key Number 539-9965-110-7)

B) SUBMITTED BY (Name/title/dept./ext.): Jim Klajbor, Special Deputy City Treasurer, Extension 2246

C) CHECK ONE: ADOPTION OF THIS FILE WILL FORGO TAX INTEREST AND PENALTY REVENUE
 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: DEPARTMENT ACCOUNT (DA) CONTINGENT FUND (CF)
 CAPITAL PROJECTS FUND (CPF) SPECIAL PURPOSE ACCOUNTS (SPA)
 PERM. IMPROVEMENT FUNDS (PIF) GRANT & AID ACCOUNTS (G & AA)
 OTHER (SPECIFY)

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:	Delinquent Tax Interest	0110-2210-903506		(\$ 2,443.55)	
	Delinquent Tax Penalty	0110-2210-903506		(\$ 1,221.78)	
TOTALS				(\$ 3,665.33)	

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) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE

GRANT F. LANGLEY
City Attorney

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



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

October 6, 2009

Mr. Ronald D. Leonhardt, City Clerk
City Clerk's Office
Room 205, City Hall

Re: Resolution approving and authorizing the execution of a settlement agreement for delinquent real estate taxes in the matter of In Re: Old Carco LLC f/k/a Chrysler LLC. for property located at 3280 S. Clement Avenue

Dear Mr. Leonhardt:

Enclosed for your consideration is a resolution approving and authorizing the execution of a settlement agreement in the matter of In Re Old Carco LLC f/k/a Chrysler LLC (hereinafter Chrysler).

On April 30, 2009, Chrysler filed for Chapter 11 Bankruptcy protection in the Southern District of New York. The City retained the law firm of Tarter, Krinsky, & Drogin, LLP based in New York to represent us in this matter. As customary, once the City received notice that Chrysler filed bankruptcy; the City filed a claim in Bankruptcy Court to preserve its ability to collect real estate taxes.

As it relates to the real estate taxes for the above referenced location, the City submitted a claim in the amount of \$88,665.33 for the 2008 tax levy year. Chrysler has offered to pay the City \$85,000 to settle this matter immediately versus receiving payment over several years or the duration of the bankruptcy. This figure represents the amount of principal and excludes the majority of interest and penalties.

We have been advised by our counsel that the City could arguably challenge Chrysler's refusal to pay post-petition interest in full. However, since interests and penalties are only \$3,818.13 combined, it is likely that the City would spend more than that amount in attorneys' fees defending our position.

Because, the City would receive almost full payment of what is owed immediately and the cost of attorneys' fees and litigation far outweigh the difference between what is owed and what is offered, we believe that it is in the best interest of the City to accept this offer and it is recommended that the remaining delinquent interest, penalties, fees, and costs be cancelled.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MEGAN T. CRUMP
Assistant City Attorney

Enclosure

c: Mr. Jim Klajbor
Ms. Linda Roth esq.

1060-2009-2523/150579



Legislation Details (With Text)

File #: 090837 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 11/3/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution to authorize settlement of benefit and interest claims made by Gregory Koestering in Koestering v. City of Milwaukee.

Sponsors: THE CHAIR

Indexes: FIRE AND POLICE COMMISSION, LITIGATION, SUITS PAYMENT, SUITS SETTLEMENT

Attachments: City Attorney Letter.pdf, Fiscal Note.pdf, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090837

Version

ORIGINAL

Reference**Sponsor**

THE CHAIR

Title

Resolution to authorize settlement of benefit and interest claims made by Gregory Koestering in *Koestering v. City of Milwaukee*.

Analysis

This resolution authorizes settlement of benefit and interest claims made by Gregory Koestering in *Koestering v. City of Milwaukee*, Case No. 08-CV-011518 in the amount of \$23,973.18 which represents payments for health and dental benefits and interest on unpaid back pay and the benefit payments from the time that Koestering was deemed by the Milwaukee County Circuit Court to have been improperly discharged until the time that the Board of Fire and Police Commissioners once again discharged Koestering.

Body

Whereas, Gregory Koestering filed an action seeking pay and benefits for that period of time from the date of his discharge from the Milwaukee Police Department until the date of a court-ordered rehearing of his discharge before the Fire and Police Commission; and

Whereas, The Circuit Court for Milwaukee County issued an order requiring that Gregory Koestering be paid wages by the Milwaukee Police Department for the period of time between his first and second hearings before the Fire and Police Commission of the City of Milwaukee and that he be reimbursed for health and dental coverage he was required to purchase for the time in question and that he be paid interest on the amounts due to him until such time as he received the court-ordered pay and benefit reimbursements; and

Whereas, The Milwaukee Police Department has paid the wages and certain payroll benefits for the period of time in question on October 15, 2009, and

Whereas, The City of Milwaukee pursuant to the order of the courts continues to owe Gregory Koestering the reimbursement for the health and dental benefits he purchased as well as interest on the amounts due until paid; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it is expeditious and just to settle this lawsuit, and now, therefore be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$23,973.18, payable to Gregory Koestering and the Trust Account of Cermele & Associates, S.C. which represents costs of the benefits purchased as well as the interest owed, upon receipt of a release of claims, approved as to form and execution by the City Attorney, and that these funds shall be charged to the Damages and Claims Fund, Account No. 0001 1490 S118 006300.

Requestor

City Attorney

Drafter

JAS

1032-2008-2539

GRANT F. LANGLEY
City Attorney

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



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
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THOMAS J. BEAMISH
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JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

September 30, 2009

Honorable Common Council
Of the City of Milwaukee
City Hall—Room 205

Re: Proposed Settlement of *Koestering v. City of Milwaukee*
Case No. 08-CV-011518

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary and Legislation with the following recommendation.

Gregory Koestering was employed as a police officer in the Milwaukee Police Department. He was discharged from the Milwaukee Police Department by former Chief Hegerty. He appealed his discharge and in September 2006, the Milwaukee Fire and Police Commission heard his appeal. It upheld his discharge in a written decision of November 2, 2006. He then sought review in the courts. In October 2007, the Milwaukee County Circuit Court concluded that the Commission had improperly failed to obtain certain evidence during the hearing and ordered a new hearing. Upon remand, the evidence was obtained and considered and in a decision of July 10, 2008, the Commission once again concluded that Koestering should be discharged. That decision has been upheld by the Milwaukee County Circuit Court in a decision of May 2009. Koestering had appealed that decision, but the appeal has yet to be decided.

In August 2008, Koestering filed the above-noted lawsuit, asserting a claim under the Wage Claim statute and seeking an order that the City pay him wages and benefits for the period of time from the November 2006 Commission decision until the second decision in July 2008. On July 14, 2009, the Milwaukee County Circuit Court ordered the City to provide pay and benefits for Koestering for the period of time in question, but denied his request for reasonable attorney's fees and penalties under the Wage Claim statute.

Hon. Common Council
September 30, 2009
Page 2

In compliance with the circuit court order of July 14, the police department has issued a payroll check to Koestering for his pay from November 2006 until July 2008. Pursuant to this order, however, the city must still pay Koestering the amounts he paid for health and dental insurance during that time period as well as interest at the statutorily-prescribed rates. The total of these amounts is \$23,973.18.

Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend payment of this proposed settlement amount and have enclosed an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

GFL:JAS

Encls.

1032-2008-2539:150445

CITY OF MILWAUKEE FISCAL NOTE

A) DATE: October 13, 2009

FILE NUMBER: _____

ORIGINAL FISCAL NOTE SUBSTITUTE

SUBJECT: Resolution authorizing settlement of lawsuit entitled *Koestering v. City of Milwaukee*,
Milwaukee County Circuit Court Case No. 08-CV-011518

B) SUBMITTED BY name/title/dent./ext.): Jan A. Smokowicz, Assistant City Attorney; City Attorney; Ext. 8014

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

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

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER: Settlement of Lawsuit	Settlement of Lawsuit entitled <i>Koestering v. City of Milwaukee</i> Damages and Claims Fund	0001 1490 S118 006300			
TOTALS			\$23,973.18	\$	

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) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



Legislation Details (With Text)

File #: 090802 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 10/13/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution authorizing settlement of the lawsuit entitled Church Mutual Insurance Company (Northwest Lutheran School Association) v. City of Milwaukee.
Sponsors: THE CHAIR
Indexes: SUITS PAYMENT, SUITS SETTLEMENT
Attachments: City Attorney Letter, Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		

Number
090802
Version
ORIGINAL

Reference

Sponsor
The Chair

Title
Resolution authorizing settlement of the lawsuit entitled Church Mutual Insurance Company (Northwest Lutheran School Association) v. City of Milwaukee.

Analysis
This resolution authorizes settlement of the lawsuit of Church Mutual, et al. v. City of Milwaukee, et al., Case No. 08CV003115. in the amount of \$15,000.00.

Body

Whereas, Church Mutual Insurance Company has filed a lawsuit against the City of Milwaukee seeking in excess of \$50,000.00, plus costs, disbursements and fees; and

Whereas, The claimant has agreed to settle the lawsuit in the amount of \$15,000.00; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it is expeditious and just to pay this lawsuit; now, therefore, be it

Resolved, by the Common Council of the City of Milwaukee that the proper City officers be and are hereby authorized and directed to issue a City check in the amount of \$15,000.00, payable to the order of the Trust Account of Piper & Schmidt, in full and final settlement of this claim, upon receipt of a Release Of Claims, approved as to form and execution by the City Attorney, City of Milwaukee charged to the Water Works Department Fund, Account No. 006300 Fund 0410 Org 6410 Program 2631 Subclass R643.

Drafter
JAS
October 8, 2009

1048-2008-1607:150718

GRANT F. LANGLEY
City Attorney

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



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

October 7, 2009

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

Re: Proposed Settlement of *Church Mutual Insurance Company v.*
City of Milwaukee
Case No. 08-CV-003115

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation, with the following recommendation.

The plaintiff, Church Mutual Insurance Company, on its behalf and on behalf of its insured, Northwest Lutheran School Association, alleges that on February 7, 2007 the Milwaukee Water Works, while engaged in repairing a main located in North 81st Street between Fiebrantz and Hope Avenues, negligently restored service too quickly, resulting in the rupture of the lateral serving the insured school and flooding the school basement. The plaintiff claims damages in the amount of \$273,618.82 which obviously exceeds the statutory damages limitation of \$50,000 that applies to Wisconsin municipalities.

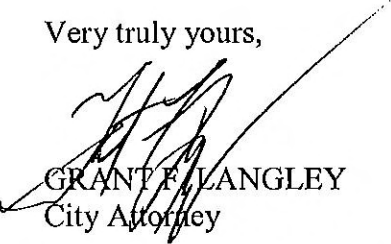
Discovery in this litigation produced conflicting evidence concerning the cause of the lateral break. The plaintiff produced evidence indicating that the break resulted from a "water hammer" which it claimed would not have occurred if service had been restored more gradually. On the other hand, the Water Works produced evidence that the workers followed proper procedures and that the break occurred because of a weak spot in the school building lateral.

Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend payment of this claim in the amount of \$15,000.00 and have enclosed an


To the Hon. Common Council
October 7, 2009
Page 2

appropriate resolution for your convenience.

Very truly yours,



GRANT F. LANGLEY
City Attorney



JAN A. SMOKOWICZ
Assistant City Attorney

JAS

Enclosure

1048-2008-1607:150702

CITY OF MILWAUKEE FISCAL NOTE

A) DATE: October 8, 2009

FILE NUMBER: 090802

ORIGINAL FISCAL NOTE SUBSTITUTE

SUBJECT: Resolution authorizing settlement of lawsuit entitled Church Mutual Insurance Company v. City of Milwaukee Jones, et al., Milwaukee County Court Case No. 08CV003115

B) SUBMITTED BY name/title/dept./ext.): Jan A. Smokowicz, Assistant City Attorney; City Attorney; Ext. 8014

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

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

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER: Settlement of Lawsuit	Settlement of Lawsuit entitled Church Mutual Insurance Company v. City of Milwaukee Water Works Department Fund	0410 6410 2631 R643			
TOTALS			\$15,000.00	\$	

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) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



Legislation Details (With Text)

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

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

Sponsors: THE CHAIR

Indexes: CITY ATTORNEY, CONSULTANTS, LITIGATION

Attachments: October 20 Report, September 9 Report, September 1 Report Re Retention of Outside Counsel, Sept 11 Report Re Retention of Outside Counsel, June 23 Report, May 15 Report, April 1 Report, Jan 29 Report, Hearing Notice List

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

Number

081060

Version

ORIGINAL

Reference

070993

Sponsor

THE CHAIR

Title

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

Requestor

Drafter

11/20/08

lme

outside counsel

GRANT F. LANGLEY
City Attorney

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



THOMAS O. GARTNER
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Assistant City Attorneys

October 20, 2009

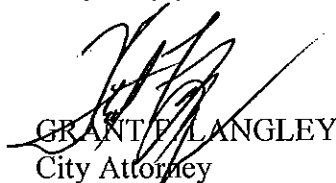
Alderman Ashanti Hamilton, Chair
Judiciary & Legislation Committee
City Hall – Room 205

Re: Expenditures for Outside Counsel and Experts

Dear Alderman Hamilton:

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

Very truly yours,



GRANT F. LANGLEY
City Attorney

GFL:bgw
#151123

2009 OUTSIDE COUNSEL/EXPERT WITNESS FUND EXPENDITURES

October 20, 2009

Account	Dept	Class	Amount	Vendor	Case/Matter	Year
634005	1490	S157	2,169.00	AURORA ADVANTAGE	BELL V COM	2009
634005	1490	S157	1,500.00	AURORA ADVANTAGE	JAMERSON V COM	2009
634005	1490	S157	1,500.00	AURORA ADVANTAGE	EVANS V COM	2009
634005	1490	S157	567.00	AURORA ADVANTAGE	MUKISA EVANS V COM	2009
			5,736.00	Total		
634005	1490	S157	48.90	CRIVELLO CARLSON	SWANSON V LENA'S FOODS ET AL	2009
			48.90	Total		
634005	1490	S157	4,725.23	ET ENGINEERING	Terra v. City	2009
			4,725.23	Total		
634005	1490	S157	3,390.48	FOLEY & LARDNER	Kaye v. City	2009
634005	1490	S157	1,165.25	FOLEY & LARDNER	Kaye v. City	2009
634005	1490	S157	2,204.03	FOLEY & LARDNER	Kaye v. City	2009
634005	1490	S157	26,289.07	FOLEY & LARDNER	Kaye v. City	2009
634005	1490	S157	989.00	FOLEY & LARDNER	Kaye v. City	2009
634005	1490	S157	7.76	FOLEY & LARDNER	Kaye v. City	2009
634005	1490	S157	65.00	FOLEY & LARDNER	Kaye v. City	2009
			34,110.59	Total		
634005	1490	S157	32,963.89	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009
634005	1490	S157	11,978.73	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009
634005	1490	S157	-11,978.73	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009
634005	1490	S157	21,082.44	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009
634005	1490	S157	5,040.10	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009
634005	1490	S157	19,326.89	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009
634005	1490	S157	13,885.85	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009

2009 OUTSIDE COUNSEL/EXPERT WITNESS FUND EXPENDITURES

October 20, 2009

Account	Dept	Class	Amount	Vendor	Case/Matter	Year
634005	1490	S157	13,407.20	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009
634005	1490	S157	23,291.51	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009
634005	1490	S157	11,057.05	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009
634005	1490	S157	3,246.15	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009
634005	1490	S157	5,088.55	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009
634005	1490	S157	13,942.95	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009
636501	1490	S157	5,040.10	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009
636501	1490	S157	-5,040.10	FRIE BERT, FINERTY, & ST. JOHN	MPSO v. City	2009
			162,332.58	Total		
634005	1490	S157	709.50	GONZALEZ SAGGIO	Young v. Ortiz	2009
634005	1490	S157	325.50	GONZALEZ SAGGIO	Young v. Ortiz	2009
634005	1490	S157	1,889.25	GONZALEZ SAGGIO	Young v. Ortiz	2009
634005	1490	S157	745.50	GONZALEZ SAGGIO	Young v. Ortiz	2009
634005	1490	S157	468.20	GONZALEZ SAGGIO	Young v. Ortiz	2009
			4,137.95	Total		
634005	1490	S157	1,458.40	GRZECA LAW GROUP	Khubbar	2009
634005	1490	S157	1,600.00	GRZECA LAW GROUP	Khubbar	2009
634005	1490	S157	94.81	GRZECA LAW GROUP	Khubbar	2009
634005	1490	S157	7.75	GRZECA LAW GROUP	Khubbar	2009
			3,160.96	Total		
634005	1490	S157	95.00	GUNTA REAK	Jude Case	2009
			95.00	Total		
634005	1490	S157	3,704.73	HAYES, THOMAS	Outside Consultant	2009
634005	1490	S157	2,772.72	HAYES, THOMAS	Outside Consultant	2009

2009 OUTSIDE COUNSEL/EXPERT WITNESS FUND EXPENDITURES

October 20, 2009

Account	Dept	Class	Amount	Vendor	Case/Matter	Year
634005	1490	S157	4,092.90	HAYES, THOMAS	Outside Consultant	2009
			10,570.35	Total		
634005	1490	S157	280.25	LINDNER & MARSACK	Loth v. City	2009
			280.25	Total		
634005	1490	S157	1,919.00	MCDONNELL, PATRICK	Outside Counsel N. Harbor	2009
634005	1490	S157	1,872.73	MCDONNELL, PATRICK	ADJ to PO North Harbor	2009
634005	1490	S157	-1,872.73	MCDONNELL, PATRICK	Outside Counsel N. Harbor	2009
634005	1490	S157	1,919.00	MCDONNELL, PATRICK	ADJ to PO North Harbor	2009
634005	1490	S157	-1,919.00	MCDONNELL, PATRICK	Outside Counsel N. Harbor	2009
			1,919.00	Total		
634005	1490	S157	8,000.00	OMEARA LAW FIRM	assessment appeals	2009
			8,000.00	Total		
634005	1490	S157	1,005.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,072.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	915.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,162.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	915.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	697.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,117.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,102.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,102.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,102.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,125.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009

2009 OUTSIDE COUNSEL/EXPERT WITNESS FUND EXPENDITURES

October 20, 2009

Account	Dept	Class	Amount	Vendor	Case/Matter	Year
634005	1490	S157	870.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	885.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,110.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,110.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	885.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,095.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	892.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,110.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,057.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,087.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,095.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	-997.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	937.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,035.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	660.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,050.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	877.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,050.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	630.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,050.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	870.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009
634005	1490	S157	1,080.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Judge Case	2009

2009 OUTSIDE COUNSEL/EXPERT WITNESS FUND EXPENDITURES

October 20, 2009

Account	Dept	Class	Amount	Vendor	Case/Matter	Year
634005	1490	S157	1,087.50	PERSONNEL SPECIALISTS	Temp Paralegal Services for Jude Case	2009
634005	1490	S157	1,050.00	PERSONNEL SPECIALISTS	Temp Paralegal Services for Jude Case	2009
			38,122.50	Total		
634005	1490	S157	352.00	PYZYK, ROGER	Special Prosecutor	2009
634005	1490	S157	1,001.00	PYZYK, ROGER	Special Prosecutor	2009
			1,353.00	Total		
634005	1490	S157	952.50	RENO CAVANAUGH	Opinion for Mayor	2009
634005	1490	S157	310.00	RENO CAVANAUGH	HACM	2009
			1,262.50	Total		
634005	1490	S157	5,000.00	SADDOUGHIAN, ALI, M.D.	Haas v. City	2009
			5,000.00	Total		
634005	1490	S157	79,875.00	SEIBEL LAW OFFICES	U.S. Oil v. City	2009
634005	1490	S157	213.00	SEIBEL LAW OFFICES	U.S. Oil v. City	2009
634005	1490	S157	8,237.50	SEIBEL LAW OFFICES	U.S. Oil v. City	2009
			88,325.50	Total		
634005	1490	S157	-1,712.50	STEIN, HARRY	Mediation 07CV14470	2009
634005	1490	S157	1,712.50	STEIN, HARRY	Mediation 07CV14470	2009
			0.00	Total		
634005	1490	S157	1,739.30	TARTER KRINSKY	Tower Automotive	2009
634005	1490	S157	1,498.50	TARTER KRINSKY	Tower Automotive	2009
634005	1490	S157	364.50	TARTER KRINSKY	Tower Automotive	2009

2009 OUTSIDE COUNSEL/EXPERT WITNESS FUND EXPENDITURES

October 20, 2009

Account	Dept	Class	Amount	Vendor	Case/Matter	Year
634005	1490	S157	1,903.50	TARTER KRINSKY	Tower Automotive	2009
634005	1490	S157	2,488.90	TARTER KRINSKY	Tower Automotive	2009
634005	1490	S157	486.00	TARTER KRINSKY	Tower Automotive	2009
634005	1490	S157	1,319.00	TARTER KRINSKY	Chrysler LLC Bankruptcy	2009
634005	1490	S157	3,446.20	TARTER KRINSKY	Chrysler LLC Bankruptcy	2009
634005	1490	S157	399.67	TARTER KRINSKY	Chrysler LLC Bankruptcy	2009
			13,645.57	Total		
634005	1490	S157	2,000.00	WALL ASSOCIATES	HAAS V COM ET AL	2009
			2,000.00	Total		
			384,825.88	Grand Total		



Legislation Details (With Text)

File #: 090666 **Version:** 0
Type: Communication-Report **Status:** In Committee
File created: 9/22/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Communication from the City Attorney relating to semiannual reports as to the determination and disposition of all claims pending and closed and litigation matters closed through June 30, 2009.
Sponsors: THE CHAIR
Indexes: CLAIMS, LITIGATION, REPORTS AND STUDIES
Attachments: Semi-Annual Claims & Litigation Reports.pdf, Claims Closed through 6-30-09, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090666

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Communication from the City Attorney relating to semiannual reports as to the determination and disposition of all claims pending and closed and litigation matters closed through June 30, 2009.

Requestor

Drafter

City Attorney

BGW

9/16/09

GRANT F. LANGLEY
City Attorney

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VINCENT D. MOSCHELLA
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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
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THOMAS D. MILLER
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ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

September 16, 2009

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

Re: Semi-Annual Claims & Litigation Reports

Dear Alderman Hamilton:

Pursuant to your letter of June 9, 2005 and Section 304-7, Milw. Code of Ordinances, ss. 2(f) requesting the submission of semiannual reports as to the determination and disposition of all claims filed during the preceding period, the following reports are being submitted for the Committee's review. The first report is a *Semi-Annual Report of All Claims Pending and Closed through June 30, 2009*. The report lists the following information:

Total number of claims pending - 1,037
Total number of claims closed - 534
Total amount of claims denied - 245
Total amount of settlements - \$384,167.86

Also, attached is a *Semi-Annual Report of Litigation Matters closed through June 30, 2009* and their disposition. The report lists the following information:

Total number of cases pending - 410
Total number of cases closed - 403
Total number of cases closed without payment - 384¹
Total number of cases settled - 27
Total amount of settlements - \$3,052,745.56²
Total amount of settlements against the City - \$2,939,914.91

¹ Not all litigation matters with a payment between 01/01/09 and 06/30/09 have been closed in the Prolaw database as of this point in time.

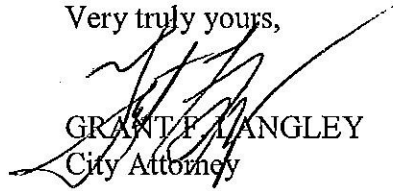
² A settlement against the City in the amount of \$807,376.33 was paid by Tax Assessor funds, and one for \$15,644.59 was paid by MPS. The \$1.6 million settlement against the City in the Fields case was paid for using Contingent Borrowing, \$533,333.33 of the total settlement amount was paid in 2009.

Alderman Ashanti Hamilton
September 16, 2009
Page 2

Total number of settlements against the City - 22
Total amount of settlements for the City - \$112,830.65
Total number of settlements for the City - 5
Total number of cases resulting in judgments - 9
Total number of judgments against the City - 1
Total amount of judgments against the City - \$850.00
Total number of judgments for the City - 8
Total amount of judgments for the City - \$12,038.87

Please feel free to contact me if you have any questions.

Very truly yours,



GRANT F. LANGLEY
City Attorney

GFL:bw
#149953

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Category: Large Claim								
Burems, Ricky	Police Department	Vehicle Accident City - Uninsured Motori	0.00	N	8,000.00	N	N	N
Cermele & Associates (2495)(03-62)	Police Department	Police - Attorney Fees	6,387.76	N	6,387.76	N	N	N
Davis, Marlon	Police Department	Vehicle Accident City - Uninsured Motori	1,500.00	N	1,500.00	N	N	N
Gabor, Nathan	Water Works	Other	9,259.75	N	9,259.75	N	N	N
Gardner, Dennis	Police Department	Vehicle Accident City - Uninsured Motori	0.00	N	6,000.00	N	N	N
Hamann, Michael	Police Department	Vehicle Accident City - Uninsured Motori	25,000.00	N	25,000.00	N	N	N
Kirk, Monte	Police Department	Vehicle Accident City - Uninsured Motori	40,000.00	N	8,000.00	N	N	N
Lacy, Carolyn	Police Department	Vehicle Accident City - Uninsured Motori	25,000.00	N	12,500.00	N	N	N
Neibauer, Nathan	Police Department	Vehicle Accident City - Uninsured Motori	25,000.00		3,000.00			
Rose, Angelia	Support Services Division - Fleet	Vehicle Accident City - Uninsured Motori	0.00	N	2,000.00	N	N	N
Sirko, Anne	Towing Operations - DPVW	Towing - Other	16,250.00	N	4,000.00	N	N	N

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= AskUser ('Status Date ?') and Status Date <= AskUser ('Status Date ?') and Area of Law = 'Claims' and Claim Settlement Amount > \$0.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Totals:	11		148,397.51		85,647.51			

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= Ask User ('Status Date') and Status Date <= Ask User ('Status Date') and Area of Law = 'Claims' and Claim Settlement Amount > \$0.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Category: Small Claim								
Anderson, William	Towing Operations - DPW	Towing - Other	85.00	N	85.00	N	N	N
AT&T (25200811-50-0016)	Infrastructure Services Division	Property Damage - Other	2,069.37	N	2,069.37	N	N	N
Blom, Marla	Sanitation Division	Property Damage - Other	30.00	N	30.00	N	N	N
Bluestone Properties LLC	Police Department	Police - Property Damage	550.00	N	550.00	N	N	N
Ceplina, Allen	Infrastructure Services Division	Vehicle Damage - Other	224.42	N	224.42	N	N	N
Cemelle & Associates (2487)	Police Department	Police - Attorney Fees	1,397.00	N	1,397.00	N	N	N
Cemelle & Associates, S.C. (2454)	Police Department	Police - Attorney Fees	397.61	N	385.00	N	N	N
Cemelle & Associates, S.C. (2537)	Police Department	Police - Attorney Fees	1,271.00	N	1,254.00	N	N	N
Dorn, Jameson	Towing Operations - DPW	Towing - Car Stolen/Refund Tow Fee	115.00	N	115.00	N	N	N
Eggert & Cemelle, S.C. (EC 2040)	Police Department	Police - Attorney Fees	473.00		473.00			
Eggert & Cemelle, S.C. (EC 2041)	Police Department	Police - Attorney Fees	1,874.60		1,874.60			
Eggert & Cemelle, S.C. (EC 2042)	Police Department	Police - Attorney Fees	1,441.00		1,441.00			

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= Ask User ('Status Date') and Status Date <= Ask User ('Status Date') and Area of Law = 'Claims' and Claim Settlement Amount > \$0.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Eggett & Cermele, S.C. (EC 2044)	Police Department	Police - Attorney Fees	418.00		418.00			
Eggett & Cermele, S.C. (EC 2045)	Police Department	Police - Attorney Fees	2,005.98		2,005.98			
Eggett & Cermele, S.C. (EC 2046)	Police Department	Police - Attorney Fees	945.37		945.37			
Eggett & Cermele, S.C. (EC 2047)	Police Department	Police - Attorney Fees	418.00		418.00			
Eggett & Cermele, S.C. (EC 2048)	Police Department	Police - Attorney Fees	816.00		816.00			
Eggett & Cermele, S.C. (EC 2049)	Police Department	Police - Attorney Fees	1,288.25		1,288.25			
Eggett & Cermele, S.C. (EC 2050)	Police Department	Police - Attorney Fees	1,600.81		1,600.81			
Eggett & Cermele, S.C. (EC 2051)	Police Department	Police - Attorney Fees	418.00		418.00			
Eggett & Cermele, S.C. (EC 2052)	Police Department	Police - Attorney Fees	765.00		633.00			
Eggett & Cermele, S.C. (EC 2253)	Police Department	Police - Attorney Fees	1,012.00		1,012.00			
Eggett & Cermele, S.C. (EC 2254)	Police Department	Police - Attorney Fees	547.00		547.00			

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= Ask User ('Status Date' ?) and Area of Law = 'Claims' and Claim Settlement Amount > 50.00

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Eggett & Cermele, S.C. (EC 2256)	Police Department	Police - Attorney Fees	790.00		790.00			
Eggett & Cermele, S.C. (EC 2257)	Police Department	Police - Attorney Fees	616.00		616.00			
Eggett & Cermele, S.C. (EC 2258)	Police Department	Police - Attorney Fees	924.00		924.00			
Eggett & Cermele, S.C. (EC 2259)	Police Department	Police - Attorney Fees	605.00		605.00			
Eggett & Cermele, S.C. (EC 2260)	Police Department	Police - Attorney Fees	1,555.48		1,555.48			
Eggett & Cermele, S.C. (EC 2262)	Police Department	Police - Attorney Fees	575.58		575.58			
Eggett & Cermele, S.C. (EC 2263)	Police Department	Police - Attorney Fees	421.02		421.02			
Eggett & Cermele, S.C. (EC 2264)	Police Department	Police - Attorney Fees	418.00		418.00			
Eggett & Cermele, S.C. (EC1998)(03-59)	Police Department	Police - Attorney Fees	713.54		713.54			
Eggett & Cermele, S.C. (EC1999)	Police Department	Police - Attorney Fees	235.58		235.58			
Eggett & Cermele, S.C. (EC2000)	Police Department	Police - Attorney Fees	1,914.00		1,738.00			

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Eggett & Cermele, S.C. (EC2001)(02-55)	Police Department	Police - Attorney Fees	855.00		849.00			
Eggett & Cermele, S.C. (EC2003)(03-46)	Police Department	Police - Attorney Fees	1,332.60		1,211.60			
Eggett & Cermele, S.C. (EC2004)(02-50)	Police Department	Police - Attorney Fees	1,506.23		1,297.23			
Eggett & Cermele, S.C. (EC2006)(03-38)	Police Department	Police - Attorney Fees	1,326.48		1,326.48			
Eggett & Cermele, S.C. (EC2007)	Police Department	Police - Attorney Fees	638.00		363.00			
Eggett & Cermele, S.C. (EC2009)(03-40)	Police Department	Police - Attorney Fees	1,177.31		1,177.31			
Eggett & Cermele, S.C. (EC2010)(03-66)	Police Department	Police - Attorney Fees	622.33		622.33			
Eggett & Cermele, S.C. (EC2011)	Police Department	Police - Attorney Fees	275.00		275.00			
Eggett & Cermele, S.C. (EC2012)	Police Department	Police - Attorney Fees	352.00		352.00			
Eggett & Cermele, S.C. (EC2013)	Police Department	Police - Attorney Fees	638.00		638.00			
Eggett & Cermele, S.C. (EC2014)(03-31)	Police Department	Police - Attorney Fees	1,213.00		1,213.00			

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

Area of Law = 'Claims' and Status = 'Closed and Status Date' = Ask User ('Status Date') and Status Date <= Ask User ('Status Date') and Area of Law = 'Claims' and Claim Settlement Amount > 50.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Eggett & Cermele, S.C. (EC2015)(02-40)	Police Department	Police - Attorney Fees	817.25		817.25			
Eggett & Cermele, S.C. (EC2016)(03-69)	Police Department	Police - Attorney Fees	688.00		688.00			
Eggett & Cermele, S.C. (EC2017)(03-44)	Police Department	Police - Attorney Fees	807.52		807.52			
Eggett & Cermele, S.C. (EC2018)(02-05)	Police Department	Police - Attorney Fees	2,034.27		2,034.27			
Eggett & Cermele, S.C. (EC2019)(02-34)	Police Department	Police - Attorney Fees	1,629.95		1,629.95			
Eggett & Cermele, S.C. (EC2020)	Police Department	Police - Attorney Fees	1,386.00		1,386.00			
Eggett & Cermele, S.C.(EC1838)	Police Department	Police - Attorney Fees	2,596.00		2,596.00			N
Eggett & Cermele, S.C.(EC1840)	Police Department	Police - Attorney Fees	872.00		872.00			N
Eggett & Cermele, S.C.(EC1841)	Police Department	Police - Attorney Fees	264.00		264.00			N
Eggett & Cermele, S.C.(EC1842)	Police Department	Police - Attorney Fees	1,445.82		1,445.82			N
Eggett & Cermele, S.C.(EC1843)	Police Department	Police - Attorney Fees	1,435.29		1,435.29			N

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= Ask User ('Status Date') and Status Date <= Ask User ('Status Date') and Area of Law = 'Claims' and Claim Settlement Amount > \$0.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Eggett & Cermele, S.C.(EC1844)	Police Department	Police - Attorney Fees	783.60		783.60		N	
Eggett & Cermele, S.C.(EC1845)	Police Department	Police - Attorney Fees	1,430.50		1,430.50		N	
Eggett & Cermele, S.C.(EC1846)	Police Department	Police - Attorney Fees	1,921.66		1,921.66		N	
Eggett & Cermele, S.C.(EC1847)	Police Department	Police - Attorney Fees	957.00		957.00		N	
Eggett & Cermele, S.C.(EC1848)	Police Department	Police - Attorney Fees	396.00		396.00		N	
Eggett & Cermele, S.C.(EC1849)	Police Department	Police - Attorney Fees	1,353.00		1,353.00		N	
Eggett & Cermele, S.C.(EC1850)	Police Department	Police - Attorney Fees	1,598.99		1,598.99		N	
Eggett & Cermele, S.C.(EC1851)	Police Department	Police - Attorney Fees	829.08		829.08		N	
Eggett & Cermele, S.C.(EC1852)	Police Department	Police - Attorney Fees	617.00		617.00		N	
Eggett & Cermele, S.C.(EC1853)	Police Department	Police - Attorney Fees	1,205.00		1,205.00		N	
Eggett & Cermele, S.C.(EC1854)	Police Department	Police - Attorney Fees	586.58		542.55		N	

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= Ask User ('Status Date' ?) and Status Date <= Ask User ('Status Date' ?) and Area of Law = 'Claims' and Claim Settlement Amount > 50.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Eggett & Cermele, S.C.(EC1855)	Police Department	Police - Attorney Fees	1,505.00		1,505.00		N	
Eggett & Cermele, S.C.(EC1856)	Police Department	Police - Attorney Fees	671.00		671.00		N	
Eggett & Cermele, S.C.(EC1857)	Police Department	Police - Attorney Fees	1,002.62		1,002.62		N	
Eggett & Cermele, S.C.(EC1858)	Police Department	Police - Attorney Fees	2,570.00		2,570.00		N	
Eggett & Cermele, S.C.(EC1859)	Police Department	Police - Attorney Fees	187.00		187.00		N	
Eggett & Cermele, S.C.(EC1860)	Police Department	Police - Attorney Fees	745.83		745.83		N	
Eggett & Cermele, S.C.(EC1861)	Police Department	Police - Attorney Fees	792.00		792.00		N	
Eggett & Cermele, S.C.(EC1862)	Police Department	Police - Attorney Fees	1,683.00		1,683.00		N	
Eggett & Cermele, SC (EC2274)(02-38)	Police Department	Police - Attorney Fees	6,807.15		6,807.15			
Eggett & Cermele, SC (EC2274)(02-39/02-41)	Police Department	Police - Attorney Fees	6,327.35		6,327.35			
Eggett & Cermele, SC (EC2274)(02-40)	Police Department	Police - Attorney Fees	5,775.65		5,775.65			

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= Ask User ('Status Date') and Status Date <= Ask User ('Status Date') and Area of Law = 'Claims' and Claim Settlement Amount > \$0.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Eggett & Cermele, SC (EC2275)	Police Department	Police - Attorney Fees	5,892.00		5,892.00			
Eggett & Cermele, SC (EC2276)	Police Department	Police - Attorney Fees	1,507.00		1,507.00			
Eggett & Cermele, SC (EC2277)	Police Department	Police - Attorney Fees	539.00		539.00			
Eggett & Cermele, SC (EC2278)	Police Department	Police - Attorney Fees	822.91		822.91			
Eggett & Cermele, SC (EC2279)	Police Department	Police - Attorney Fees	935.00		935.00			
Eggett & Cermele, SC (EC2280)(01-59)	Police Department	Police - Attorney Fees	7,639.51		7,639.51			
Eggett & Cermele, SC (EC2281)	Police Department	Police - Attorney Fees	1,518.00		1,518.00			
Eggett & Cermele, SC (EC2282)(05-02)	Police Department	Police - Attorney Fees	1,018.08		1,018.08			
Eggett & Cermele, SC (EC2284)(05-22)	Police Department	Police - Attorney Fees	600.00		600.00			
Garnica, Sylvia	Infrastructure Services Division	Sewer Backup - Maintenance	1,364.16	N	1,364.16	N	N	N
Gritner, Nancy	Support Services Division - Fleet	Property Damage By City Vehicle	35.84	N	35.84	N	N	N

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= Ask User ('Status Date') and Status Date <= Ask User ('Status Date') and Area of Law = 'Claims' and Claim Settlement Amount > \$0.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Guerin, D. Michael 200010702M	Police Department	Police - Attorney Fees	759.00		759.00		N	
Guerin, D. Michael 200019404M	Police Department	Police - Attorney Fees	187.00		187.00		N	
Guerin, D. Michael 200029106M	Police Department	Police - Attorney Fees	396.00		396.00		N	
Guerin, D. Michael 200031206M	Police Department	Police - Attorney Fees	297.00		297.00		N	
Guerin, D. Michael 200039008M	Police Department	Police - Attorney Fees	561.00		561.00		N	
Guerin, D. Michael 200107002M	Police Department	Police - Attorney Fees	2,937.00		2,937.00		N	
Guerin, D. Michael 200113503M	Police Department	Police - Attorney Fees	660.00		660.00		N	
Guerin, D. Michael 9924905M	Police Department	Police - Attorney Fees	550.00		550.00		N	
Guerin, D. Michael 9935607M	Police Department	Police - Attorney Fees	1,834.81		1,834.81		N	
Haynes, Kathy	Sanitation Division	Vehicle Damage - Other	247.10	N	247.10		N	N
Jimenez, Lisa	Water Works	Sewer Backup - Maintenance	235.39	N	235.39		N	N
Kollmeyer, Keith	Forestry Division	Vehicle Damage - Other	444.53	N	444.53		N	N
Krause, Thomas	Forestry Division	Vehicle Damage - Tree	1,717.32	N	1,680.30		N	N

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= AskUser ('Status Date') and Status Date <= AskUser ('Status Date') and Area of Law = 'Claims' and Claim Settlement Amount > \$0.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Lake Bluff Management Office	Sanitation Division	Property Damage - Other	4,000.00	N	4,000.00	N	N	N
Lee, Mario	Forestry Division	Vehicle Damage - Other	1,653.10	N	1,653.10	N	N	N
Loomis, Corie	Water Works	Property Damage - Other	2,161.66	N	2,161.66	N	N	N
McCarthy, Eoin	Towing Operations - DPW	Towing - Property Damage	907.13	N	907.13	N	N	N
Nadi, Emad	Forestry Division	Vehicle Damage - Other	339.00	N	339.00	N	N	N
Okanlomo Jr., Olufemi	Towing Operations - DPW	Towing - Property Damage	0.00	N	145.00	N	N	N
Outdoor Lighting Construction	Water Works	Property Damage - Other	837.50	N	837.50	N	N	N
Co., Inc.								
Parks, Tremond	Towing Operations - DPW	Towing - Car Destroyed w/o Notice	1,815.00	N	1,000.00	N	N	N
Pate, Shirley	Towing Operations - DPW	Towing - Property Damage	300.00	N	300.00	N	N	N
Patton, Eric	Police Department	Police - Property Damage	150.00	N	150.00	N	N	N
Reineck, Wayne	Infrastructure Services Division	Vehicle Damage - Road Defect	345.09	Y	150.00	N	N	N
Rodriguez, Tasha	Towing Operations - DPW	Towing - Items Stolen	385.00	N	385.00	N	N	N
Rodriguez, Tasha	Towing Operations - DPW	Towing - Items Stolen	155.00	N	155.00	N	N	N

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= AskUser ('Status Date') and Status Date <= AskUser ('Status Date') and Area of Law = 'Claims' and Claim Settlement Amount > 50.00

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Russell, Delon	Police Department	Police - Lost Property	1,950.00	N	500.00	N	N	N
Shackton, Phyllis	Towing Operations - DPW	Towing - Items Stolen	2,654.78	N	1,482.39	N	N	N
Simmons, Alcherie	Towing Operations - DPW	Towing - Property Damage	235.00	N	235.00	N	N	N
Smith, Cory	Towing Operations - DPW	Towing - Items Stolen	2,625.00	N	1,500.00	N	N	N
Wiedel, Thomas L.	Infrastructure Services Division	Vehicle Damage - Road Defect	354.17	Y	250.00	N	N	N
Wilson, Derrick	Police Department	Police - Lost Property	272.00	N	264.00	N	N	N
Winston, Tony	Towing Operations - DPW	Towing - Property Damage	0.00	N	450.00	N	N	N
Totals: 122			146,424.75		141,120.44			

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

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<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Category: Vehicle Claim								
Allen, Emerson	Support Services Division - Fleet	Vehicle Accident City - Property Damage	3,236.25	N	5,000.00	N	N	N
AT&T (25200809510029)	Police Department	Vehicle Accident City - Property Damage	1,996.61	N	1,996.61	N	N	N
Bagley, Nicholas J.	Support Services Division - Fleet	Vehicle Accident City - Property Damage	4,959.28	N	4,959.28	N	N	N
Bell, Paula	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,075.00	N	1,075.00	N	N	N
Bolden, Curlie	Support Services Division - Fleet	Property Damage By City Vehicle	200.00	N	200.00	N	N	N
Brown, Tamiko	Milwaukee Fire Department	Vehicle Accident City - Property Damage	2,057.09	N	2,057.09	N	N	N
Burns, April	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,613.14	N	1,613.14	N	N	N
Christenson, James	Police Department	Vehicle Accident City - Property Damage	1,445.03	N	1,445.03	N	N	N
Concours Motors, Inc.	Support Services Division - Fleet	Vehicle Accident City - Property Damage	270.34	N	270.34	N	N	N
Connor, Timothy	Support Services Division - Fleet	Vehicle Accident City - Property Damage	4,293.84	N	2,500.00	N	N	N
Culum, Peter & Heidi	Support Services Division - Fleet	Vehicle Accident City - Property Damage	510.85	N	510.85	N	N	N

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Danny's South Side Service	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,966.77	N	1,966.77	N	N	N
Digiorgio, Romona	Milwaukee Fire Department	Vehicle Accident City - Property Damage	160.30	N	160.30	N	N	N
Dowling, Steve	Police Department	Vehicle Accident City - Property Damage	9,592.63	N	9,592.63	N	N	N
Dzenski, Edward	Support Services Division - Fleet	Vehicle Accident City - Property Damage	631.00	N	631.00	N	N	N
Eckert, Norma Lyn	Support Services Division - Fleet	Property Damage By City Vehicle	850.00	N	850.00	N	N	N
Edwards, Jr., Larry	City of Milwaukee	Vehicle Accident City - Property Damage	2,351.32	N	2,625.43	N	N	N
Ellias, Juanita	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,467.41	N	1,467.41	N	N	N
Enterprise Rent-A-Car	Milwaukee Fire Department	Vehicle Accident City - Property Damage	1,353.52	N	1,353.52	N	N	N
Escobia, Samuel	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,235.61	N	1,235.61	N	N	N
Flegel, Garth	Support Services Division - Fleet	Vehicle Accident City - Property Damage	261.36	N	261.36	N	N	N
Fisher, Kim	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,450.83	N	1,450.83	N	N	N

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Fragassi, Natalie	Support Services Division - Fleet	Property Damage - Other	65.00	N	65.00	N	N	N
Gayle, Pauline	Support Services Division - Fleet	Vehicle Accident City - Property Damage	10,642.48	N	10,642.48	N	N	N
Gmeiner, Martin	Support Services Division - Fleet	Property Damage By City Vehicle	475.00	N	475.00	N	N	N
Hanson, Sharon	Support Services Division - Fleet	Property Damage By City Vehicle	395.00	N	395.00	N	N	N
Harper, Ronald	Support Services Division - Fleet	Vehicle Accident City - Property Damage	3,054.82	N	3,054.82	N	N	N
Holley Realty, Inc.	Support Services Division - Fleet	Property Damage By City Vehicle	210.00	N	210.00	N	N	N
Hood, Fletcher	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,307.51	N	1,307.51	N	N	N
Hooper, Joyce C.	Support Services Division - Fleet	Vehicle Accident City - Property Damage	3,927.48	N	3,927.48	N	N	N
Huang, K.C.	Police Department	Vehicle Accident City - Property Damage	4,188.50	N	4,188.50	N	N	N
Hughes-West, Linda	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,397.03	N	1,397.03	N	N	N
Hull-Nelson, Dora	Milwaukee Fire Department	Vehicle Accident City - Property Damage	5,592.16	N	1,000.00	N	N	N

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

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<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Huscz, Jerald	Support Services Division - Fleet	Vehicle Accident City - Property Damage	473.38	N	473.38	N	N	N
Jackson, Shirley	Police Department	Vehicle Accident City - Property Damage	15,000.00	N	9,603.09	N	N	N
Joneth, Peter and Cheryl	Support Services Division - Fleet	Vehicle Accident City - Property Damage	731.06	N	731.06	N	N	N
Junior, Vernell	Milwaukee Fire Department	Vehicle Accident City - Property Damage	395.33	N	395.33	N	N	N
Kelley, Kate	Support Services Division - Fleet	Vehicle Accident City - Property Damage	353.25	N	353.25	N	N	N
Kidd, Janice	Milwaukee Fire Department	Vehicle Accident City - Property Damage	338.97	N	338.97	N	N	N
Knautz, Arcetta	Support Services Division - Fleet	Property Damage By City Vehicle	145.35	N	153.50	N	N	N
Knowlton-Sachner, Max	Support Services Division - Fleet	Vehicle Accident City - Property Damage	400.00	N	400.00	N	N	N
Leon, Saul	Support Services Division - Fleet	Vehicle Accident City - Property Damage	3,550.00	N	2,975.00	N	N	N
Logemann Brothers Company	Support Services Division - Fleet	Property Damage By City Vehicle	3,400.00	N	3,400.00	N	N	N
Lopez, Maria	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,557.76	N	500.00	N	N	N

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Lubner, James	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,235.03	N	1,235.03	N	N	N
Lyles, Thomas	Support Services Division - Fleet	Vehicle Accident City - Property Damage	144.67	N	144.67	N	N	N
Maciejewski, Guy M.	Support Services Division - Fleet	Vehicle Accident City - Property Damage	264.24	N	264.24	N	N	N
Majala, Russ	Police Department	Vehicle Accident City - Property Damage	2,275.21	N	2,090.82	N	N	N
McCord, Renee A.	Support Services Division - Fleet	Vehicle Accident City - Property Damage	3,783.86	N	3,783.86	N	N	N
McCroy, Leirdia	Support Services Division - Fleet	Vehicle Accident City - Property Damage	4,810.72	N	1,100.00	N	N	N
McGlin, Patrick	Support Services Division - Fleet	Vehicle Accident City - Property Damage	462.05	N	262.42	N	N	N
McNeal, Lorreater	Support Services Division - Fleet	Vehicle Damage - Other	579.11	N	579.11	N	N	N
Milwaukee County Transit System (106055)	Support Services Division - Fleet	Property Damage By City Vehicle	748.93	N	712.93	N	N	N
Montes, Hector	Police Department	Property Damage By City Vehicle	340.22	N	340.22	N	N	N
Moore, Joy A.	Support Services Division - Fleet	Vehicle Accident City - Property Damage	2,446.76	N	2,446.76	N	N	N

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Mutchler, Jeff	Support Services Division - Fleet	Vehicle Accident City - Property Damage	5,388.04	N	5,388.04	N	N	N
Napietala, Angela	Support Services Division - Fleet	Property Damage By City Vehicle	700.00	N	700.00	N	N	N
Notter, Melinda	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,273.67	N	1,273.67	N	N	N
Nowak, Wayne and Jean	Support Services Division - Fleet	Vehicle Accident City - Property Damage	84.44	N	84.44	N	N	N
Olson, Dwight	Support Services Division - Fleet	Property Damage By City Vehicle	533.28	N	533.28	N	N	N
Patterson, Sharon	Support Services Division - Fleet	Vehicle Accident City - Property Damage	2,253.63	N	2,253.63	N	N	N
Peterson, Jill M.	Police Department	Vehicle Accident City - Property Damage	1,062.18	N	1,062.18	N	N	N
Plewn, Maureen	Police Department	Vehicle Accident City - Property Damage	1,433.52	N	1,433.00	N	N	N
Polek, Marie	Support Services Division - Fleet	Vehicle Accident City - Property Damage	2,017.96	N	2,017.96	N	N	N
Ranson, Crystal	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,149.31	N	575.00	N	N	N
Roddick, Charles W. & Kim C.	Support Services Division - Fleet	Vehicle Accident City - Property Damage	2,010.21	N	2,010.21	N	N	N

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Schneider, Lester	Police Department	Vehicle Accident City - Property Damage	3,242.80	N	3,423.00	N	N	N
Schwochert, Dena	Police Department	Vehicle Accident City - Bodily Injury	27,805.51	N	1,440.51	N	N	N
Simpson, Marie	Support Services Division - Fleet	Vehicle Accident City - Property Damage	3,958.72	N	3,958.72	N	N	N
St. Therese Parish	Support Services Division - Fleet	Property Damage By City Vehicle	4,885.00	N	4,885.00	N	N	N
Stanley, Faye	Support Services Division - Fleet	Vehicle Accident City - Property Damage	1,362.89	N	1,438.00	N	N	N
Steele, Irving	Support Services Division - Fleet	Vehicle Accident City - Property Damage	306.89	N	306.89	N	N	N
Streeter, Betty	Support Services Division - Fleet	Vehicle Accident City - Property Damage	2,998.41	N	2,998.41	N	N	N
Sullivan, Julie	Support Services Division - Fleet	Vehicle Accident City - Property Damage	4,254.13	N	3,110.62	N	N	N
Swikert, Cory	Support Services Division - Fleet	Support Services	531.80	N	531.80	N	N	N
Tall, James F.	Support Services Division - Fleet	Vehicle Accident City - Property Damage	287.18	N	287.18	N	N	N
Tennessee, Paul	Support Services Division - Fleet	Vehicle Accident City - Property Damage	271.43	N	271.43	N	N	N

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tended</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
Temian, Karen	Support Services Division - Fleet	Vehicle Accident City - Property Damage	217.20	N	217.20	N	N	N
Walulk, Suellen	Police Department	Vehicle Accident City - Property Damage	1,127.32	N	1,127.32	N	N	N
Watson, Helen	City of Milwaukee	Vehicle Accident City - Property Damage	1,941.37	N	1,941.37	N	N	N
WE Energies (2008202874)	Support Services Division - Fleet	Property Damage By City Vehicle	287.47	N	287.47	N	N	N
WE Energies (2008203330)	Support Services Division - Fleet	Property Damage By City Vehicle	1,600.50	N	1,600.50	N	N	N
WE Energies (2009205712)	Support Services Division - Fleet	Property Damage By City Vehicle	2,713.94	N	2,713.94	N	N	N
Wellinghoff, Thomas	Milwaukee Fire Department	Vehicle Accident City - Property Damage	1,268.69	N	1,268.69	N	N	N
Wendorf, Timothy	Support Services Division - Fleet	Vehicle Accident City - Property Damage	295.00	N	295.00	N	N	N
Wetzel, John P.	Milwaukee Fire Department	Vehicle Accident City - Property Damage	2,035.79	N	1,985.79	N	N	N
Whitehead, L.C.	Support Services Division - Fleet	Property Damage By City Vehicle	161.00	N	161.00	N	N	N
Whitlow, Leroy	Milwaukee Fire Department	Vehicle Accident City - Property Damage	1,170.05	N	550.00	N	N	N
Wilson, Zachary		Vehicle Accident City -	3,100.00	Y	3,100.00	N	N	N

Area of Law = 'Claims' and Status = 'Closed' and Status Date >= Ask User ('Status Date ?') and Status Date <= Ask User ('Status Date ?') and Area of Law = 'Claims' and Claim Settlement Amount > \$0.00

All Claims Closed Jan 1, 2009 thru June 30, 2009 and Disposition

<u>Claimant</u>	<u>Department</u>	<u>Claim Subject</u>	<u>Money Demand</u>	<u>Claim Denied</u>	<u>Settlement Amount</u>	<u>Claim Tendered</u>	<u>No Proper Claim</u>	<u>Claim to Litigation</u>
	Support Services	Bodily Injury						
	Division - Fleet							
Totals:			201,398.39		157,399.91			
Totals:			496,220.65		384,167.86			



Legislation Details (With Text)

File #: 090568 **Version:** 0
Type: Communication-Report **Status:** In Committee
File created: 9/1/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Communication from the Comptroller's Office relating to a report analyzing delinquent outstanding debt.
Sponsors: THE CHAIR
Indexes: COMPTROLLER, REPORTS AND STUDIES
Attachments: Report, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/1/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/5/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
10/20/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/20/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

File #: 090568 **Version:** 0

Number

090568

Version

ORIGINAL

Reference

Sponsor

051296

Title

Communication from the Comptroller's Office relating to a report analyzing delinquent outstanding debt.

Requestor

Drafter

cc

dkf

8/27/09



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

Office of the Comptroller

August 25, 2009

Alderman Terry L. Witkowski
200 East Wells Street, Room 205
Milwaukee, WI 53202

Members of the Finance
& Personnel Committee
200 East Wells Street, Room 205
Milwaukee, WI 53202

RE: 2009 Outstanding Receivables Report

Dear Alderman and Committee Members:

Attached you will find the Comptroller's 2009 report on outstanding receivables as of December 31, 2008. This report is being issued as required by Ordinance 304-1-5. The report provides summary information on City outstanding receivables. These receivables include:

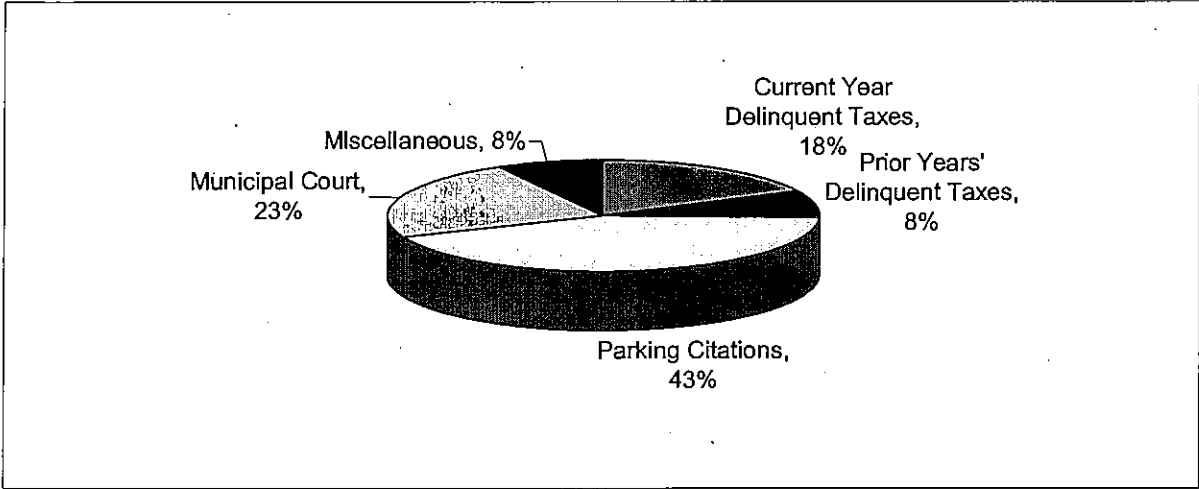
- General Fund – Current year delinquent tax receivables (2007 taxes for 2008 purposes);
- Delinquent Tax Fund – Prior years' delinquent tax receivables (2006 and prior years);
- Parking Fund - Parking violation outstanding receivables;
- Municipal Court - Municipal Court outstanding judgments;
- Miscellaneous – Non-property tax outstanding receivables.

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

Sincerely,

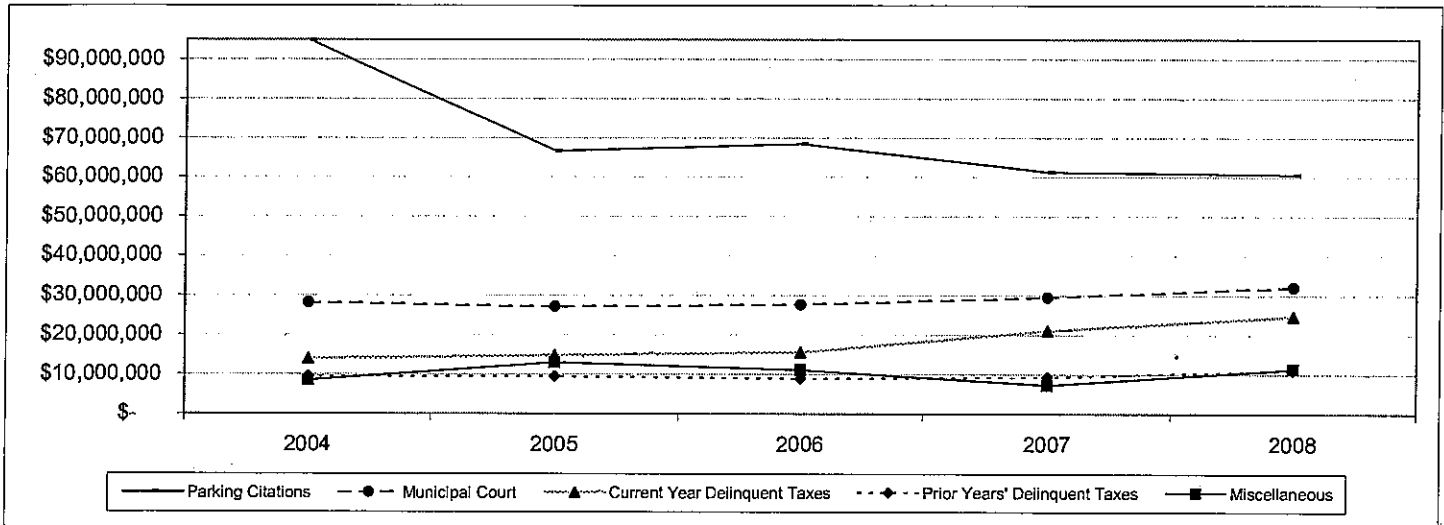
W. Martin Morics
Comptroller

**Outstanding Receivables
as of 12/31/2008**



Total outstanding receivables as of December 31, 2008 were \$139.7 million. The largest category of outstanding receivables is Parking Citations at 43%, followed by Delinquent Taxes totaling 26%. Of this amount, 18% is related to Current Year Delinquent Taxes (2007 taxes for 2008 purposes) and 8% to Prior Years' Delinquent Taxes (2006 taxes and prior). Municipal Court outstanding judgments make up 23% of total outstanding receivables. Miscellaneous Accounts Receivable is the smallest category totaling 8%.

Outstanding Receivables 2004 to 2008



	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
Parking Citations	\$ 94,844,000	\$ 66,645,000	\$ 68,400,000	\$ 61,212,000	\$ 60,606,000
Municipal Court	28,107,000	27,059,000	27,650,000	29,494,000	32,076,000
Current Year Delinquent Taxes	13,961,000	14,741,000	15,615,000	21,079,000	24,675,000
Prior Years' Delinquent Taxes	9,495,000	9,463,000	8,929,000	9,297,000	11,004,000
Miscellaneous	8,500,000	13,005,000	11,096,000	7,238,000	11,322,000
TOTAL	\$ 154,907,000	\$ 130,913,000	\$ 131,690,000	\$ 128,320,000	\$ 139,683,000

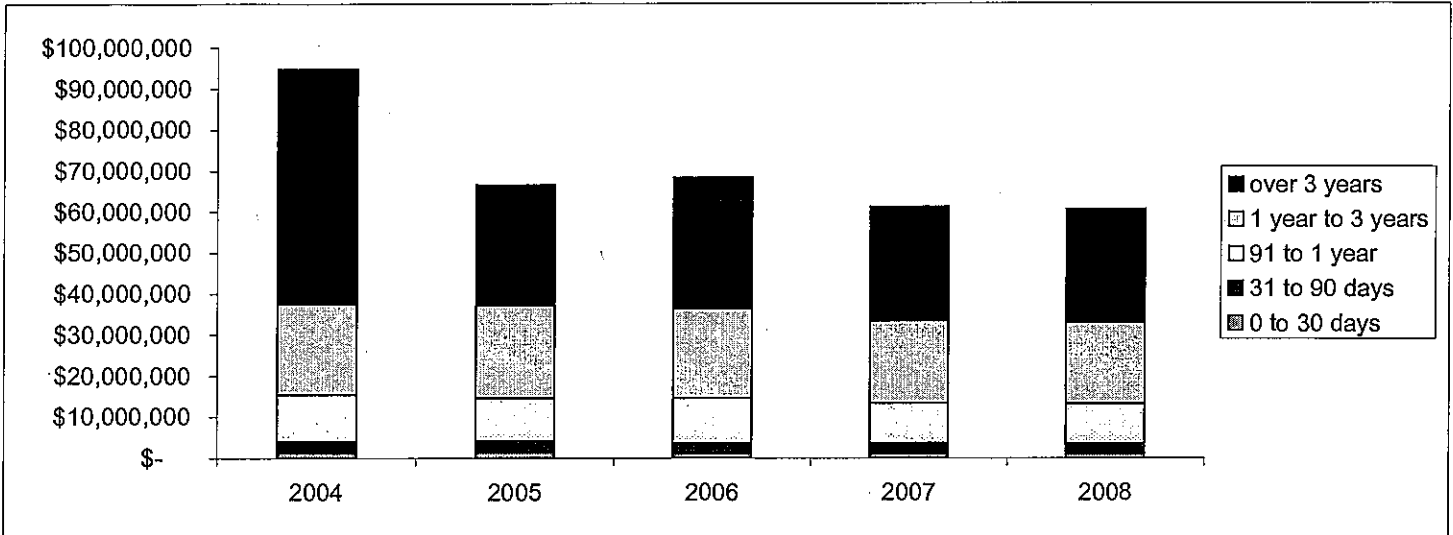
The chart and table above show outstanding receivables by category from 2004 through 2008. Outstanding receivables have increased for all major categories except parking citations, which decreased considerably due to the write off of \$30 million of delinquent receivables in 2005.

Current year delinquent tax receivables have increased at the greatest rate over time, going from nearly \$14 million in 2004 to \$24.6 million in 2008. Prior years' delinquent taxes have also increased over time, but at a slower rate, going from \$9.5 million in 2004 to \$11 million in 2008. Miscellaneous receivables, which include various billings by general city departments, have increased from \$8.5 million in 2004 to \$11.3 million in 2008.

Outstanding Municipal Court judgments, including fees, fines and forfeitures increased from \$28.1 million in 2004 to \$32.1 million in 2008. As noted previously, parking citation outstanding receivables decreased from \$94.8 million in 2004 to \$60.6 million in 2008 primarily due to the write off of delinquencies more than six years in age.

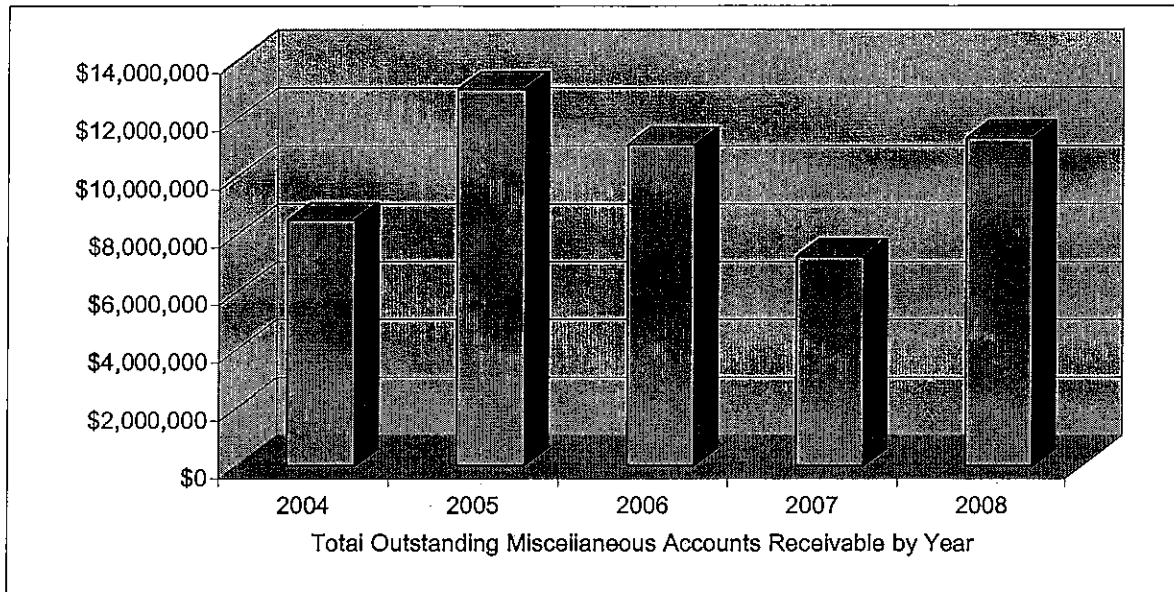
The Parking Fund continues to write off delinquencies that are six years old or older, due to the statute of limitations rendering these uncollectible. Miscellaneous receivable and tax delinquencies of \$5,000 or more may be cancelled or adjusted through Common Council action. An interdepartmental process 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.

Parking Fund Receivables Aging 2004 through 2008



The chart above shows the aging of parking citation outstanding receivables from 2004 to 2008. It should be noted that 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 2004 to 2008



	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>Change 2004-2008</u>
City Clerk	\$ 66,000	\$ 71,000	\$ -	\$ 151,000	\$ 60,000	\$ (8,000)
City Attorney	121,000	66,000	128,000	78,000	-	(121,000)
City Development	439,000	298,000	299,000	297,000	297,000	(142,000)
Comptroller	698,000	4,323,000	3,362,000	258,000	195,000	(503,000)
Employee Relations	740,000	572,000	1,342,000	899,000	4,424,000	3,684,000
Dept of Administration	14,000	3,000	29,000	21,000	23,000	9,000
Fire Department	827,000	677,000	97,000	88,000	137,000	(690,000)
Health Department	816,000	781,000	857,000	193,000	92,000	(724,000)
Police Department	1,749,000	1,643,000	1,645,000	1,645,000	1,652,000	(97,000)
Port of Milwaukee	315,000	641,000	919,000	1,602,000	2,234,000	1,919,000
Public Works	2,705,000	3,922,000	2,409,000	1,998,000	2,198,000	(507,000)
Treasurer	9,000	8,000	9,000	8,000	10,000	1,000
TOTAL	\$ 8,499,000	\$ 13,005,000	\$ 11,096,000	\$ 7,238,000	\$ 11,322,000	\$ 2,823,000

The above table shows the change in outstanding miscellaneous accounts receivable by department and year. Overall, outstanding miscellaneous receivables increased by \$2.8 million, or 33.2%, with sizeable increases in two departments, the Department of Employee Relations and the Port of Milwaukee. All other departments experienced modest increases or decreases. The chart above shows the changes in total outstanding miscellaneous accounts receivable between 2004 and 2008.

The increase in Port outstanding miscellaneous receivables is primarily due to capital grant projects billed to the State, but not yet reimbursed as of December 31, 2008. As of March 2009, the Port had received payments from the State for these grant projects totaling approximately \$1.6 million.

The significant increase in DER miscellaneous receivables in 2008 is primarily due to approximately \$4 million in outstanding workers' compensation billings to Milwaukee Public Schools. As of August 2009, the remaining outstanding balance for 2008 MPS worker's compensation billings is \$1.3 million.

2003 Statistics

GENERAL INFORMATION ABOUT MILWAUKEE

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

GENERAL INFORMATION ABOUT MILWAUKEE'S INFRASTRUCTURE

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

MILWAUKEE WATER WORKS

Howard Avenue plant capacity	105 million gallons/day (MGD)
Linnwood plant capacity	275 million gallons/day (MGD)
Total annual pumpage (gallons)	46.1 billion
Consumption per capita per day (gallons)	.65
Meters in service	160,966
Water hydrants	19,726
Water mains in service (miles)	1,954
Revenue	\$74.5 million

Milwaukee Water Works' purification process is comprised of ozone disinfection, alum coagulation, dual media filtration, fluoridation, corrosion control, and chloramine post-disinfection.

Retail customers: Franklin, Greenfield, Hales Corners, St. Francis, West Milwaukee

Wholesale customers: Brown Deer, Butler, Greendale, Menomonee Falls, Milwaukee County Grounds, New Berlin, Shorewood, Wauwatosa, West Allis, WE Energies Water Services

SANITATION

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

FORESTRY DIVISION

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

INFRASTRUCTURE SERVICES -

SEWER DESIGN AND MAINTENANCE

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

FLEET SERVICES

Work Orders	31,415
Preventive Maintenance Inspections Performed	7,359
Tires Mounted	3,933
Field Service Calls, Tires	4,392
Field Service Calls, Other	7,212
Stockroom Activity	\$4,710,704
Vehicles Serviced	

Passenger Vehicles	1,047
Packers, Rear Load	144
Packers, Front Load and Roll-off	22
Packers, Recycling	51
Tractors	65
Street Sweepers	29
Sewer cleaners, flushers, etc.	7
Construction equipment	487
Trucks, all other	842

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

STREET AND BRIDGE MAINTENANCE

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

Average Total DPW Employees, 2003 2,400

Rec'd 2/24/2005



Legislation Details (With Text)

File #: 090683 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 9/22/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution relating to an appeal from Sabrina Childs for property damage. (9th Aldermanic District)
Sponsors: THE CHAIR
Indexes: CLAIMS APPEAL
Attachments: City Attorney Letter, Appeal, Error regarding disallow letter, Police Report and Pictures from Claimant, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/22/2009	0	COMMON COUNCIL	ASSIGNED TO		
9/29/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
9/30/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/5/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/20/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

File #: 090683 **Version:** 0

Number
090683
Version
ORIGINAL
Reference

Sponsor
THE CHAIR

Title
Resolution relating to an appeal from Sabrina Childs for property damage. (9th Aldermanic District)

Drafter
City Atty.
smc
9/17/09

GRANT F. LANGLEY
City Attorney

DODD M. KONRAD
JOHN A. ULISS BURKE
JOHN D. MOSCHELLA
Deputy City Attorneys

**CITY OF
MILWAUKEE**
Office of the City Attorney

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEANISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
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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

September 9, 2009

Sabrina Childs
8625 North Servite Drive
Milwaukee, WI 53223

RE: Sabrina Childs
C.I. File No.: 09-V-155

Dear Ms. Childs:

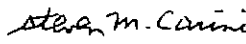
We have received your claim in the amount of \$2,819.24, relating to damage sustained to your parked vehicle on June 15, 2009 when you allege that it was struck by a City truck which backed into it at 42nd Street and Monrovia Way.

Our investigation reveals that the Fleet Services Division Accident report completed as a result of this alleged incident notes that the damage on your vehicle is not consistent with being hit by the City truck. In addition, our driver denies backing up and causing the damage. Your witness was not in a position to see the area of impact. There is no evidence to support your belief that a City truck caused the damage. As such, the City cannot accept liability. 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 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


STEVEN M. CARINI
Investigator Adjuster

SMC:ms
1030-2009-2182:149698

OFFICE OF THE CITY ATTORNEY

GRANT F. LANGLEY
City Attorney
UDOLPH M. KONRAD
ANDREA ULISS BURKE
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DANIELLE M. BERGNER
Assistant City Attorneys

September 9, 2009

Sabrina Childs
8625 North Servite Drive
Milwaukee, WI 53223

*I WOULD LIKE TO APPEAL
THIS CLAIM!*

RE: Sabrina Childs
C.I. File No.: 09-V-155

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Very truly yours,

[Signature]
GRANT F. LANGLEY
City Attorney

Steven M. Carini
STEVEN M. CARINI
Investigator Adjuster

SMC:ms
1030-2009-2182:149698

2009 SEP 15 AM 11:07
CITY OF MILWAUKEE
RONALD D. LEONHART
CITY CLERK

CITY OF MILWAUKEE
RECEIVED

2009 AUG 19 PM 2:32

Attention: Claim

OFFICE OF
CITY ATTORNEY

To Whom This May Concern:

I am filing a claim against the City of Milwaukee do to an accident that was caused by a current worker that struck my vehicle. The accident occurred on June 15, 2009 around 7:30 AM. My vehicle was parked on 42nd and Monrovia Way on the west side of the street when it was impelled by the inattentive driver. I also have a witness that was able to clearly observe the accident and even saw that the driver noticed he backed into my vehicle and proceeded to keep going. I am inquiring that the damages of my vehicle be taken care of. The estimates of the damages that I received from two different auto body shops range from \$2,330 - \$3210. While my car is being repaired I would like a rental car accommodated to me, so that I want be without a car.

Sabrina Childs
8625 N. Servite Dr.
Milwaukee, WI 53223
(414)358-2872

Sabrina P. Childs

Complete Charges = 490.37

08/19/2009 10:30 AM STANDARD

Reservation: 5W4M0P

Date Taken:

By:

Origin: BRANCH

Vehicle

Car Class: STANDARD
Rate Quoted: \$59.99/DAY
\$244.99/WEEK
\$699.99/MONTH

Specials:
Mileage Charge: NO CHARGE
Preferences:

Authorization
Status:
Car Class:
Auth Amount:
of Days:
Max Per Day:
Total Max Amount:
% Auth:

Product/Services

DAMAGE WAJVER \$14.99/DAY
PAI \$3.00/DAY
SUPPLEMENTAL LIABILITY PROTECTION 2 \$12.95/DAY

Complete charges w/ Full coverage 820.15
Complete Charges w/ Basic coverage 690.65

Authorization

Pick Up/Return

Pick Up Date: 08/19/2009
Pick Up Time: 10:30 AM
Pick Up Group: A0044_WISCONSIN
Pick Up Branch: GLENDALE 4412
5623 N GREEN BAY AVE
GLENDALE,WI 532094406

Return Date: 08/29/2009
Return Time: 10:30 AM
Return Group: A0044_WISCONSIN
Return Branch: GLENDALE 4412
5623 N GREEN BAY AVE
GLENDALE,WI 532094406

Pick Up Method:
Pick Up Location:

Return Method:
Return Location:

Directions:

Renter Information

Home:
Work:
Other:

Bill-to

Rental Type: RETAIL
Claim Type:
Claim/Pol/PO/RO:
Insured Name:

Shop

Renters Vehicle:

Flight Information

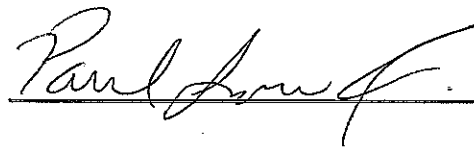
Airline: Flight: Terminal:
Arrival Date: Arrival Time:

To Whom This May Concern:

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Paul Spencer Jr.
4214 W, Monrovia Way
Milwaukee, WI 53209
(414)217-7745

CITY OF MILWAUKEE
2009 JUL 16 AM 11:14
RONALD D. LEONHARDT
CITY CLERK



CITY OF MILWAUKEE
RECEIVED
2009 JUL 16 PM 2:56
OFFICE OF
CITY ATTORNEY

POLICE # DISTRICT 4

ACCIDENT # 091660536

<input checked="" type="checkbox"/> Reportable Accident		<input type="checkbox"/> On Emergency		<input type="checkbox"/> Amended		DOT Document Number 9H0R0SN		Document Override Number		
Agency Accident Number 091660536				Police Number DISTRICT 4						
4 - Accident Date 06/15/2009		5 - Time of Accident (Military Time) 0750		6 - Total Units 02		7 - Total Injured 00		8 - Total Killed 00		
2 - County MILWAUKEE - 40		3 - Municipality MILWAUKEE - 57 CITY				11 - Accident Location NON-INTERSECTION				
14 - On Hwy No.		14 - On Street Name 42ND ST N			14 - Bus/Fmt/Rmp		15 - Est. Dist 100		F/Mi F	15 - Hwy. Dir SOUTH
16 - Fr/At Hwy No.		16 - From/At Street Name KAUL AVE W				16 - Business/Frontage/Ramp				
17 - Structure Type HOUSE #		17 - Structure Number 6089		12 - Latitude			13 - Longitude			
80 - First Harmful Event PARKED MOTOR VEHICLE				93 - Manner of Collision NO COLLISION WITH MOTOR VEHICLE IN TRANSPORT						
112 - Access Control NO CONTROL		113 - Road Curvature STRAIGHT		113 - Road Terrain LEVEL/FLAT		Surface Type BLACKTOP (BITUMINOUS) - 2				
115 - Traffic Way NOT-PHYSICALLY-DIVIDED-(2-WAY TRAFFIC)										
117 - Relation To Roadway ON-ROADWAY										
114 - Light Condition DAYLIGHT			116 - Road Surface Condition DRY			118 - Weather CLEAR				
<input type="checkbox"/> Hit and Run		<input type="checkbox"/> Government Property		<input type="checkbox"/> Fire		<input type="checkbox"/> Photos Taken		<input type="checkbox"/> Trailer or Towed		
<input type="checkbox"/> Truck, Bus, or Hazardous Materials			<input type="checkbox"/> Load Spillage		<input type="checkbox"/> Construction Zone		<input checked="" type="checkbox"/> Names Exchanged			
101 <input type="checkbox"/> Supplemental Reports		102 <input checked="" type="checkbox"/> Witness Statements			103 <input type="checkbox"/> Measurements Taken		78 - E M S Number			

GENERAL INFORMATION

Operator/Pedestrian

Unit Status		81 - Most Harmful Event: Collision With PARKED MOTOR VEHICLE		23 - Dir Of Travel SOUTH		24 - Speed Limit 25		
36 - Operating as Classified D CLASS		37 - Endorsements		35 <input type="checkbox"/> Operating Commercial Motor Vehicle				
29 - Driver's License Number R5207265945706		30 - State WI		31 - Expiration Year 2014		34 - On Duty Accident		
25 - Operator/Pedestrian Last Name RAMOS		25 - First Name RAUL		25 - Middle Initial		26 - Suffix		
32 - Date Of Birth 12/17/1959		33 - Sex MALE						
26 - Address Street & Number 2348 S 33 ST						26 - PO Box		
27 - City MILWAUKEE			27 - State WI	27 - Zip Code 53215		28 - Telephone Number (414) 708-7201 EXT.		
39 - Seat Position FRONT-SEAT-LEFT-SIDE-(MC/BIKE DRIVER, TRAIN CONDUCTOR)				40 - Safety Equipment SHOULDER-BELT-AND-LAP-BELT-USED				
38 - Injury Severity N - NO APPARENT INJURY		41 - Airbag NON-DEPLOYED		42 - Ejected NOT-EJECTED		44 <input type="checkbox"/> Medical Transport		
43 - Trapped/Extricated NOT-TRAPPED		82 - Pedestrian Location		92 - Pedestrian Action				
119 - What Driver Was Doing BACKING-MANEUVER			120 - Traffic Control NO-CONTROL			82 - No. of Citations Issued 0		
64 - 1st Statute No.		64 - 2nd Statute No.		64 - 3rd Statute No.		64 - 4th Statute No.		64 - 5th Statute No.
122 - Driver Factors INATTENTIVE-DRIVING								
88 - Driver or Pedestrian Cond NOT OBSERVED		89 - Substance Presence UNKNOWN						
90 - Alcohol Test TEST NOT GIVEN			90 - Alcohol Content			81 - Drug Test TEST-NOT-GIVEN		

OPERATOR/PEDESTRIAN 01

91 - Drugs Reported
124 - Highway Factors NOT-APPLICABLE

Vehicle

VEHICLE 01	21 - Unit Type AUTOMOBILE		Vehicle Type PASSENGER-CAR			22 - Total Occupants 1
	56 - License Plate Number 54545		57 - Plate Type MUN	58 - State WI	59 - Exp Year	65 - Vehicle Identification Number 1GDJK34F8XFD90280
	50 - Year 1999	51 - Make GMC	52 - Model COMPRESSOR	53 - Body Style 2D	54 - Color YEL	100 - Skidmarks to Impact (Ft)
	94 - Vehicle Damage REAR					
	95 - Extent Of Damage VERY-MINOR		96 <input type="checkbox"/> Vehicle Towed Due To Damage		97 - Vehicle Removed By OPERATOR	
	123 - Vehicle Factors NOT-APPLICABLE					

Vehicle Owner

VEH OWNER 01	45 <input type="checkbox"/> Vehicle Owner Same As Operator						
	46 - Vehicle Owner Last Name			46 - First Name		46 - Middle Initial	46 - Suffix
	46 - Company Name CITY OF MILWAUKEE						
	47 - Address Street & Number 200 E WELLS ST			47 - PO Box			
	48 - City MILWAUKEE		48 - State WI	48 - Zip Code 53202		49 - Telephone Number (414) 286-2150 EXT.	

Insurance

INS 01	63 - Liability Insurance Company GOVERNMENT				60 <input type="checkbox"/> Policy Holder Same As Owner
	61 - Policy Holder Last Name			61 - Policy Holder First Name	
	61 - Policy Holder Company				

School Bus

BUS 01	Bus Traveling To/From <input type="radio"/> To <input type="radio"/> From	School Name	Body Make	Seating Capacity
	School District Contracted With			

Operator/Pedestrian

Unit Status L - LEGALLY PARKED		81 - Most Harmful Event: Collision With MOTOR VEHICLE IN TRANSPORT		23 - Dir Of Travel	24 - Speed Limit 25	
36 - Operating es Classified D CLASS		37 - Endorsements		35 <input type="checkbox"/> Operating Commercial Motor Vehicle		
28 - Driver's License Number		30 - State	31 - Expiration Year	34 - On Duty Accident		
25 - Operator/Pedestrian Last Name			25 - First Name		25 - Middle Initial	25 - Suffix
32 - Date Of Birth		33 - Sex				

PK2007

OPERATOR/PEDESTRIAN 02	26 - Address Street & Number				26 - PO Box	
	27 - City		27 - State	27 - Zip Code		28 - Telephone Number
	39 - Seat Position BLANK			40 - Safety Equipment NOT-APPLICABLE-NONMOTORIST		
	38 - Injury Severity		41 - Airbeg NOT APPLICABLE	42 - Ejected NOT-APPLICABLE		44 <input type="checkbox"/> Medical Transport
	43 - Trapped/Extricated NOT-APPLICABLE		92 - Pedestrian Locallon		92 - Pedestrian Action	
	119 - What Driver Was Doing LEGALLY-PARKED		120 - Traffic Control NO-CONTROL		62 - No. of Citations Issued 0	
	64 - 1st Statute No.	64 - 2nd Statute No.	64 - 3rd Statute No.	64 - 4th Statute No.	64 - 5th Statute No.	
	122 - Driver Factors NOT-APPLICABLE					
	88 - Driver or Pedestrian Cond		89 - Substance Presence			
	90 - Alcohol Test		90 - Alcohol Content		91 - Drug Test	
	91 - Drugs Reported					
	124 - Highway Factors NOT-APPLICABLE					

Vehicle

VEHICLE 02	21 - Unit Type AUTOMOBILE		Vehicle Type PASSENGER-CAR			22 - Total Occupants 0
	56 - License Plate Number F1672T		57 - Plate Type SES	58 - State WI	59 - Exp Year 2010	55 - Vehicle Identification Number 4T1EG22K1VU134722
	50 - Year 1997	51 - Make TOYT	52 - Model CAMRY	53 - Body Style 4D	54 - Color BLK	100 - Skidmarks to Impact (F)
	94 - Vehicle Damage REAR DRIVER SIDE					
	95 - Extent Of Damage MINOR		96 <input type="checkbox"/> Vehicle Towed Due To Damage		97 - Vehicle Removed By W MONROVIA	
	123 - Vehicle Factors NOT-APPLICABLE					

Vehicle Owner

VEH OWNER 02	45 <input type="checkbox"/> Vehicle Owner Same As Operator					
	48 - Vehicle Owner Last Name CHILDS		46 - First Name SABRINA		46 - Middle Initial F	46 - Suffix
	46 - Company Name					
	47 - Address Street & Number 7100 N PERSIDIO DR			47 - PO Box		
	48 - City MILWAUKEE		48 - State WI	48 - Zip Code 53223		49 - Telephone Number (414) 535-7717 EXT.

Insurance

INS 02	63 - Liability Insurance Company NOT-REQUIRED		60 <input type="checkbox"/> Policy Holder Same As Owner
	61 - Policy Holder Last Name		61 - Policy Holder First Name
	61 - Policy Holder Company		

School Bus

BUS 02	Bus Travelling to/from <input type="radio"/> To <input type="radio"/> From	School Name	Body Make	Seating Capacity
	School District Contracted With			

Diagram and Narrative

DIAGRAM AND NARRATIVE	105 - PHOTOS BY
	<p style="text-align: center;">NOT DRAWN TO SCALE</p>
UNIT #1 WAS BACKING IN ROADWAY, 6800 BLOCK OF N 42 ST. UNIT #1 BACKED INTO UNIT #2 WHICH WAS LEGALLY PARKED ON THE ROADWAY 6800 BLOCK OF N 42 ST. WITNESS WAS SITTING ON HER FRONT PORCH AND STATES SHE OBSERVED THE SAME AS ABOVE.	

Witness

WITNESS 01	107 - Witness Last Name PRIDE		107 - First Name ANGELENE		107 - Middle Initial	
	108 - Address Street & Number 4214 W MONROVIA WAY			108 - PO Box		109 - Date of Birth 1/12/1958
	110 - City MILWAUKEE		State WI	110 - Zip Code 53209		111 - Telephone Number (414) 466-4328 EXT.

Officer Information

Wisconsin Motor Vehicle 9H0R0SN
Accident Report MV4000e 01/2005

PK2007

OFFICER INFORMATION	125 - Officer Last Name BECKER	125 - First Name DAVID	125 - Middle Initial	131 - Officer ID 06892
	129 - Law Enforcement Agency No. 006	130 - Law Enforcement Agency Name MILWAUKEE POLICE DEPARTMENT		
	126 - Law Enforcement Agency Address Street & Number 749 WEST STATE STREET			
	127 - City MILWAUKEE	127 - State WI	127 - Zip Code 53233	128 - Telephone Number (414) 933-4444 EXT.
	132 - Date Notified 06/15/2009	133 - Time Notified (Military Time) 0830	134 - Time Arrived (Military Time) 0840	135 - Date Of Report 06/16/2009
	Agency Accident Number 091660536	Police Number DISTRICT 4	19 - Special Study	
	18 - Agency Space			

ANDREW AUTOMOTIVE - BODY REPAIR CENTER
 1621 W. LA SALLE ST.
 MILWAUKEE, WI 53209
 PH: 414-540-2559 FX: 414-228-7420

CD LOG NO 22762-1 DATE 06/17/09

SHOP: ANDREW AUTO BODY REPAIR INSP DATE: 06/17/09
 ADDRESS: 1621 W. LASALLE ST. CONTACT: HEATHER GRUND
 CITY STATE: GLENDALE, WI PHONE 1: (414)540-2559
 ZIP: 53209- FAX: (414)228-7420

OWNER: SPENCER, PAUL CELL PHONE: (414)217-7745
 ADDRESS: 4214 W MONROVIA WAY
 CITY STATE: MILWAUKEE,
 ZIP: 53209

POINT OF IMPACT: 0

LIC#: STATE: VIN: 4T1BG22K1VU134722
 BODY COLOR: DARK GREEN MILEAGE:
 CONDITION: ACCTNG CTL#:

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

1997 TOYOTA CAMRY LE 4DOOR SEDAN 4CYL GASOLINE 2.2
 CODE: Y1733B/A OPTNS A/24BDEHIJRL

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES	TWO-STAGE - INTERIOR SURFACES
ELEC REMOTE CONTROL MIRRORS	POWER DOOR LOCKS
POWER WINDOWS	ANTI-LOCK BRAKE SYSTEM
AIR CONDITIONING	AUTOMATIC TRANS
CRUISE CONTROL	U.S.A. BUILT VEHICLE

OP	GDE	MC	DESCRIPTION	MFG. PART NO.	PRICE	AJ%	B%	HOURS	R
BR0289	13	PNL, REAR DOOR OUTER	LT BLEND REFINISH					1.9	4
RI0319		MLDG, REAR DOOR BELT	LT R&I ASSEMBLY					0.3	1
RI0305		HANDLE, RR DOOR OUTE	LT R&I ASSEMBLY					1.0	1
RI0358		DRIP RAIL, ROOF REAR	LT R&I ASSEMBLY					0.3	1
RI0369		BACK GLASS R & I	R&I ASSEMBLY					INC	1
EC0371		SEALANT KIT, BACK GLASS	ECONOMY PART		25.00*			INC	1
E 0372		MLDG ASSY, BACK GLASS	7557133050		72.05			INC	1

E 0350	PANEL, QUARTER	LT 61602AA901	620.83	16.2	1
L 0350	PANEL, QUARTER	LT REFINISH		3.8	4
E 0397	DOOR, FUEL FILLER	LT 77350AA050	31.89	INC	1
L 0397	DOOR, FUEL FILLER	LT REFINISH		0.4	4
BR0479	LID, REAR DECK	BLEND REFINISH		1.3	4
E 0402 02	N/PLATE, DECK LID	00577AA050	52.39	0.2	1
E 0546 02	N/PLATE, DECK LID	00577AA014	46.56	0.2	1
E 0485 02	EMBLEM, DECK LID	00577AC011	64.39	0.2	1
RI0493	SPOILER, DECK LID	R&I ASSEMBLY		0.9	1
RI0533	TAILLAMP ASSEMBLY	LT R&I ASSEMBLY		INC	1
N 0566	REAR BUMPER COVER	R&I ADDNL LABOR OPERA		INC	1
I M05	RUSTPROOFING	SUBLET REPAIR	20.00*	0.3	*4
SBM07	PINSTripES-TAPE	SUBLET REPAIR	30.00*+25.00		1
L M08	STONEGUARD	REFINISH	15.00*	0.3	*4
L M14	CORROSION PROTECTION	REFINISH	10.00*	0.3	*4
L M60	HAZARD. WSTE. REM.	REFINISH	4.00*	INC	*1
L M66	COLOR, SAND & BUFF	REFINISH		0.5	*4
I M68	CAULK	SUBLET REPAIR	20.00*	0.5	*1
SB	RENTAL	SUBLET REPAIR	175.00*	INC	*1*
<<RENTAL FOR 5 DAYS AT \$35 PER DAY					

26 ITEMS

MC MESSAGE(S)

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

FINAL CALCULATIONS & ENTRIES

GROSS PARTS					888.11
OTHER PARTS					54.00
PAINT MATERIAL					299.20
PARTS & MATERIAL TOTAL					1,241.31
TAX ON PARTS & MATERIAL @			5.600%		69.51
LABOR	RATE	REPLACE HRS	REPAIR HRS		
1-SHEET METAL	54.00	19.3	0.5		1,069.20
2-MECH/ELEC	102.00				
3-FRAME	55.00				
4-REFINISH	54.00	8.5	0.3		475.20
5-PAINT MATERIAL	34.00				
LABOR TOTAL					1,544.40
TAX ON LABOR		@	5.600%		86.49
SUBLET REPAIRS					252.50
TAX ON SUBLET		@	5.600%		14.14
TOWING					
STORAGE					

GROSS TOTAL 3,208.35

NET TOTAL 3,208.35

SHOPLINK UG202 ES CD LOG 22762-1 DATE 06/17/09 03:50:04PM R6.37 CD 05/09

PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53209

76TH STREET BODY SHOP (HEISER)
 7800 NORTH 76TH STREET
 MILWAUKEE, WI 53223
 PHONE: (414) 357-2121 FAX: (414) 357-2133

CD LOG NO 21577-1 DATE 07/16/09

SHOP: 76TH ST BODY SHOP (HEISER) INSP DATE: 07/16/09
 ADDRESS: 7800 N. 76TH ST CONTACT: SHANNON LEPINE
 CITY STATE: MILWAUKEE, WI PHONE 1: (414) 357-2121
 ZIP: 53223- PHONE 2: (414) 586-7000
 FAX: (414) 357-2133
 OWNER: SPENCER, PAUL CELL PHONE: (414) 358-2872

POINT OF IMPACT: 0

LIC#: F1672T STATE: WI VIN: 4T1BG22K1VU134722
 BODY COLOR: BLACK MILEAGE:
 CONDITION: FAIR ACCTNG CTL#:
 PROD.DATE: 04/97 PAINT CODE:

*=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

INITIAL ESTIMATE/ VISUAL ONLY *****
 HIDDEN DAMAGE POSSIBLE *****

1997 TOYOTA CAMRY LE 4DOOR SEDAN 4CYL GASOLINE 2.2
 CODE: Y1733B/A OPTNS A/24BDEHIJRL

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES	TWO-STAGE - INTERIOR SURFACES
ELEC REMOTE CONTROL MIRRORS	POWER DOOR LOCKS
POWER WINDOWS	ANTI-LOCK BRAKE SYSTEM
AIR CONDITIONING	AUTOMATIC TRANS
CRUISE CONTROL	U.S.A. BUILT VEHICLE

OP	GDE	MC	DESCRIPTION	MFG.PART NO.	PRICE	AJ%	B%	HOURS	R
E	0372		MLDG ASSY, BACK GLASS	7557133050	72.05			INC	1
E	0350		PANEL, QUARTER	LT 61602AA901	620.83			16.2	1
L	0350	13	PANEL, QUARTER	LT REFINISH				4.9	4
E	0397		DOOR, FUEL FILLER	LT 77350AA050	31.89			INC	1

.1997 TOYOTA CAMRY LE 4DOOR SEDAN
CD LOG NO 21577-1

L 0397	DOOR, FUEL FILLER	LT REFINISH		0.4	4
I 0413	07 PNL, WHEELHOUSE	OUTE LT REPAIR		2.0	*1
L 0413	PNL, WHEELHOUSE	OUTE LT REFINISH		0.7	4
N M14	CORROSION PROTECTION	ADDNL LABOR OPERA	*	0.3	*4*
N M60	HAZARD. WSTE. REM.	ADDNL LABOR OPERA	5.00*		1*

9 ITEMS

MC MESSAGE(S)
07 STRUCTURAL PART AS IDENTIFIED BY I-CAR
13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS		724.77
OTHER PARTS		5.00
PAINT MATERIAL		201.60
PARTS & MATERIAL TOTAL		931.37
TAX ON PARTS & MATERIAL @	5.600%	52.16

LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	52.00	16.2	2.0	946.40
2-MECH/ELEC	90.00			
3-FRAME	52.00			
4-REFINISH	52.00	6.0	0.3	327.60
5-PAINT MATERIAL	32.00			
LABOR TOTAL				1,274.00
TAX ON LABOR		@	5.600%	71.34
SUBLET REPAIRS				
TOWING				
STORAGE				

GROSS TOTAL 2,328.87

NET TOTAL 2,328.87

SHOPLINK U1836 ES CD LOG 21577-1 DATE 07/16/09 09:50:05AM R6.37 CD 06/09

PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53223

HOST LOG

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

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

~~Jackie Cell~~
~~554-9807~~

Angelene Pude

4213 W. Markov Way

Chicago, Illinois 60653

(408-4308)

Witness

**City of Milwaukee
Office of the City Clerk
City Hall
Milwaukee, Wisconsin**

**NOTICE OF DISALLOWANCE CLAIM
(Pursuant to Sec. 893.80 WIS. STATS.)**

IGNORE – ERROR

Any questions please contact Char Rodriguez at 286-8797.

Sabrina Childs
8625 N. Servite Dr.
Milwaukee, WI 53223

You are hereby notified that the Common Council of the City of Milwaukee duly disallowed the claim filed by you. No action on your claim against the City of Milwaukee may be brought after six (6) months from the date of service of the Notice of Disallowance.

FILE NUMBER: 090683

Regarding: Property Damage

Amount of Claim: \$2,819.24

Claim Disallowed on: October 13, 2009

Dated this 14th day of October, 2009



Ronald Leonhardt
City Clerk

Form: Disallow

090683

ME-4

Equip No. 27049
 Mileage/Hours
 Ro No
 Rept No

CITY OF MILWAUKEE FLEET ACCIDENT REPORT
 Investigative
 Fleet Accident
 Equipment Damage Only
 Vandalism or Theft

Claim No
 Operator's Dept. ST Maint.
 Operator's License No R 520 2245 9457 06

1a Name-Address City Operator Raul Ramos 2348 S. 33rd St.
 1d Supervisor & Phone X 3422 B. Zwen
 2a Date-Time of Accident 06-15-09 8:30 AM 2b Location of Accident 6089 N. 42nd St
 2c. Police Dept Notified? YES NO

3. Description of Accident A witness Angelina Pridc saw a city vehicle backing on N. 42nd street and hit a vehicle parked at curb. Vehicle was legally parked. (over).

4a. City Vehicle 1999 CMC Description 1Gdjk618Xfd90290 VIN MMW 54545 License No

4b. Damage Description NONE

5a. Occupants of City Vehicle Same as above Name Same as above Address None Injury None Phone 334 6295
 5b. Passenger NONE Name None Address N/A Injury N/A Phone None

6a. Unit No 2 6b. Description 1997 TOYT Cntry License No W5 F167 2T 6c. Ins Co AAA 6d.

4b. Damage Description Damag on left Rear Quarter Panel (OUB.2)

7. Owner Sabrina F Childs 7110 N Presido Dr. Name Childs Address 7110 N Presido Dr. Injury None Phone 217-9745

8a. Driver N/A Name N/A Address N/A Injury N/A Phone N/A

8b. Passenger Name Address Injury Phone

8c. Passenger Name Address Injury Phone

9a. Unit No 9b. Description 6c. License No 9d. Ins Co

4b. Damage Description

7. Owner Name Address Injury Phone

8a. Driver Name Address Injury Phone

8b. Passenger Name Address Injury Phone

8c. Passenger Name Address Injury Phone

12a Witness UNIT #1 Jason Brock 9133 W. Custer St. Name Brock Address 9133 W. Custer St. Injury None Phone 759 3046

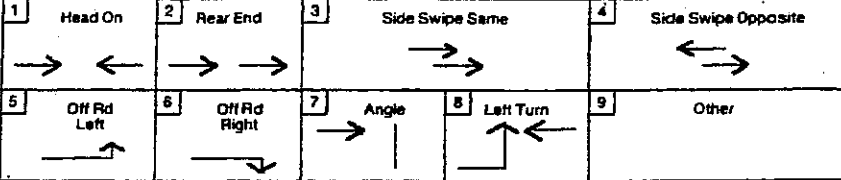
12b Witness Wilbur Williams 5064 N. 26th St Name Williams Address 5064 N. 26th St Injury None Phone 444 8247

SAFETY EQUIPMENT
 1=Shoulder Belt 5=Helmet
 2=Lap Belt 6=Eye Protect
 3=Child Res 7=Helmet & Eye
 4=Air Bag 8=None
 ENTER ONE NUMBER FOR EACH OCCUPANT PER UNIT

UNIT 1	UNIT 2
1 2 3	1 2 3
4 5 6	4 5 6
Other 7	Other 7

CYCLE OR

MANNER OF COLLISION



DRIVER CONDITION (OR PEDESTRIAN)

UNIT 1	UNIT 1	UNIT 1
UNIT 2	UNIT 2	UNIT 2

1 Had been drinking
 2 Use of drugs
 3 Physical disability
 4 Other

DRIVER FACTOR (OR PEDESTRIAN)

UNIT 1	UNIT 2
1	N/A

1 Appeared normal
 2 Reduced alertness
 3 Ability impaired

City of Milwaukee - Department of Public Works Fleet Accident Report

09-V-155
09-V-139

1. Basic Report Information		Location of Accident	Accident Type
Date of Accident	Time	6089 N. 42 STREET	ME-4 Investigative
6/15/2009	8:30		

2. Investigator		BFD Pictures	Weather	Surface
E. Jackson		<input checked="" type="checkbox"/> # Pictures	Clear	Dry
Investigator's Comments		11		
A WITNESS (ANGELINE PRIDE) SAW A CITY VEHICLE BACKING ON 43 STREET AND HIT A VEHICLE PARKED AT CURB. VEHICLE WAS LEGALLY PARKED.		Seasonal		
		Type Yes/No		
		Snow Leaf	No	No
		Backing	No	
			3. Police Information	
			Press ENTER if 'YES'	
			MPD Report	MPD Squad #
			<input type="checkbox"/>	<input type="checkbox"/>
			MPD Pictures	
			<input type="checkbox"/>	
			Entered By	
			G. Ellis	

4. Equipment Information				Equipment Motion
Equipment #	Year	Equipment Manufacturer	Equipment Model	Press enter if 'YES'
27049	1999	GMC		Stopped
				<input type="checkbox"/>
License #	Equipment Vin #	Odometer Reading		Parked
54545	1GDJK3418XFD90290			<input type="checkbox"/>
Damage	NONE			Turning
				<input type="checkbox"/>

5. Unit #1 - Operator Information			Operator's Home Division
Operator's Last Name	First Name	Call Number	523 - Infra: Streets, Br
RAMOS	RAUL		
Operator's License Number	Operator Wearing Seatbelt	Discipline Given	Operator's Supervisor
R520-7265-9457-06	<input type="checkbox"/> Press ENTER if 'YES'	None	IWEN
Description of Operators Injuries	Supervisor's Phone Number		
NONE	3422		
Operator's Description of Accident			

6. Unit #1 - Passenger Information		
Passengers Last Name	First Name	Passenger wearing Seatbelt
		<input type="checkbox"/> Press ENTER if 'Yes'
Passengers Injuries		

City of Milwaukee - Department of Public Works Fleet Accident Report

7. Unit #2 - Operator Information

Operators Last Name <input style="width: 90%;" type="text"/>	First Name <input style="width: 90%;" type="text"/>	Operator Wearing Seatbelt <input type="checkbox"/> Press ENTER if 'Yes	Unit #2 Motion Press ENTER if 'YES Parked <input type="checkbox"/> Stopped <input type="checkbox"/> Backing <input type="checkbox"/> Turning <input type="checkbox"/>
Operator's Address <input style="width: 90%;" type="text"/>	City <input style="width: 90%;" type="text"/>	Zip Code <input style="width: 90%;" type="text"/>	
Operator's License Number <input style="width: 90%;" type="text"/>	Phone Number <input style="width: 90%;" type="text"/>	Description of Operator's Injuries <input style="width: 90%; height: 20px;" type="text"/>	

8. Unit #2 - Vehicle and Owner Information

Year <input style="width: 90%;" type="text"/>	Make <input style="width: 90%;" type="text"/>	Model <input style="width: 90%;" type="text"/>	U2_DAMAGE <input style="width: 90%; height: 60px;" type="text"/>
Insurance Company <input style="width: 90%;" type="text"/>	License Plate No. <input style="width: 90%;" type="text"/>		

Owner of Unit #2 if different from operator

Owner's Last Name <input style="width: 90%;" type="text"/>	First Name <input style="width: 90%;" type="text"/>	Owner's Address <input style="width: 90%;" type="text"/>	Phone Number <input style="width: 90%;" type="text"/>
CHILDS	SABRINA	7100 N. PRESIDIO DR	217-7745

9. Unit #2 - Passenger Information

Passenger's Last Name <input style="width: 90%;" type="text"/>	First Name <input style="width: 90%;" type="text"/>	Description of Passenger's Injury <input style="width: 90%; height: 20px;" type="text"/>
Passenger's Address <input style="width: 90%;" type="text"/>	Passenger's Phone <input style="width: 90%;" type="text"/>	Passenger Wearing Seatbelt <input type="checkbox"/> Press ENTER if 'Yes Additional Passengers should be listed on a separate sheet of paper.

10. Witness's Name **Witness's Address** **Witness's Phone Number**

JASON BROCK 9133 W. CUSTER 759-3046

Picture 1	Picture 2	Picture 3	Picture 4

Drivers Accident Statement Form

Return this form to: Fax # 414-286-8514 ATTN: _____

Name of Driver (Please Print): RAUL RAMOS

Date / Time (Of Accident): 6-15-09 NO ACCIDENT HAPPEN

City Equipment #: 27049

Location (Of Accident): 6089 N. 42ND ST.

Drivers Statement: I WAS HEADING NORTH ON 42ND - FLORIST
MADE A LEFT TURN IN THE ALLEY THEN MADE RIGHT
TURN INTO MIDDLE ALLEY WHERE THE JOB WAS
LOCATED THEN STARTED TO BREAK OUT THE JOB
WAS WITH THE SMALL DUMP TRUCK

908 7201 Raul Ramos

Signature Raul Ramos

Date 6-15-09

Drivers Accident Statement Form

Return this form to: Fax # 414-286-8514 ATTN: _____

Name of Driver (Please Print): Wilbert Williams, JR

Date / Time (Of Accident): 15 June 09 7:30 AM

City Equipment #: 25096

Location (Of Accident): 6097 N. 42

Drivers Statement: We located ADDRESS To complete Job, when we found our location we pulled in the alley to do Job assignment.

I was passenger of 25096, neither truck back up and collided into any vehicle.

Jordan Bunker

Signature Wilt Williams

Date 15 June 09

PK2007

POLICE # DISTRICT 4

ACCIDENT # 091660536

<input checked="" type="checkbox"/> Reportable Accident		<input type="checkbox"/> On Emergency		<input type="checkbox"/> Amended		DOT Document Number 9H0R0SN		Document Override Number	
Agency Accident Number 091660536				Police Number DISTRICT 4					
4 - Accident Date 06/15/2009		5 - Time of Accident (Military Time) 0750		6 - Total Units 02		7 - Total Injured 00		8 - Total Killed 00	
2 - County MILWAUKEE - 40		3 - Municipality MILWAUKEE - 57, CITY				11 - Accident Location NON-INTERSECTION			
14 - On Hwy No. 42ND ST N	14 - On Street Name 42ND ST N			14 - Bus/Frnt/Rmp		15 - Est. Dist 100	Ft/Mi F	15 - Hwy. Dir SOUTH	
16 - Fr/At Hwy No.	16 - From/At Street Name KAUL AVE W				16 - Business/Frontage/Ramp				
17 - Structure Type HOUSE #		17 - Structure Number 6089		12 - Latitude			13 - Longitude		
80 - First Harmful Event PARKED MOTOR VEHICLE				93 - Manner of Collision NO COLLISION WITH MOTOR VEHICLE IN TRANSPORT					
112 - Access Control NO CONTROL		113 - Road Curvature STRAIGHT		113 - Road Terrain LEVEL/FLAT		Surface Type BLACKTOP (BITUMINOUS) - 2			
115 - Traffic Way NOT-PHYSICALLY-DIVIDED-(2-WAY TRAFFIC)									
117 - Relation To Roadway ON-ROADWAY									
114 - Light Condition DAYLIGHT			116 - Road Surface Condition DRY			118 - Weather CLEAR			
<input type="checkbox"/> Hit and Run	<input type="checkbox"/> Government Property		<input type="checkbox"/> Fire	<input type="checkbox"/> Photos Taken		<input type="checkbox"/> Trailer or Towed			
<input type="checkbox"/> Truck, Bus, or Hazardous Materials			<input type="checkbox"/> Load Spillage		<input type="checkbox"/> Construction Zone		<input checked="" type="checkbox"/> Names Exchanged		
101 <input type="checkbox"/> Supplemental Reports		102 <input checked="" type="checkbox"/> Witness Statements			103 <input type="checkbox"/> Measurements Taken		79 - E M S Number		

GENERAL INFORMATION

Operator/Pedestrian

Unit Status		81 - Most Harmful Event: Collision With PARKED MOTOR VEHICLE		23 - Dir Of Travel SOUTH		24 - Speed Limit 25	
36 - Operating as Classified D CLASS		37 - Endorsements		35 <input type="checkbox"/> Operating Commercial Motor Vehicle			
29 - Driver's License Number R5207265945706		30 - State WI	31 - Expiration Year 2014	34 - On Duty Accident			
25 - Operator/Pedestrian Last Name RAMOS			25 - First Name RAUL		25 - Middle Initial	25 - Suffix	
32 - Date Of Birth 12/17/1959		33 - Sex MALE					
26 - Address Street & Number 2348 S 33 ST						26 - PO Box	
27 - City MILWAUKEE			27 - State WI	27 - Zip Code 53215		28 - Telephone Number (414) 708-7201 EXT.	
39 - Seat Position FRONT-SEAT-LEFT-SIDE-(MC/BIKE DRIVER, TRAIN CONDUCTOR)				40 - Safety Equipment SHOULDER-BELT-AND-LAP-BELT-USED			
38 - Injury Severity N - NO APPARENT INJURY		41 - Airbag NON-DEPLOYED		42 - Ejected NOT-EJECTED		44 <input type="checkbox"/> Medical Transport	
43 - Trapped/Extricated NOT-TRAPPED		92 - Pedestrian Location		92 - Pedestrian Action			
119 - What Driver Was Doing BACKING-MANEUVER			120 - Traffic Control NO-CONTROL			62 - No. of Citations Issued 0	
64 - 1st Statute No.	64 - 2nd Statute No.	64 - 3rd Statute No.		64 - 4th Statute No.		64 - 5th Statute No.	
122 - Driver Factors INATTENTIVE-DRIVING							
88 - Driver or Pedestrian Cond NOT OBSERVED		89 - Substance Presence UNKNOWN					
90 - Alcohol Test TEST NOT GIVEN			90 - Alcohol Content			91 - Drug Test TEST-NOT-GIVEN	

OPERATOR/PEDESTRIAN 01

91 - Drugs Reported
124 - Highway Factors NOT-APPLICABLE

Vehicle

VEHICLE 01	21 - Unit Type AUTOMOBILE	Vehicle Type PASSENGER-CAR				22 - Total Occupants 1
	56 - License Plate Number 54545	57 - Plate Type MUN	58 - State WI	59 - Exp Year	55 - Vehicle Identification Number 1GDJK34F8XFD90290	
	50 - Year 1999	51 - Make GMC	52 - Model COMPRESSOR	53 - Body Style 2D	54 - Color YEL	100 - Skidmarks to Impact (Ft)
	94 - Vehicle Damage REAR					
	95 - Extent Of Damage VERY-MINOR	96 <input type="checkbox"/> Vehicle Towed Due To Damage		97 - Vehicle Removed By OPERATOR		
	123 - Vehicle Factors NOT-APPLICABLE					

Vehicle Owner

VEH OWNER 01	45 <input type="checkbox"/> Vehicle Owner Same As Operator			
	46 - Vehicle Owner Last Name	46 - First Name	46 - Middle Initial	46 - Suffix
	46 - Company Name CITY OF MILWAUKEE			
	47 - Address Street & Number 200 E WELLS ST		47 - PO Box	
	48 - City MILWAUKEE	48 - State WI	48 - Zip Code 53202	49 - Telephone Number (414) 286-2150 EXT.

Insurance

INS 01	63 - Liability Insurance Company GOVERNMENT	60 <input type="checkbox"/> Policy Holder Same As Owner
	61 - Policy Holder Last Name	61 - Policy Holder First Name
	61 - Policy Holder Company	

School Bus

BUS 01	Bus Travelling to/from <input type="radio"/> To <input type="radio"/> From	School Name	Body Make	Seating Capacity
	School District Contracted With			

Operator/Pedestrian

Unit Status L - LEGALLY PARKED	81 - Most Harmful Event: Collision With MOTOR VEHICLE IN TRANSPORT	23 - Dir Of Travel	24 - Speed Limit 25
36 - Operating as Classified D CLASS	37 - Endorsements	35 <input type="checkbox"/> Operating Commercial Motor Vehicle	
29 - Driver's License Number	30 - State	31 - Expiration Year	34 - On Duty Accident
25 - Operator/Pedestrian Last Name	25 - First Name	25 - Middle Initial	25 - Suffix
32 - Date Of Birth	33 - Sex		

OPERATOR/PEDESTRIAN 02	26 - Address Street & Number				26 - PO Box	
	27 - City		27 - State	27 - Zip Code		28 - Telephone Number
	39 - Seat Position BLANK			40 - Safety Equipment NOT-APPLICABLE-NONMOTORIST		
	38 - Injury Severity		41 - Airbag NOT APPLICABLE	42 - Ejected NOT-APPLICABLE		44 <input type="checkbox"/> Medical Transport
	43 - Trapped/Extricated NOT-APPLICABLE		92 - Pedestrian Location		92 - Pedestrian Action	
	119 - What Driver Was Doing LEGALLY-PARKED		120 - Traffic Control NO-CONTROL		62 - No. of Citations Issued 0	
	64 - 1st Statute No.	64 - 2nd Statute No.	64 - 3rd Statute No.	64 - 4th Statute No.		64 - 5th Statute No.
	122 - Driver Factors NOT-APPLICABLE					
	88 - Driver or Pedestrian Cond		89 - Substance Presence			
	90 - Alcohol Test		90 - Alcohol Content		91 - Drug Test	
	91 - Drugs Reported					
	124 - Highway Factors NOT-APPLICABLE					

Vehicle

VEHICLE 02	21 - Unit Type AUTOMOBILE			Vehicle Type PASSENGER-CAR		22 - Total Occupants 0
	56 - License Plate Number F1672T		57 - Plate Type SES	58 - State WI	59 - Exp Year 2010	55 - Vehicle Identification Number 4T1BG22K1VU134722
	50 - Year 1997	51 - Make TOYT	52 - Model CAMRY	53 - Body Style 4D	54 - Color BLK	100 - Skidmarks to Impact (Ft)
	94 - Vehicle Damage REAR DRIVER SIDE					
	95 - Extent Of Damage MINOR		96 <input type="checkbox"/> Vehicle Towed Due To Damage		97 - Vehicle Removed By W MONROVIA	
123 - Vehicle Factors NOT-APPLICABLE						

Vehicle Owner

VEH OWNER 02	45 <input type="checkbox"/> Vehicle Owner Same As Operator				
	46 - Vehicle Owner Last Name CHILDS		46 - First Name SABRINA		46 - Middle Initial F
	46 - Company Name				
	47 - Address Street & Number 7100 N PERSIDIO DR			47 - PO Box	
	48 - City MILWAUKEE		48 - State WI	48 - Zip Code 53223	

Insurance

PK2007

INS 02	63 - Liability Insurance Company NOT-REQUIRED		60 <input type="checkbox"/> Policy Holder Same As Owner
	61 - Policy Holder Last Name		61 - Policy Holder First Name
	61 - Policy Holder Company		

School Bus

BUS 02	Bus Travelling to/from <input type="radio"/> To <input type="radio"/> From	School Name	Body Make	Seating Capacity
	School District Contracted With			

Diagram and Narrative

DIAGRAM AND NARRATIVE	105 - PHOTOS BY
	<p>6089 N 42 ST N 42ND UNIT 2 W MONROVIA WAY NOT DRAWN TO SCALE</p>
UNIT #1 WAS BACKING IN ROADWAY, 6800 BLOCK OF N 42 ST. UNIT #1 BACKED INTO UNIT #2 WHICH WAS LEGALLY PARKED ON THE ROADWAY 6800 BLOCK OF N 42 ST. WITNESS WAS SITTING ON HER FRONT PORCH AND STATES SHE OBSERVED THE SAME AS ABOVE.	

Witness

WITNESS 01	107 - Witness Last Name PRIDE		107 - First Name ANGELENE		107 - Middle Initial
	108 - Address Street & Number 4214 W MONROVIA WAY			108 - PO Box	109 - Date of Birth 1/12/1958
	110 - City MILWAUKEE		State WI	110 - Zip Code 53209	111 - Telephone Number (414) 466-4328 EXT.

Officer Information

PK2007.

OFFICER INFORMATION	125 - Officer Last Name BECKER		125 - First Name DAVID	125 - Middle Initial	131 - Officer ID 06892	
	129 - Law Enforcement Agency No. 006		130 - Law Enforcement Agency Name MILWAUKEE POLICE DEPARTMENT			
	126 - Law Enforcement Agency Address Street & Number 749 WEST STATE STREET					
	127 - City MILWAUKEE		127 - State WI	127 - Zip Code 53233	128 - Telephone Number (414) 933-4444 EXT.	
	132 - Date Notified 06/15/2009		133 - Time Notified (Military Time) 0830	134 - Time Arrived (Military Time) 0840	135 - Date Of Report 06/16/2009	
	Agency Accident Number 091660536		Police Number DISTRICT 4	19 - Special Study		
	18 - Agency Space					

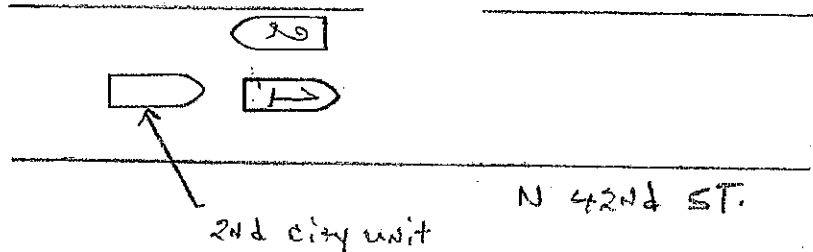
Draw diagram of accident
Indicate north with an arrow in the circle

81 PICTORIAL REPRESENTATION OF NARRATIVE

Skidmarks to Impact	
Unit 1	Unit 2
FT	FT



Bethland APTS



SECTION D

Narrative: The city unit seen was 27049 driven by Raul Ramos and Ramos said he was working in the area but that he never hit any vehicle and that when he drove past the car in question that another city crew saw him and that they were his witness that he never hit any car.

SEE WITNESSES STATEMENTS

The damage is inconclusive with damages from this type city vehicle

WEATHER CONDITION

1. Clear	5. Fog or Mist
2. Cloudy	6. Sleet
3. Rain	
4. Snow or ice	

89

Circle Area Of Vehicle Damage			
9	10	11	12
UNIT 98 1			Front
Overturn - 14	Multiple - 15	Undercarriage - 16	
1 Scratched	2 Dented	3 Structural	Driveable
100	99	Y/N	100
Vehicle Removed By: Driver			
101			

ROAD CONDITION

1. Dry	6. Muddy
2. Snow or ice	7. Oily
3. Wet	8. Other
4. Gravel	
5. Slush	

90

4b. Description Cont'd. 11 Photos

Investigated by *Gair Jackson* Date 06-15-09

Driver's Signature See attached statements Date _____

Supervisor's Signature *[Signature]* Date 7/6/09

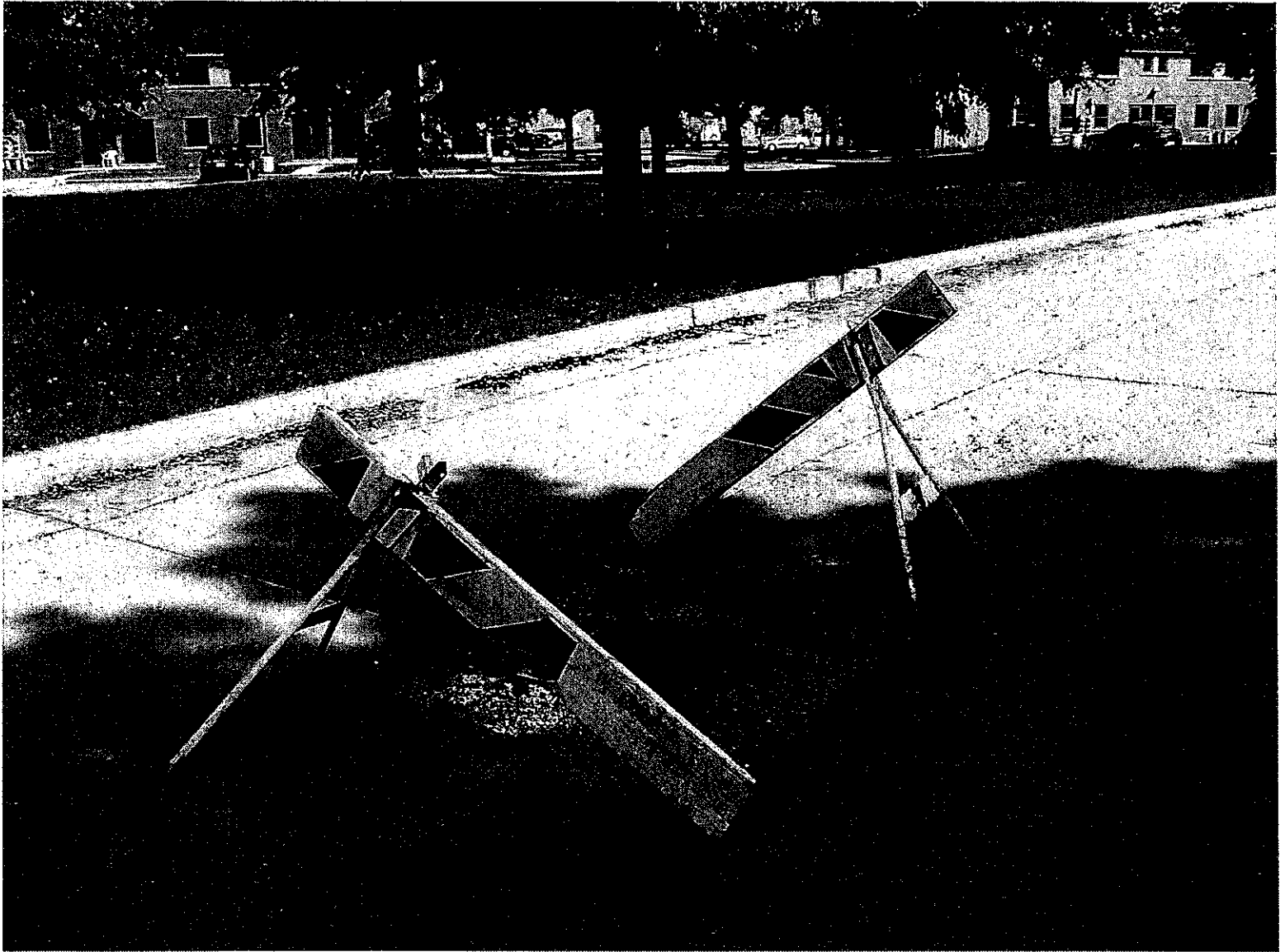


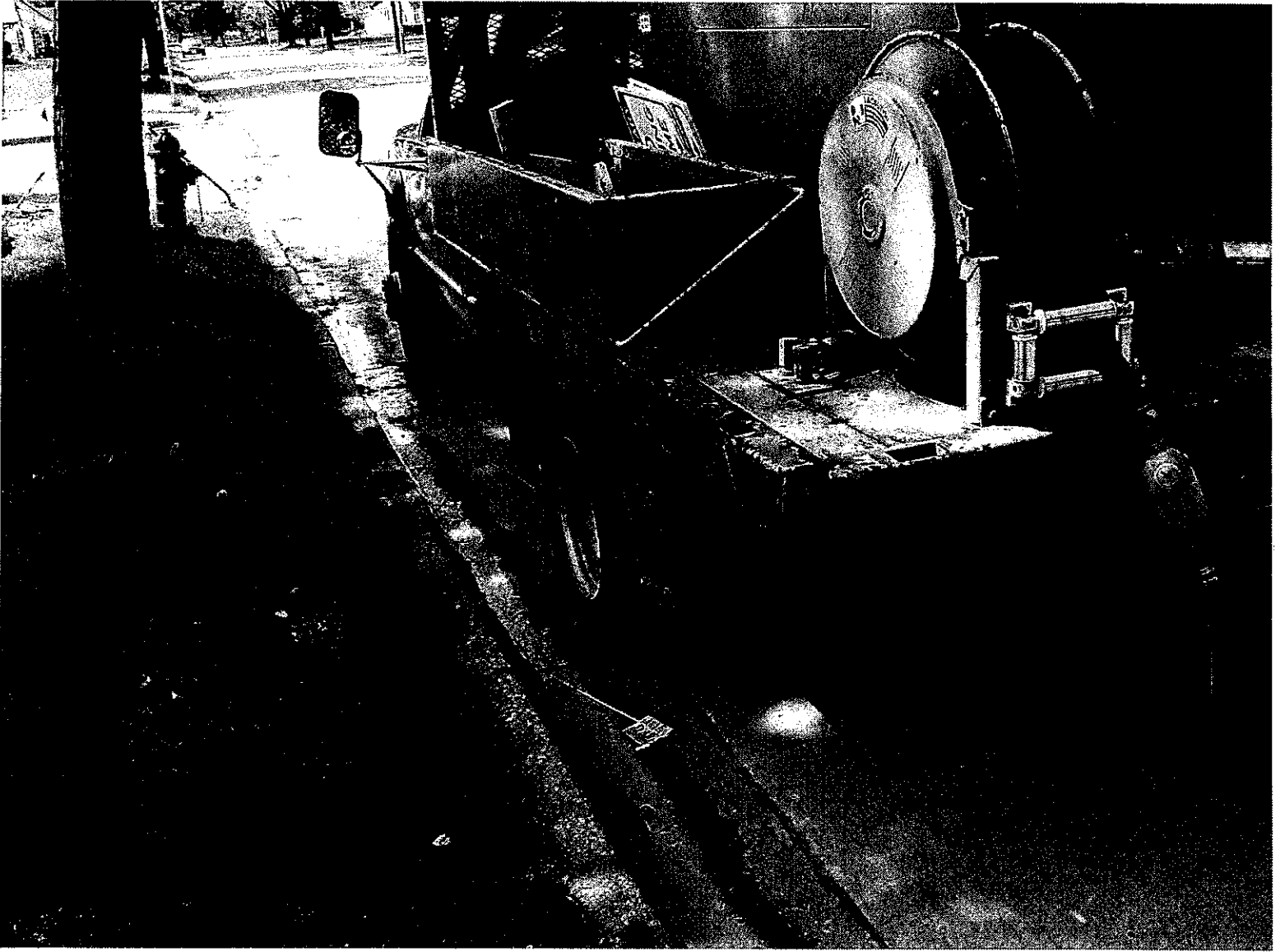


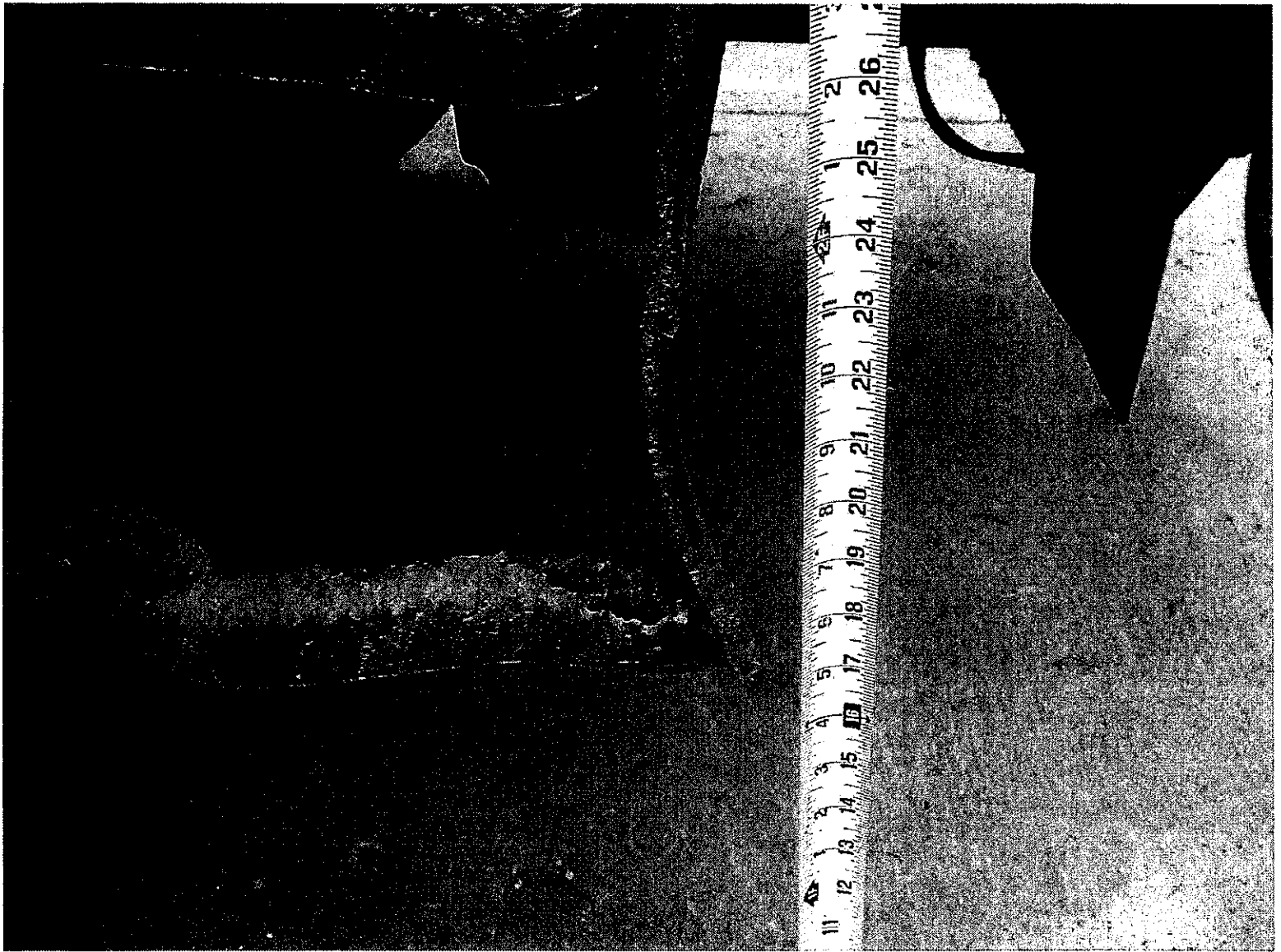




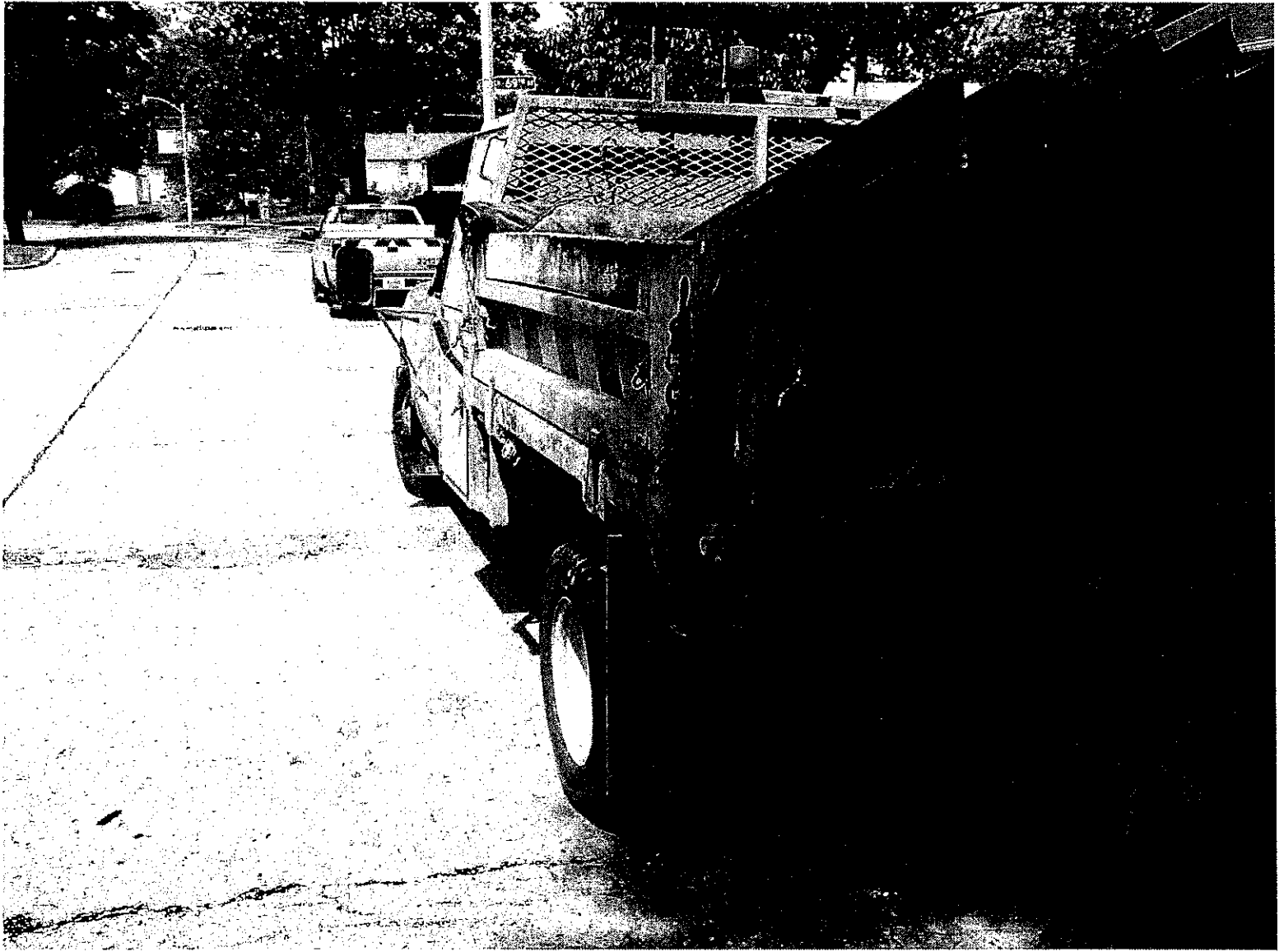


















Legislation Details (With Text)

File #: 090824 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 10/13/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to an appeal from Richard Benish, Jr. for property damage. (10th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS APPEAL

Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

File #: 090824 **Version:** 0

Number

090824

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to an appeal from Richard Benish, Jr. for property damage. (10th Aldermanic District)

Drafter

City Atty.

smc

10/13/09

GRANT F. LANGLEY
City Attorney

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

CITY OF MILWAUKEE
Office of the City Attorney

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

September 14, 2009

Richard Benish Jr.
5801 West Bluemound Road
Milwaukee, WI 53213

RE: Richard Benish, Jr.
C.I. File No.: 09-V-156

Dear Mr. Benish:

We have received your claim in the amount of \$11,324.00, relating to damage over time to your driveway at 135-147 North Hawley Road allegedly caused by City garbage trucks.

Our investigation reveals that this claim was filed on August 7, 2009. Wisconsin Statute §893.80 (1)(a) requires that a claim must be filed within 120 days after the happening of the event giving rise to the claim. This claim was not timely filed. In addition, the Fleet Accident Report completed as a result of this alleged incident notes that the asphalt pavement was unmaintained and that the damage was very old. There is no evidence that the damage was caused by the negligence of the City. As such, the City would not be 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 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

Steven M. Carini

STEVEN M. CARINI
Investigator Adjuster

SMC:ms
1030-2009-2185:149849

OFFICE OF THE CITY ATTORNEY

October 3, 2009

Milwaukee City Clerk,
200 East Wells Street Room 205
Milwaukee, Wi. 53202

Dear Sir

I Richard Benish Jr.(C.I. file No. : 09-V-156) would like to appeal your decision. I am requesting a hearing.

Very truly yours,



Richard Benish Jr.



*Mr. Richard Benish
5801 W Bluemound Rd.
Milwaukee, WI 53213*

CITY OF MILWAUKEE
2009 OCT -8 PM 12: 56
RONALD D. LEONHARDT
CITY CLERK

Dear Sir:

We are filing a claim with the city because the garbage service has been backing the garbage truck into our shared drive at 135-147 N Hawley rd.. There are ruts in the drive way. I called last spring 2008 and got no response from the Dept of sanitation. The garbage truck continue to back into the driveway. This spring I called again because it was getting worse. This time I received a claim number, and still no response. So I called back and they gave me to a claim investigator . That was on about 06/12/09. investigator gave "city" Vehicle Number 32387/various. We have a picture that one of your tenant took of the garbage truck in the driveway

Thank You for your corporation

 8/4/09

Richard Benish jr.
5801 w bluemound rd.
Milwaukee, wi 53213

Work 414-259-0707 - 8Am - 6Pm
Home 414 449-1762
Cell 414 708-3840

2009 AUG -7 AM 11:32
MILWAUKEE
RONALD D. LEONHART
CITY CLERK

2009 AUG -7 PM 1:57
CITY OF MILWAUKEE
RECEIVED
OFFICE OF
CITY ATTORNEY

OFFICE OF THE CITY CLERK
Milwaukee, Wisconsin

INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

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

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

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

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

1. Proof of the amount of the claim by means of either itemized receipts or two itemized estimates.
2. A phone number where the claimant can be reached during business hours.
3. As detailed a description of the incident as possible, including the date, time and place. Include the "City" vehicle #.

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 if reimbursement is legally required.

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

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



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

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

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

To File A CLAIM with The **CITY OF MILWAUKEE:**

You will need the following information

DATE of Incident VARIOUS - 06/12/09

INV @ 135-147 N. HAWLEY AVE.

"City" Vehicle Number 32387 / VARIOUS

PRO-SEAL

ASPHALT PAVING & MAINTENANCE CO., INC.
 N56 W12828 W SILVER SPRING ROAD
 MENOMONEE FALLS, WI 53051
 OFFICE: (262) 797-8201 FAX: (262) 797-8202
 www.pro-seal-asphalt.com

Proposal

DATE	PROPOSAL NO.
7/14/2009	09-2656

PROPOSAL SUBMITTED TO: Richard Benish, Jr. 5801 West Bluemound Road Milwaukee, WI 53213 (414)259-0707	ESTIMATOR	JOB LOCATION: 147 North Hawley Road Milwaukee, WI
	RK	
	DISCOUNT	
	New	

DESCRIPTION	TOTAL
<p>We hereby submit specifications and estimates for the following work:</p> <p>Procedure to Remove and Replace Existing Parking Lot. Condition of asphalt and base fatigued will only allow for the following to be done. We would not offer any other bid due to condition of lot.</p> <p>Owner to have lot clear of vehicles and debris along west fence line.</p> <p>Remove and haul away existing asphalt pavement in indicated area(s).</p> <p>Excavate entire lot to allow for 8" compacted stone base and discard waste.</p> <p>Install 8" compacted stone base per diagram.</p> <p>Shape and fine grade base stone.</p> <p>Compact base with dual drum vibratory rollers, in order to obtain maximum compaction.</p> <p>Apply soil sterilizer as or if necessary to help prevent weed growth.</p> <p>Machine pave (3") FINAL COMPACTED THICKNESS) State Spec. Hot Mix Asphalt.</p> <p>Finish any exposed edges to an even 45 degree angle for added strength.</p> <p>Layout and stripe lot per existing layout. Color: Yellow</p>	11324.00

THANK YOU! Please Sign & Remit Copy.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to industry standards. Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over original the proposal. All agreements contingent upon strikes, accidents or delays beyond our control. Property owner to carry fire, tornado and other necessary insurance upon above work. Our workers are fully covered by Worker's Compensation insurance. Wisconsin Lien Law applies, a copy furnished upon request. All labor and material is conclusively accepted as satisfactory unless stated in writing within 7 days of performance. Any unpaid balance will bear interest at the rate of 1.5% per month.
 ACCEPTANCE OF PROPOSAL :The above prices, specifications and conditions are satisfactory and are hereby accepted. Pro-Seal is authorized to do the work as specified. Customer responsible for all permits. 7% Cancellation Fee of Signed Proposals.

Terms: 1/4-Down Pymt. Bal. on Completion

SUBMITTED BY 

SIGNATURE AND DATE OF ACCEPTANCE:

Corporate Office
N3 W23650 Badinger Road
Waukesha, WI 53187

Payne & Dolan, Inc.



Lisa M. Brux
Direct: 262-524-1788
Cell: 262-366-5097
Fax: 262-524-1845
lbrux@payneanddolan.com

PROPOSAL

SUBMITTED TO:

Richard Benish Jr.
5801 W. Bluemound Road
Milwaukee, WI. 53213

DATE: July 22, 2009
PHONE:
FAX:
JOB NAME: Duplex Lot Repair
JOB LOCATION: 147 N. Hawley Road - Milwaukee
PLAN DATE: Field Measured 07/22/09

For furnishing the necessary labor, material and equipment to complete the following:

Base Proposal

- Remove the existing asphalt pavement and base to a depth of 15" in the area to be patched (approximately 215 SY). See attached drawing for area of repair.
- Furnish, install, water and compact a 10" crushed aggregate base course in the area mentioned above.
- Construct a two-course, 5" compacted average depth asphalt pavement consisting of a 3" lower course and 4" upper course in the area mentioned above.
- Apply tack coat between lifts of asphalt.

TOTAL PRICE: \$12,045.00

PROPOSAL NOTES:

- Project is to be built in 1 phase. Each additional mobilization will be at a cost of \$1,000.00 each.
- All bases or pavements constructed on wet, frozen or otherwise compromised subbase or below freezing temperatures will be at the owner's expense and without warranty.
- If unstable subgrade or base course conditions are encountered during construction, the above pricing does not include the undercut or stabilization of the unstable material which must take place prior to completion of the asphalt paving.
- Owner is responsible for disposing of any and all contaminated material.
- All permits and private utility locates, by others.

If you have any questions on this proposal, please call me at the contact information listed above.

Thank you,

Lisa M. Brux

IF THIS PROPOSAL IS NOT ACCEPTED AND RETURNED WITHIN 15 DAYS FROM THE DATE OF THIS PROPOSAL OR IF THE WORK IS NOT COMPLETED BY October 15, 2009, PAYNE & DOLAN, INC. RESERVES THE RIGHT TO WITHDRAW THE PROPOSAL OR MODIFY THE TERMS OF THE PROPOSAL/CONTRACT.

PRIOR TO PAYNE & DOLAN, INC. BEGINNING WORK UNDER THIS CONTRACT, OWNER/CONTRACTOR SHALL PROVIDE EVIDENCE THAT THE FOLLOWING PAYMENT TERM IS MET OR PAID AND IS ACCEPTABLE TO PAYNE & DOLAN, INC. TO FULFILL THEIR OBLIGATIONS UNDER THIS CONTRACT: 50% OF CONTRACT DUE WITH SIGNED CONTRACT,

PLEASE CALL CAT WARDEN AT 262-524-1739 TO GET APPROVAL ON YOUR PROPOSED SCHEDULE OR TO MAKE PAYMENT ARRANGEMENTS.

FOR OFFICE USE ONLY

Financial Terms Approved _____ Date _____

PROPOSAL TERMS AND CONDITIONS

Payne & Dolan, Inc. will not be responsible for damage to any underground utilities or other hidden conditions if the Owner/Contractor fails to give Payne & Dolan, Inc. advance notice of their existence and location. Owner/Contractor agrees to indemnify and hold Payne & Dolan, Inc. harmless for any loss, expense or damage resulting from, arising out of, or in any way related to such condition.

Physical access by heavy equipment and material delivery vehicles to the site that is the subject of this contract may result in physical damage to property including but not limited to existing pavement, landscape or structures. Subcontractor will cooperate with the Contractor or Owner in finding alternative access solutions, but the Contractor and Owner do hereby release and hold harmless the subcontractor from any claims for physical damage caused from access to the site. Contractor or Owner agree that any physical damage to property caused by Subcontractor's heavy equipment and material delivery vehicles in the process of gaining access to the site, where no other access options have been made available, shall be the responsibility of the Contractor or Owner.

Prior to the commencement of the Work, the work of others shall be completed to such an extent that it will not in any way conflict or interfere with the Work. If Payne & Dolan, Inc. is directed to commence Work prior to the time such other work is completed, Owner/Contractor agrees to pay the costs of any extra mobilizations or reduced productivity attributable to Payne & Dolan, Inc. commencing any of the Work before any others have completed their work.

The total allowable number of working days under normal conditions required to complete the Work is 10 days. In order to meet any agreed upon completion date, Payne & Dolan, Inc. must receive a 10 days advance notice to proceed plus the total allowable number of working days required to complete the Work under normal conditions.

Any changed condition of the job specifications involving extra costs will be performed only upon submission of a written change order, and Owner/Contractor will be required to pay to Payne & Dolan, Inc. an extra charge over and above the original contract price for performance of the requested change order.

If any other agreement is entered into between the parties, the terms of this agreement shall be incorporated into any such agreement and shall supersede any conflicting terms contained therein.

Payne & Dolan, Inc. reserves the right to refuse to construct a pavement unless minimum grades of 1% are attainable for surface drainage. If the Owner/Contractor directs construction with less than a minimum grade of 1%, it is understood that waterponding may occur and that no warranty attaches to the Work as to satisfactory surface drainage. Payne & Dolan, Inc. is not responsible for the redesigning of plan grades in order to establish a minimum of 1% drainage.

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

Owner/Contractor, at its sole expense, shall comply with and obtain all necessary licenses and permits under present and future laws, statutes, ordinances, rules, orders or regulations of any governmental body having jurisdiction over the site, the Work, or the Owner/Contractor and shall bear the sole cost of any fines or penalties for failure to comply with or obtain the same.

If any amount due under this contract is not paid when due, is referred to any attorney for collection (whether or not litigation is commenced), or if any legal advice, services or action shall be necessary, Owner/Contractor agrees to pay all attorney's fees, costs and expenses incurred by Payne & Dolan, Inc. in connection with collecting that amount.

Payne & Dolan, Inc. proposes to furnish material and labor - complete in accordance with above specifications and prices. Payne & Dolan, Inc. is entitled to final payment upon substantial completion of the "Work" required herein. Terms of payment shall be net on receipt of invoice. A 1.5% per month service charge shall be charged on all outstanding balances. Upon receipt of payment in full, Payne & Dolan, Inc. will provide a lien waiver required by Owner/Contractor.

This proposal is contingent upon the express agreement that indemnification, defense and additional insured status, if required by the contract or contractor, shall be provided by the bidder but only to the extent of bidders' negligence.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond Payne & Dolan, Inc.'s control. Owner to carry fire, tornado and other necessary insurance. Payne & Dolan, Inc.'s workers are fully covered by Workmen's Compensation Insurance.

Subgrade/Aggregate Base: No materials will be placed on a wet, unstable or frozen subgrade/aggregate base. The Owner/Contractor is responsible to furnish Payne & Dolan, Inc. a suitable subgrade/aggregate base having the ability to support the maximum axle loads transmitted from the heaviest construction and/or vehicle traffic anticipated as not to cause any deformation to the subgrade/aggregate base. All subgrade must be rough graded by Owner/Contractor to within $\pm 0.1'$ of the proposed plan subgrade elevations.

Fine Grading of Aggregate Base by Payne & Dolan, Inc.: If Payne & Dolan, Inc. fine grades the surface to be paved, the Owner/Contractor shall furnish a surface rough graded to within $\pm 0.1'$ of the proposed plan aggregate base course elevations.

Fine Grading of Aggregate Base by Others: If Owner/Contractor fine grades the surface to be paved, Payne & Dolan, Inc. may choose to request additional work to correct the surface to be paved for (but not limited to) stability, surface drainage, slope and elevation. Additional corrective work will be done at no cost to Payne & Dolan, Inc.

Heaving and Cracking: Heaving of asphalt pavements caused by, but not limited to, wet conditions, expansive soils and freezing-thaw cycles, is not the responsibility of Payne & Dolan, Inc. Cracking of asphalt pavements caused by, but not limited to, excessive drying of expansive soils, clay soils and reflective cracking, is not the responsibility of Payne & Dolan, Inc.

When resurfacing concrete, brick or asphalt pavements Payne & Dolan, Inc. is not responsible for the reproduction of cracks or expansion joints which may occur.

Authorized Signature: *Lisa M. Brux*
Lisa M. Brux, Project Manager

Acceptance of Proposal - The above prices, specifications and terms and conditions are satisfactory and are hereby accepted. Payne & Dolan, Inc. is authorized by Owner/Contractor to do the Work as specified. Payment will be made to Payne & Dolan, Inc. by Owner/Contractor as outlined above. If separate bids or alternate bids are indicated, acknowledge acceptance by initialing those prices which you hereby accept.

Owner/Contractor: _____ Date: _____

Signature: _____

Job Name: Duplex Lot Repair

Date of Proposal: July 22, 2009





Legislation Details (With Text)

File #: 090758 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 10/13/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:
Title: Resolution relating to an appeal from Charmond Peterson for property damage.
Sponsors: THE CHAIR
Indexes: CLAIMS APPEAL
Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

File #: 090758 **Version:** 0

Number

090758

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to an appeal from Charmond Peterson for property damage.

Drafter

City Atty.

rmo

10/1/09

GRANT F. LANGLEY
City Attorney

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



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

September 17, 2009

Charmond A. Peterson
3391 North 21st Street
Milwaukee, WI 53206

RE: Charmond Peterson
C.I. File No.: 09-S-206

Dear Ms. Peterson:

We have received your claim in the amount of \$1,073.93, relating to damage allegedly sustained to your vehicle on April 20, 2009 when it collided with a pothole while you were traveling northbound on North 27th Street near West Melvina Street.

Our investigation reveals that the Infrastructure Services Division records indicate that prior to April 20, 2009 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 are denying your claim.

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

Very truly yours,

A handwritten signature in black ink that reads "Grant F. Langley".

GRANT F. LANGLEY
City Attorney

A handwritten signature in black ink that reads "Steven M. Carini".

STEVEN M. CARINI
Investigator Adjuster

SMC:ms
1029-2009-1530:150034

OFFICE OF THE CITY ATTORNEY

Charmond A. Peterson

3391 North 21st Street
Milwaukee, WI 53206
(414) 477-6057

September 24, 2009

Milwaukee City Clerk

Dear Sir or Madam:

This letter is to appeal the decision to deny my claim for damage caused by a pot hole in the City of Milwaukee; my claim # is 09-S-206. My appeal is based on several facts the first being. When I called to report the pot hole on April 21st 2009 the clerk that answered the phone @ 414-286-2489 said that notification had already been given, second there was work being performed by the City of Milwaukee and or a contractor hired by the City of Milwaukee that should have been aware of the hole in the street. It is not the responsibility of the citizens of Milwaukee to ensure the street are safe upon which to drive on put the responsibility of the City of Milwaukee. So for those facts I believe I should be reimbursed the cost for damages caused by the pot hole.

Sincerely,



Charmond Peterson

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

CITY OF MILWAUKEE
RECEIVED
2009 SEP 29 PM 3:06
OFFICE OF
CITY ATTORNEY

Charmond A. Peterson
3391 North 21st Street
Milwaukee, WI 53206
(414) 477-6057
mrscharminp@sbcglobal.net

April 29, 2009

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

Dear City Clerk:

On Monday April 20th 2009 I was driving north on 27th street @ approximately 8:30 p.m. where I hit a large pot hole in the street there were no cones or caution signs (pictures attached) there which caused one of tires to blow out, the other to bubble and extensive underbody damage to my car. On Tuesday April 21st 2009 I took my car into Wilde Honda in Waukesha for service where I was told that my rim for one of my tires was bent my tire rod was damaged and I needed ball joints(attached you will find the invoice).

I am requesting that the city reimburse me \$1,073.93 for the damages caused by the pot hole in the street.

Sincerely,

Charmond A. Peterson

RECEIVED
CITY ATTORNEY
2009 JUN -2 PM 3:37

CITY OF MILWAUKEE
2009 JUN 1 3:08
RONALD J. ...
CITY



WILDE HONDA



1603 E. Moreland Blvd. • Waukesha, WI 53186
(262) 542-9300 • www.wildeauto.com

CUSTOMER NO. 153341		ADVISOR DEVIN L JENKINS	1559	TAG NO. 1738	INVOICE DATE 04/22/09	INVOICE NO. HOCS402894
CHARMOND A PETERSON 3391 N 21ST ST MILWAUKEE, WI 53206-1708		LABOR RATE	LICENSE NO. 96LHUX	MILEAGE 45,788	COLOR GRAPH PRL/	STOCK NO. 31424
		YEAR / MAKE / MODEL 07/HONDA/ACCORD SEDAN/4DR SDN EX-V6	DELIVERY DATE 10/09/06		DELIVERY MILES 15	
		VEHICLE I.D. NO. 1 H G C M 6 6 5 7 7 A 0 2 5 0 0 6	SELLING DEALER NO. 206863		PRODUCTION DATE	
		F.T.E. NO.	P.O. NO.	R.O. DATE 04/21/09		
RESIDENCE PHONE 414-871-9681	BUSINESS PHONE	COMMENTS E# 330A5-2027876		MO: 45788		

TOTALS
1000.00 **73.93**

 CASH.....CHECK.....
 MC...VISA...AMEX...
 DISCOVER.....

 SALES DEPT.
 BE SURE TO VISIT DUR 24-HOUR
 SHOWROOM ON THE INTERNET!!
 http://www.wildehonda.com
 TOTAL LABOR..... 374.00
 TOTAL PARTS..... 739.13
 TOTAL SUBLET... 0.00
 TOTAL G.O.G.... 0.00
 TOTAL MISC CHG. 20.00
 TOTAL MISC DISC -111.31
 TOTAL TAX..... 52.11
 TOTAL INVOICE \$ **1073.93**
 DS

SERVICE & PARTS DEPARTMENT HOURS
 Service
 Mon - Thur 7:00 - 7:00 Fri 7:00 - 5:30
 Sat 8:00 - 4:00
 Parts
 Mon - Fri 7:00 - 7:00 Sat 8:00 - 4:00

SALES DEPARTMENT HOURS
 Monday - Friday
 9:00 AM - 9:00 PM
 Saturday
 9:00 AM - 5:00 PM

CUSTOMER SIGNATURE

THANK YOU
WE APPRECIATE
YOUR BUSINESS!



HAVE AN
EXCELLENT DAY!

DISCLAIMER OF WARRANTIES
 The seller hereby expressly disclaims all warranties, either expressed or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products.

Motor vehicle repair trade practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture Trade and Consumer Protection, P.O. Box 8911, Madison, Wisconsin 53708-8911.



WILDE HONDA



1603 E. Moreland Blvd. • Waukesha, WI 53186
(262) 542-9300 • www.wildeauto.com

CUSTOMER NO. 153341	ADVISOR DEVIN L JENKINS	1559 TAG NO. 1738	INVOICE DATE 04/22/09	INVOICE NO. HOC5402894
CHARMOND A PETERSON 3391 N 21ST ST MILWAUKEE, WI 53206-1708	LABOR RATE	LICENSE NO. 961HUX	MILEAGE 45,788	COLOR GRAPH PRL/
	YEAR / MAKE / MODEL 07/HONDA/ACCORD SEDAN/4DR SDN EX-V6	DELIVERY DATE 10/09/06	DELIVERY MILES 15	STOCK NO. 31424
	VEHICLE I.D. NO. I H G C M 6 6 5 7 7 A 0 2 5 0 0 6	SELLING DEALER NO. 206863	PRODUCTION DATE	
RESIDENCE PHONE 414-871-9681	BUSINESS PHONE	COMMENTS CV 530A5-2027876	R.O. DATE 04/21/09	
				MO: 45788

LABOR & PARTS
1 37HOZ

WHEEL & TIRES TECH(S):2174 374.00
CUSTOMER WOULD LIKE RIGHT FRONT TIRE REPLACED/ROTATE TO REAR
TECHNICAN TRACED PASS INNER TIE ROD BENT AND PASS
FRONT ALLOR RIM IS BENT PASS FRONT TIRE DAMAGED PASS
REAR TIRE BUBBLE IN SIDE WALL
REPLACE PASS FRONT RIM AND REPLACE PASS FRONT TIRE PASD
REAR TIRE

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	PRICE
JOB # 1	1	42751-MIC-031	TIRE P215/50R17	231.60	231.60
		MICH.PILOT HX MXM4			
JOB # 1	1	53010-SDB-A01	JOINT SET, BALL	48.51	48.51
JOB # 1	1	42751-MIC-031	TIRE P215/50R17	231.60	231.60
		MICH.PILOT HX MXM4			
JOB # 1	1	42700-SDB-J02	DISK 17X6 1/2JJ	219.11	219.11
JOB # 1	1	53534-SDB-A01	BELLOWS	5.12	5.12
JOB # 1	1	53449-SDB-A01	CLAMP, BELLOWS	3.19	3.19
JOB # 1 TOTAL PARTS					739.13
JOB # 1 TOTAL LABOR & PARTS					1113.13

SERVICE & PARTS DEPARTMENT HOURS
Service
Mon - Thur 7:00 - 7:00 Fri 7:00 - 5:30
Sat 8:00 - 4:00
Parts
Mon - Fri 7:00 - 7:00 Sat 8:00 - 4:00

SALES DEPARTMENT HOURS
Monday - Friday
9:00 AM - 9:00 PM
Saturday
9:00 AM - 5:00 PM

J# 2+05HOZ *STEERING SYS DIAG TECH(S):69 0.00
STEERING FEELS LOOSE
TECHNICAN TRACED PASS FRONT INNER TIE ROD END LOOSE
PASS FRONT RIM IS BENT TIRE IS DAMAGE PASS REAR
TIRES HAS A HUGE BUBBLE ON SIDE WALL
REPLACE PASS INNER TIRE ROD END AND PASS FRONT RIM AND
PASS FRONT AND REAR TIRE COMPLETED 4 WHEEL ALIGNMENT.

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	PRICE
JOB # 2 TOTAL PARTS					0.00
JOB # 2 TOTAL LABOR & PARTS					0.00

MISC	CODE	DESCRIPTION	CONTROL NO	PRICE
JOB # A	MH	HAZARDOUS WASTE AND SUPPLIES		20.00
JOB # 1	DL10	10% DISCOUNT LABOR		-37.40
JOB # 1	DP10	10% DISCOUNT PARTS		-73.91
TOTAL - MISC				-91.31

ESTIMATE
CUSTOMER HEREBY ACKNOWLEDGES RECEIVING ORIGINAL ESTIMATE OF \$1073.95 (+TAX)

COMMENTS
WAITER

THANK YOU
WE APPRECIATE
YOUR BUSINESS!



HAVE AN
EXCELLENT DAY!

DISCLAIMER OF WARRANTIES
The seller hereby expressly disclaims all warranties, either expressed or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products.

Motor vehicle repair trade practices are regulated by chapter ATCP 132, Wis. Adm. Code administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture Trade and Consumer Protection, P.O. Box 8911, Madison, Wisconsin 53708-8911.

Reynolds and Reynolds EPALZBINVE CC807510 11/01



04/21/2009



04/21/2009

Turn over for
more photos →





Legislation Details (With Text)

File #: 090749 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 10/13/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to an appeal from Rachel Luttenberger for property damage.

Sponsors: THE CHAIR

Indexes: CLAIMS APPEAL

Attachments: City Attorney Letter, Appeal, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090749

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to an appeal from Rachel Luttenberger for property damage.

Drafter

City Atty.

rmo

9/29/09

GRANT F. LANGLEY
City Attorney

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



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

August 27, 2009

Rachel Luttenberger
1034 Primrose Lane
Fond du Lac, WI 54935

RE: Rachel Luttenberger
C.I. File No: 09-S-278

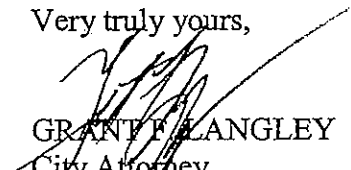
Dear Ms. Luttenberger:


We have received your claim in the amount of \$365.57, relating to damages allegedly suffered to your vehicle when it drove over an open man-hole at or near West Fond du Lac Avenue and West Hampton Avenue on April 12, 2009.

Our investigation reveals that the Infrastructure Services Division (ISD) reviewed their records related to this incident. They found they had not received any complaint of a loose or missing man-hole lid at this location. The ISD has checked all of the man-hole lids in this area as a result of this claim and all are secure at this time. Since the City had no notice of this defect, the City would not be liable and we are denying your claim.

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

Very truly yours,


GRANT F. LANGLEY
City Attorney


ROBERT M. OVERHOLT
Investigator Adjuster

RMO:beg
1029-2009-2038:149189

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

**Rachael Luttenberger
2585 N. Cramer St. #108
Milwaukee, WI 53211**

September 23, 2009

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

To Whom it May Concern:

I recently received a letter back from Grant Langley the City Attorney and Robert Overholt the Investigator Adjuster about C.I. File No: 09-S-278 that my claim has been denied. I would like to appeal that decision and am therefore requesting a hearing.

Sincerely,

Rachael Luttenberger

Rachael Luttenberger
1034 Primrose Ln.
Fond du Lac, WI 54935
920-979-9441
lутtenberger25@hotmail.com

CITY OF MILWAUKEE

2009 JUL 23 PM 12:05

RONALD D. LEONHART
CITY CLERK

July 21, 2009

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

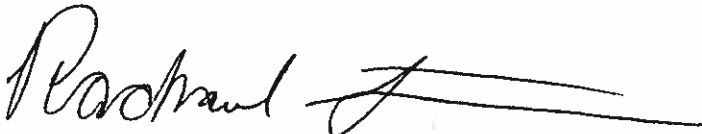
To whom it may concern:

On Sunday, April 12, 2009 (Easter Sunday), I was in Milwaukee visiting my boyfriend at his apartment on the Eastside for the holiday. I began to head home, in my 2008 Ford Fusion, back to Fond du Lac around 9:00 p.m. I was driving down Fond du Lac Avenue towards 145 N so I could take highway 41 N back to town. As I was about a quarter of a mile to reaching 145 N and near Hampton Avenue, I noticed the cover to a man-hole sewer was off and sitting next to the hole. I wanted to change lanes into the left lane of the two lane road to avoid it, but there was another vehicle next to me. I tried to swerve a little in my own lane to try to avoid from getting stuck in the hole or hitting the cover. As a result, I hit the cover. It slashed my tire and even created a crack in my wheel.

I immediately pulled into the Shell gas station because there were alarms going off in my car. Two other vehicles pulled in right after me because the same thing happened to them. A girl in one of the vehicles alerted the gas station attendant of what had happened so it would get fixed and he said he would make a call.

As a result, I had to replace the tire and rim completely because they were too damaged to fix. The total amount of expenses from this incident came to \$365.57. I am requesting cash for reimbursement of what I had to pay due to an accident that should have been prevented by the city of Milwaukee. I can be reached at the address or phone number listed above.

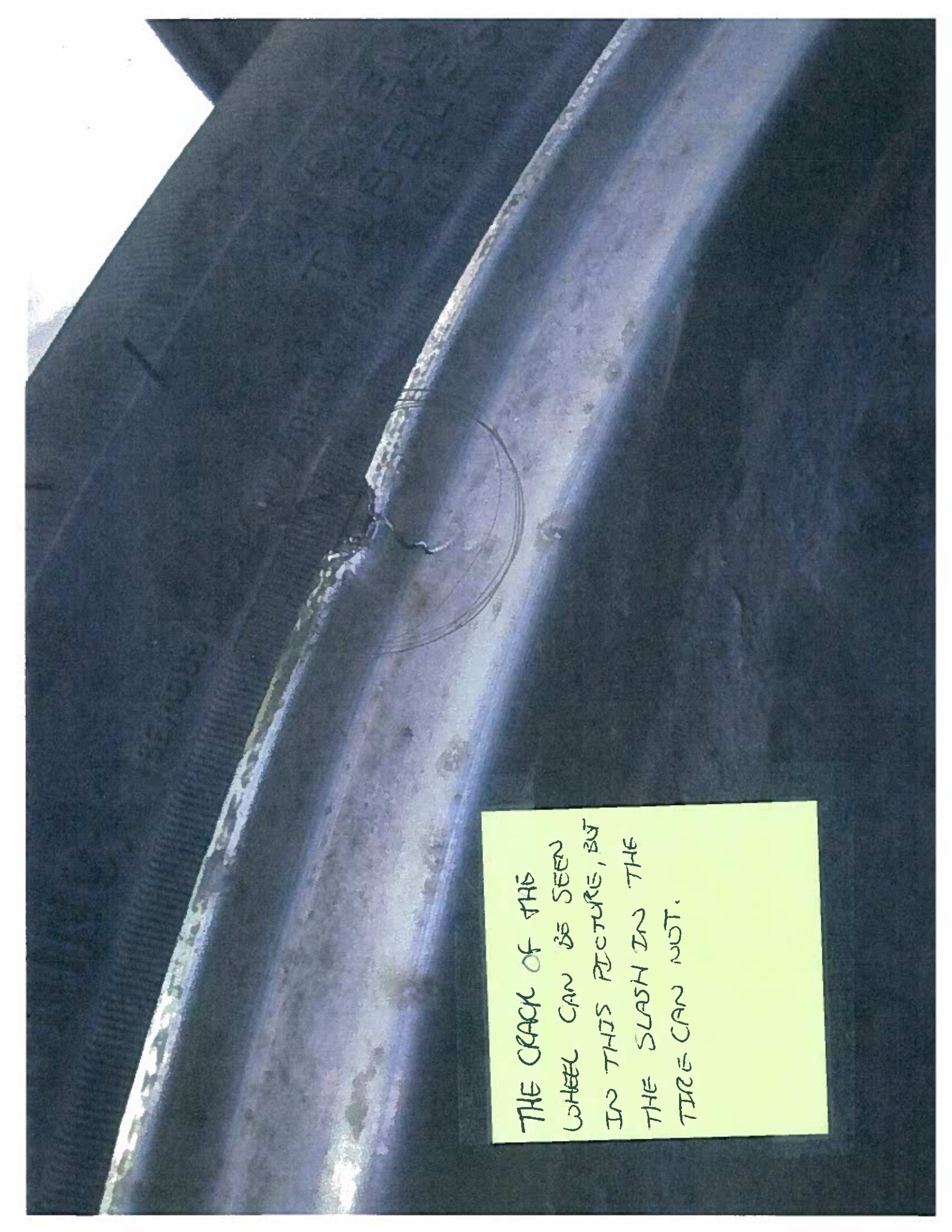
Sincerely,



Rachael Luttenberger

Encl.: Copies of receipts

CITY OF MILWAUKEE
RECEIVED
2009 JUL 23 PM 3:55
OFFICE OF
CITY ATTORNEY

A photograph of a metal wheel hub, likely from a vehicle, showing significant damage. A prominent crack is visible on the upper part of the hub, and a deep slash is present on the lower part. A yellow sticky note is attached to the bottom of the image, providing a handwritten explanation of the damage. The background is dark and out of focus.

THE CRACK OF THE
WHEEL CAN BE SEEN
IN THIS PICTURE, BUT
THE SLASH IN THE
TIRE CAN NOT.



Listed in category: eBay Motors > Parts & Accessories > Car & Truck Parts > Wheels, Tires & Parts > Wheels > 17"

Ford Fusion 2006-2008 17 inch Used Wheel, Rim

Item number: 160328198207



Your Best Offer price of US \$110.00 was accepted - you are the winner!

As of May-19-09 09:15:09 PDT

You saved 20.86% (1 x US \$29.00) off the Buy it Now price.



Buy It Now price: US \$139.00

Shipping: FREE shipping
UPS Ground
Service to United States

Ships to: United States

Item location: WheelsTiresAndMore, United States

Quantity: 2 available

History: 3 Offers

Seller: wheels_tires_more (4860 ★) Power Seller

Store: wheeistiresandmore

Feedback: 4860 (99.8 % positive)

Member: since Sep-22-05 in United States

Get 10% back on all purchases, up to \$25. New eBay MasterCard Accounts only. US Residents Only. [See Details](#) | [Apply Now](#)

Item Specifics

Title:	Ford Fusion 2006-2008 17 inch Used Wheel, Rim		
Condition:	Used		
Rim Information			
Brand:	Factory, OEM	Number of Bolts:	5
Material:		Material:	Alloy
Width:	7J	Bolt Pattern:	5x4.5
Structure:		Structure:	One Piece
Diameter:	17 inches	Offset:	44
Part Number (MPN):	6E5Z1007BA		

Description (revised)

South Bend, IN 46628-8422
 Phone: (574) 287-2345
 800: (800) 428-8355
 Customer Service: Ext. 360
 Fax: (574) 236-7707

PURCHASE ORDER NUMBER
 65143669

4/14/1
 5:56:..

BILL TO:

3559925-000
 LUTTENBERGER, RACHAEL
 1034 PRIMROSE LN
 FOND DU LAC WI 54935 1869

SHIP TO:

3559925-000
 LUTTENBERGER, RACHAEL
 1034 PRIMROSE LN
 FOND DU LAC WI 54935 1869

SHIP METHOD: UPS GROUND
 GACH

SHIP-TO PHONE: 920-979-9441
 Plan 2006570 Team PWDPCK Wave 006 Prcl 2

ORDER DATE	SALES REP. NAME / PHONE EXT.	TERMS	MAKE, MODEL AND YEAR	WHSE	OPER	
4/13/09	ECOMMERCE ORDERS	VISA	FUSION 8	SB	TR	
PART NUMBER	QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	UNIT PRICE	EXTENSION	LOC.
25VR7MXM4HXV3 33284	1	1	P225/50R17~MI PILOT HX MXM4 33284 DECX/VJLX/NJLX 93V	152.00	152.00	9- 1 1
MICH1 WARRANTY	1	1	TIRE WARRANTY PACKET FORM# MDW41156	N/C		9- 1 11
REGCARDR REGISTRATION	1	1	TIRE REGISTRATION CARD -RETAIL RETAIL	N/C		9- 1779
			Customer advised that mixing tire types/sizes or new with partially worn tires may cause unpredictable handling, braking or loss of vehicle control. New tires should be installed on the rear axle.			
			TOTAL THIS ORDER		152.00	
			FREIGHT CHG/ALLW		17.15	
			VISA PAYMENT	169.15-		
			Total Payment		169.15-	
			TOTAL AMOUNT DUE		\$.00	USD
			Payable in U.S. Funds			

ALL PAST DUE ACCOUNTS ARE SUBJECT TO A FINANCE CHARGE OF 1 1/2% PER MONTH, WHICH IS AN ANNUAL PERCENTAGE RATE OF 18%.

***** TRY OUR NEW QUICK LUBE CENTER *****

Monday - Thursday: 8am - 7pm
 Friday: 8am - 5pm
 Saturday: 8am - 12pm

CUSTOMER NO. 35983	NAME CARRIE	DOB 9153	TAX NO. 9277	INVOICE DATE 05/29/09
RACHAEL LUTTENBERGER 1034 PRIMROSE LANE FOND DU LAC, WI 54935-1869	LABOR RATE	LIC. NO. 720MDL	MILEAGE 14,496	COLOUR VAPOR SILVE
	YEAR / MAKE / MODEL 08/FORD/FUSION/4DR SDN SEL FWD	DELIVERY DATE 02/28/08		
	VEHICLE I.D. NO. 3FAHP08118R190100	SELLING DEALER NO.		
REG. OFFICE STATE 920-979-9441	BUSINESS PHONE 920-922-7800	F.T.E. NO.		P.O. NO.
COMMENTS		P.O. DATE 05/29/09		

TOTALS

 * NEXT RECOMMENDED SERVICE:
 * 11/06/2009 / 19496 MI 15FOZQL03 LOF / ROTATE *

WE HOPE YOU WERE "COMPLETELY SATISFIED" WITH YOUR DEALERSHIP EXPERIENCE. IF YOU FEEL YOU WOULD NOT BE ABLE TO ANSWER "COMPLETELY SATISFIED" ON YOUR FACTORY SURVEY CONTACT US OR EMAIL US AT(GKILMER@SERVICEMOTORSFORD.COM)

TOTAL LABOR.... 16.95
 TOTAL PARTS.... 63.99
 TOTAL SUBLET... 0.00
 TOTAL G.O.G.... 0.00
 TOTAL MISC CHG. 1.36
 TOTAL MISC DISC 0.00
 TOTAL TAX..... 4.12

TOTAL INVOICE \$ 86.42

SERV HOURS
 Monday - Friday
 Saturday 8:00

QUICK LUBE
 Monday - Thursday
 Friday 8:00
 Saturday 8:00

CUSTOMER SIGNATURE _____

PAID
 CK. NO. _____
 DATE _____

THE DEALER IS NOT A FACTORER'S WARRANTY VICE CONTAINED HEREIN EXPRESSLY DISCLAIMS EXPRESS OR IMPLIED, INC WARRANTY OF MERCHANTABILITY FOR A PARTICULAR PURPOSES TO ANY PARTS, LABOR OR SERVICES FURNISHED UNDER THIS WARRANTY

GUEST SIGNATURE
X

We have Full Service State of the Art Body Shop

THANK YOU

Motor vehicle repair trade practices ATCP 132, Wis. Adm. Code, part of Consumer Protection, Wisconsin Trade and Consumer Protection, Wisconsin 53708-8911.

The Reynolds and Reynolds Company ENAMNTS/HE: CCR15048 (3/05/09)

RACHAEL LUTTENBERGER

RACHAEL LUTTENBERGER

RACHAEL LUTTENBERGER

AIR CONDITIONING SERVICE

 **TIRES**

SUMMER ENGINE POWER FLUS



Legislation Details (With Text)

File #: 090750 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 10/13/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the claim of Christopher and Karra Esenberg for property damage. (5th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS

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

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090750

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to the claim of Christopher and Karra Esenberg for property damage. (5th Aldermanic District)

Requestor

City Attorney

Drafter

JAS:ms

September 21, 2009

1029-2009-2255:150123

GRANT F. LANGLEY
City Attorney

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



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
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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

September 21, 2009

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

Re: Resolution Relating to the Claim of Christopher and Karra Esenberg
C.I. File No. 09-L-87

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, Christopher and Karra Esenberg, 8826 West Center Street, Milwaukee, WI 53222 allege that on June 19, 2009 they sustained damages when there was a sewer back-up at their home. They claim damages in the amount of \$5,350.97.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that because of the large amount and strong intensity of rain during this time, the City experienced flows that exceeded the capacity of the sewer system. The ISD received a backwater complaint for this address on June 19, 2009. The investigator found the City sewer main to be in proper working order on that date. City records also indicate that the main had last been cleaned in August, 2008 and that only light dirt was found in the cleaning process.

To the Honorable Common Council
September 21, 2009
Page 2

There is no evidence, therefore, that the City was negligent. It would not, therefore, be liable and we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure

c: Attorney Richard Esenberg
Rite-Hite Holding Corp.
8900 North Arbon Drive
Milwaukee, WI 53223

1029-2009-2255:150121

August 12th, 2009

Christopher and Karra Esenberg
8826 W. Center St.
Milwaukee, WI 53222

CITY OF MILWAUKEE
RECEIVED
2009 AUG 12 PM 2:38
OFFICE OF
CITY ATTORNEY

**Claim Against City for Sewer Surcharge on 06/12/2009 at 8826 W. Center,
Milwaukee, WI**

On the early morning of Friday, June 12th 2009, the city sewer servicing the residence of 8826 W. Center St. in Milwaukee, WI, surcharged causing city sewer water to enter our basement through the palmer valve which caused damage to the items there. The carpet had to be torn up and removed and a large amount of clothing, children's toys and musical equipment was irreparably damaged due to the permeating sewage water. We have attached pictures as well as an itemized claims report. We ask that the city please carefully examine this claim as our family has had to take on a large financial burden in order to replace necessary clothing and perform required sanitary clean-up in order to deal with the events that were the direct result of this sewer backup. We have been advised by our attorney Richard Esenberg to submit this claim to the city directly as soon as possible to review for compensation.

On the morning of Friday, June 12th we were visited by a city official who confirmed that this indeed was the result of a sewer surcharge, and thus there was no deficiency or failure on the part of our own home's water disposal system.

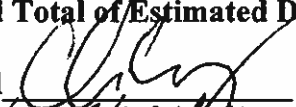
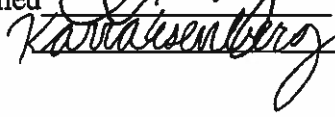
We've attached pictures of the damages to support the below claims. Itemized receipts were not available as these are items we have acquired over the years. However, we have attached the receipt for [REDACTED] the sanitation cleanup.

Clothing completely immersed in sewage water: \$650.00
Shoes: (6 pair, 2 mens 4 womens): averaged to 54 per pair= \$324.00
Marshall Cabinet Speaker- 279.99
Carpeting: (covered 1000 square feet) \$850.00
Leather Guitar Strap: \$14.99
Child's train table/train set: \$99.00
Child's 'Cars' Tent: \$35.00
Boss Auto Tuning Pedal: \$49.00
Boss Distortion Pedal: \$40.00
Boss Digital Delay Pedal: \$109.00
Servicemaster Cleanup/Sanitation: \$1251.00
Child Car Bed: \$299.99
Dell Desktop Computer (FMV= \$449.00)
Dell Computer Subwoofer: \$65.00
Casio Basic Keyboard: \$149.00
Bass micro synthesizer 279.00
Small Clone Chorus Pedal 84.00

CITY OF MILWAUKEE
2009 AUG 12 AM 11:08
RONALD D. LEONHARDT
CITY CLERK

Black Finger Compression Pedal 184.00
Bass X-Citer Pedal (Aphex)- 139.00

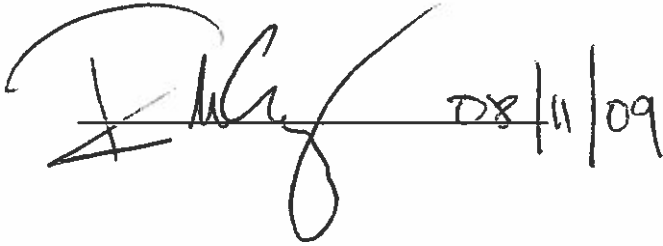
Grand Total of Estimated Damages: 5350.97

Signed  Christopher Esenberg Date 08/11/09
 Karra Esenberg Date 08/11/09

08/12/09

My clients Karra and Chris Esenberg can be reached during the day at 414-837-6450, or 414-698-7645. I can be reached by cell at 414-213-3957.

Attorney Richard M. Esenberg



Handwritten signature of Richard M. Esenberg and the date 08/11/09.

SEARCHED

INDEXED

FILED

ServiceMaster of Brookfield/Elm Grove

ServiceMaster of Brookfield/Elm Grove
3245 N 126th Street
Brookfield, WI 53005
262-786-6678
888-GO DRY IT

Insured: Christopher Esenberg
Property: 8826 W. Center Street
Milwaukee, WI 53222

Home: (414) 837-6450

Claim Rep.: Andy Schafer
Business: 3245 N 126th St
Brookfield, WI 53005

Cellular: (262) 721-8628

Estimator: Andy Schafer
Business: 3245 N 126th St
Brookfield, WI 53005

Cellular: (262) 721-8628

Contractor:
Company: ServiceMaster - Brookfield/Elm Grove
Business: 3245 N 126th Street
Brookfield, WI 53005

Business: (262) 786-6678

Claim Number: **Policy Number:** **Type of Loss: Water Damage**

Date Contacted: 6/16/2009 Date Received: 6/19/2009 7:53 AM
Date of Loss: 6/19/2009 Date Entered: 6/23/2009 8:58 AM
Date Inspected: 6/19/2009 10:45 AM

Price List: WIMW5B_JUN09
 Restoration/Service/Remodel
Estimate: ESENBERG_CHRIS

Initial Estimate

Date of Loss: 6/19/09
Assignment Recv'd: 6/19/09
Date & time of customer contact: 6/19/09
Date & time of arrival on site: 6/19/09 @ 10:45 AM

Cause of loss: Basement flooded due to rain

Affected Flooring: carpeting

Salvageable (yes or no): No

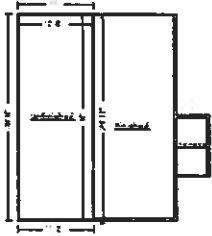
FILE FOLLOWED
JUN 15 6H 5: 20
SERIAL
LET OF SHAWIN

ServiceMaster of Brookfield/Elm Grove

ServiceMaster of Brookfield/Elm Grove
3245 N 126th Street
Brookfield, WI 53005
262-786-6678
888-GO DRY IT

ESENBERG_CHRIS

Main Level

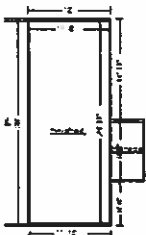


Unfinished

Ceiling Height: 8'

648.00 SF Walls	315.00 SF Ceiling
963.00 SF Walls & Ceiling	315.00 SF Floor
35.00 SY Flooring	81.00 LF Floor Perimeter
81.00 LF Ceil. Perimeter	

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
9. Apply anti-microbial agent Applied 1' up walls Applied to flooring area	81.00 SF	0.00	0.21	17.01
10. Apply anti-microbial agent Applied to flooring area	315.00 SF	0.00	0.21	66.15
11. Air mover (per 24 hour period) - No monitoring 2 machines for 1 day	2.00 EA	0.00	25.61	51.22
Totals: Unfinished				134.38



Finished

Ceiling Height: 8'

662.67 SF Walls	344.04 SF Ceiling
1,006.71 SF Walls & Ceiling	344.04 SF Floor
38.23 SY Flooring	82.83 LF Floor Perimeter
82.83 LF Ceil. Perimeter	

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
1. Tear out wet non-salv. gluedn. cpt, cut/bag - Cat 3 water	344.04 SF	0.91	0.00	313.08
2. Apply anti-microbial agent Applied to flooring area	344.04 SF	0.00	0.21	72.25
3. Apply anti-microbial agent Applied 1' up walls	82.83 SF	0.00	0.21	17.39

ServiceMaster of Brookfield/Elm Grove

ServiceMaster of Brookfield/Elm Grove
3245 N 126th Street
Brookfield, WI 53005
262-786-6678
888-GO DRY IT

CONTINUED - Finished

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
5. Water Extraction & Remediation Technician - per hour	2.00 HR	0.00	37.02	74.04
6. Dehumidifier (per 24 hour period) - XLarge - No monitoring 2 machines for 1 day	2.00 EA	0.00	114.72	229.44
7. Vane axial fan 1 HP air mover (per 24 hr period)-No monit. 1 machine used for 1 day	1.00 EA	0.00	35.87	35.87
13. Haul debris - per pickup truck load - including dump fees	0.50 EA	102.19	0.00	51.10
Totals: Finished				793.17

Total: Main Level 927.55

Miscellaneous

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
4. Emergency service call - during business hours	1.00 EA	0.00	108.64	108.64
12. Equipment setup, take down, and monitoring (hourly charge)	3.00 HR	0.00	37.02	111.06
Totals: Miscellaneous				219.70
Line Item Totals: ESENBERG_CHRIS				1,147.25

ServiceMaster of Brookfield/Elm Grove

ServiceMaster of Brookfield/Elm Grove
3245 N 126th Street
Brookfield, WI 53005
262-786-6678
888-GO DRY IT

Grand Total Areas:

1,518.67 SF Walls	697.29 SF Ceiling	2,215.96 SF Walls and Ceiling
697.29 SF Floor	77.48 SY Flooring	189.83 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	189.83 LF Ceil. Perimeter
697.29 Floor Area	748.65 Total Area	1,518.67 Interior Wall Area
936.00 Exterior Wall Area	117.00 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	

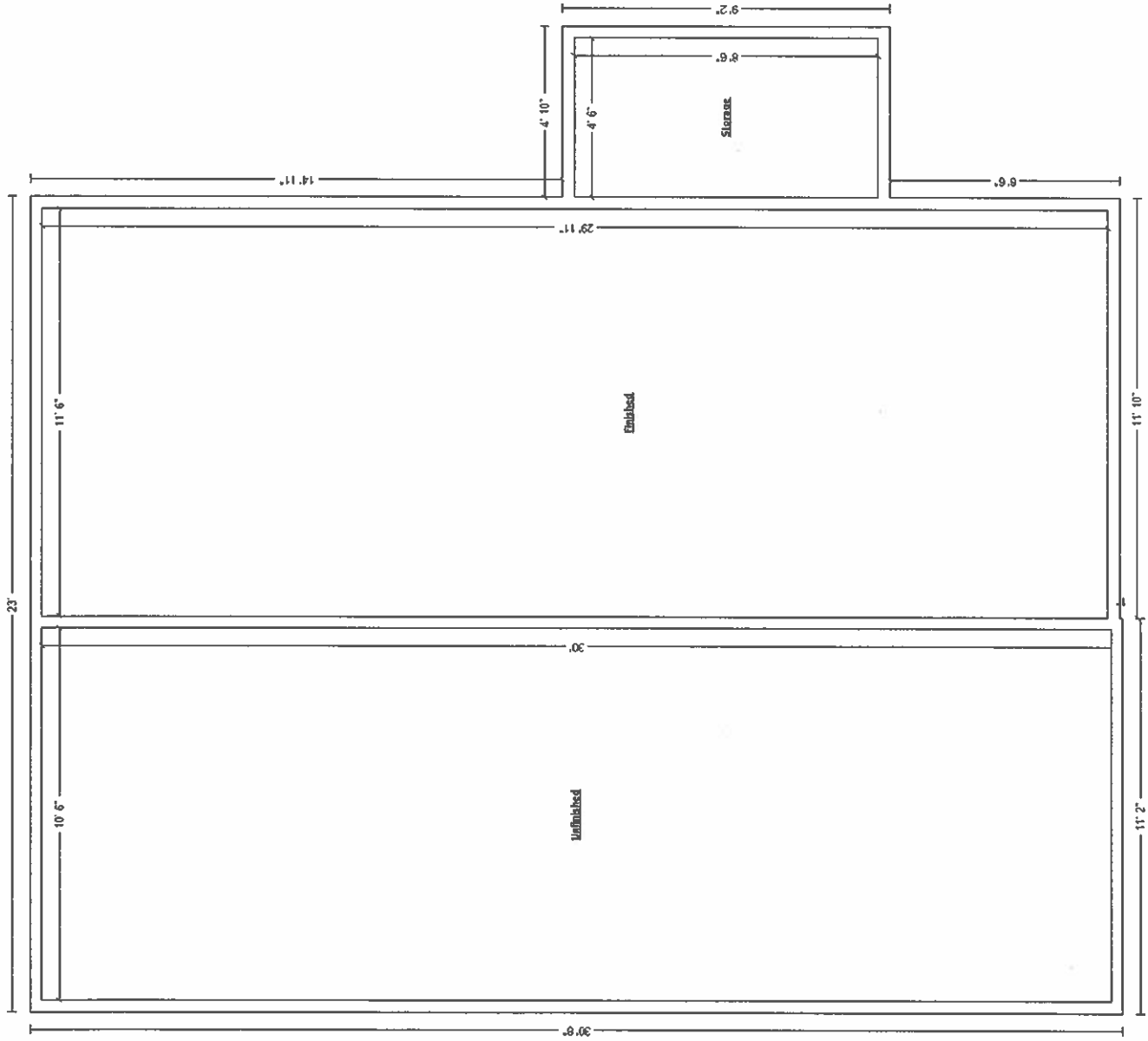
ServiceMaster of Brookfield/Elm Grove

ServiceMaster of Brookfield/Elm Grove
3245 N 126th Street
Brookfield, WI 53005
262-786-6678
888-GO DRY IT

Summary for Dwelling

Line Item Total				1,147.25
Service Tax	@	5.600% x	1,147.25	64.25
Replacement Cost Value				\$1,211.50
Net Claim				\$1,211.50

Andy Schafer

















Legislation Details (With Text)

File #: 090834 **Version:** 0

Type: Resolution **Status:** In Committee

File created: 10/13/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Resolution relating to the claim of Shirley Lloyd and Sherrel Cannon for property damage. (2nd Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS

Attachments: City Attorney Letter, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090834

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to the claim of Shirley Lloyd and Sherrel Cannon for property damage. (2nd Aldermanic District)

Requestor

City Attorney

Drafter

JAS:ms

October 7, 2009

1029-2009-2566.001

GRANT F. LANGLEY
City Attorney

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



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

October 7, 2009

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

Re: Resolution Relating to the Claim of Shirley Lloyd and
Sherrel Cannon
C.I. File No. 09-L-108

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, Shirley Lloyd and Sherrel Cannon, 4208 North 71st Street, Milwaukee, WI 53216 allege that on June 20, 2009 they sustained damages when there was a sewer back-up at their home. They claim damages in the amount of \$10,000.00.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that because of the large amount and strong intensity of rain during this time, the City experienced flows that exceeded the capacity of the sewer system. The ISD received a backwater complaint for this address on June 19/20, 2009. The investigator found the City sewer main to be in proper working order on these dates. City records also indicate that the main had last been cleaned in March, 2008 and that only light dirt was found in the cleaning process.

Honorable Common Council

October 8, 2009

Page 2

There is no evidence, therefore, that the City was negligent. It would not, therefore, be liable and we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY

City Attorney

JAN A. SMOKOWICZ

Assistant City Attorney

JAS:150674

Enclosure

1029-2009-2566.001

CITY OF MILWAUKEE
RECEIVED

September 12, 2009

2009 SEP 21 PM 2:35

To:

City Clerk
attn: Claims
200 East Wells, Rm #205
Milwaukee, WI 53202-3567

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
2009 SEP 21 ... 12:34
RONALD D. LEONARD
CITY CLERK

On June 20, 2009, our basement flooded. Enclosed are pictures of items receipts for some of the items lost in flood. All receipts were not provided because I lost file cabinets with receipts and other info.

The water came through drain from the floor in the laundry room. There was also feces that came up quite it. Speaking with neighbor Rene @ 7200 W. Hope, PPW came out the same day and unclogged the drains. We had 2 ft of water in our basement & lost Everything. I do have video tape of the actual water in the basement, but due to my office being destroyed, I am unable to provide a copy. Upon having a hearing I will bring video camera with me.

Our insurance only covered \$10,000 of loss. Because of the feces we lost only \$20,000 worth of items property. Enclosed is also the itemization from our insurance company of actual loss at hammer sales price.

I along with 4 other neighbors
endured a huge loss including large bills
for clean-up. (Enclosed are copies)

Therefore I am submitting a claim
against the city of Milwaukee in the amount
of \$10,000 to reimburse some of the property lost,
although memories lost has unlimited
value.

We have taken necessary precautions
again to rectify the problem. According to
MMSD they say its a city drain issue.

This is the 2nd year we have lost our
basement & would like for the city to do all
they can to rectify this issue, so we can
live comfortable in our home.

I look forward to hearing from
you soon. Please call if any
questions.

Claimant name: Shirley Lloyd - Sherrel Cannon
4308 N. 71st street

Milwaukee, WI 53216

(414) 241-9276

(414) 464-1468

SherrellovesJesus2@yahoo.com

cc: File

Dist #2 alderman Davis

attng Ben Harris

Enclosures: copies of receipts

Bell from magic touch

Sherrel Cannon / Shirley Lloyd pictures of flood items

United Disposal Services, LLC

Invoice

State & Bargain Disposal
 2751 S Chase Ave
 Milwaukee, WI 53207
 414-489-1970 PHONE

Date	Invoice #
6/23/2009	47819

Bill To
SHERREL CANNON 4208 N. 71ST ST. MILWAUKEE WI 53216

Ship To
4208 N 71ST ST. MILWAUKEE WI

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	DUE UPON REC...		6/23/2009			
Quantity	Item Code	Description			Price Each	Amount
I	20 yard	CONST 20 YD CONTAINER #083174 06/22/09 DELIVERY			340.00	340.00
PAID IN FULL WITH CREDIT CARD						
<i>Dump Site for Removal</i>						
OFFICE OF CITY ATTORNEY						2009 SEP 21 PM 2:35
Total						\$340.00

CITY OF MILWAUKEE
 RECEIVED
 2009 SEP 21 PM 2:35

UNITED

DISPOSAL SERVICES, LLC

"Setting New Standards in Waste Handling"

6

2751 South Chase Avenue
Milwaukee, WI 53207
Phone: (414) 489-1970
Fax: (414) 489-1978

SPOT SWITCH FINAL

TIME: 12:35 PM

DELIVERY DATE: 6-22-89

CUSTOMER NAME: SHERREL CARVER

SERVICE ADDRESS: 4208 N. 71ST ST. CITY: Milwaukee

CONTAINER SIZE: 12 20 30

SPECIAL INSTRUCTIONS: IN ALLEY - NEXT TO Garage

TYPE OF MATERIAL: _____ TERMS & CONDITIONS

Customer Agrees: 1. That all material will be within the dumpster box and will not extend beyond the top or sides; 2. That the material will be distributed evenly and the total weight will not exceed the stated tonnage capacity: 12yd-3 tons, 20yd-4 tons, 30yd-5tons, unless other we are specifically set forth in writing in the special instructions portion of this document;

3. That the materials will not contain: Appliances, tires, aluminum containers, corrugated paper, foam polystyrene packaging, glass containers, magazines, newspapers, paper, plastic containers, steel containers, mat beverage containers, barrels, drums, stumps, palm, flammable or toxic or hazardous material or waste as that is defined in any local, county, state, or federal law or regulation; THE TERMS & CONDITIONS ARE CONTINUED ON THE REVERSE SIDE OF THIS DOCUMENT

I ACKNOWLEDGE RECEIPT OF THE EQUIPMENT LISTED

Driver: 765-DAN

INVOICE

NELSON'S WATER AND SEWER SERVICE

4375 NORTH 27TH STREET
MILWAUKEE, WISCONSIN 53216

PHONE: 414-445-2896 • FAX: 414-873-4354

Date of Order 10/22/09

Customer's Order No.	Phone <u>414 0468</u>	Helper	Date
Bill To <u>Ms. Shirley Floyd</u>	Order Taken By		<input type="checkbox"/> Day Work
Address <u>4208 N. 7th Street</u>			<input type="checkbox"/> Contract
City <u>Milwaukee, WI.</u>			<input type="checkbox"/> Extra
Job Name and Location			

Work Ordered By	Job Phone
-----------------	-----------

DESCRIPTION OF WORK

Estimate Plumbing Repairs
or Replace Hot Water
Heater

Estimate
on Furnace

Replace 40 Gal Gas Hot Water
Heater and Replace rusted out pipe
on Hot Water Heater & proper vent

Estimate \$825.00

	TOTAL MATERIALS		
	TOTAL LABOR		
	TAX		
<input type="checkbox"/> No One Home	Date Completed	TOTAL AMOUNT \$	<u>\$825.00</u>

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

Total amount due for above work: or Total billing to be mailed after completion of work

HOME PLUMBING & HARDWARE
7828 W APPLETON AVE
MILWAUKEE, WI 53218

Sale

ID: 72369082
06/22/09
Batch #: 652

Ref #: 0819
11:38:11

VISA

XXXXXXXXXX3567

Appr Code: 013811

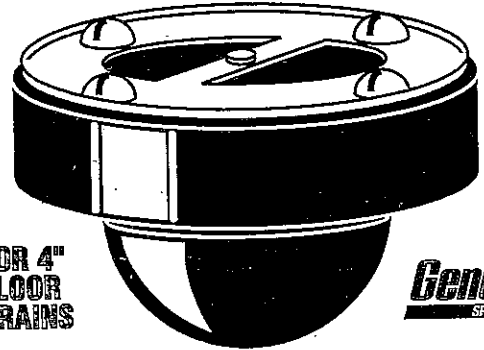
Total:

Invoice#: 008913

\$ 15.83

Customer Copy
THANK YOU!

Flood-Guard®



FOR 4"
FLOOR
DRAINS

General
SPECIALTIES

PREVENTS BASEMENT FLOODING!

HOME
PLUMBING
SUPPLY

7828 W AP TON AVE
MILWAUKEE WI 53218

414 462 8300

REG 06-22-2009 11:55

000025

OEPT01	\$14.99
TL	\$15.83
TAX 1	\$0.84
TAX	\$0.84
CASH	\$15.83

1 No

MON - FRI 8:30 - 5:30

SAT 9:00 - 3:00

NO REFUND WITHOUT
RECEIPT OR AFTER 30 DAYS



FINANCIAL

16655 W. Blue Mound Road,
Suite 100
Brookfield, WI 53005
tel (262) 785-0605
fax (262) 785-0721
www.countryfinancial.com

June 29, 2009

Clyde & Shirley Lloyd
4208 N. 71st St.
Milwaukee, WI 53216

RE: Claim Number: 177-0004918
Date of Loss: June 19, 2009

Dear Insureds:

I have enclosed a completed Personal Property Summary Sheet for your damaged property. You should also find a draft for \$10,000.00.

Our settlement is based on your policy limits for the sump pump/sewer backup endorsement.

If you have any questions or if you need assistance, please call me at the number listed below.

Thank you for allowing us to serve you.

Sincerely,

COUNTRY Mutual Insurance Company[®]

Mike Orlopp
Claims Representative
262-785-0686 or 414-587-0675

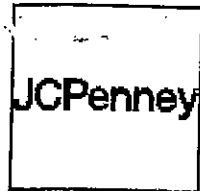
Enclosures

Name : Clyde & Shirley Lloyd
 Address : 4208 N 71st Street
 City, St,zip : Milwaukee, WI 53216
 Claim # : 177-0004918
 Date printed: 6/29/09

PERSONAL PROPERTY SUMMARY SHEET

LINE #	CODE	DESCRIPTION	AGE	QTY	UNIT COST	REPL COST	R/C (incl tax)	DEPR.	ACV	DEPR.	ACV	TOTAL	TOTAL PAID
1	215	3 piece sectional/pit w/full size bed	1.00	1	2,100.00	2,100.00	2,217.60	221.76	1,995.84	221.76	1,995.84	2,217.60	
2	212	Entertainment center	1.00	1	247.00	247.00	260.83	17.48	243.35	17.48	243.35	260.83	
3	26	Flat screen TV	0.80	1	1,200.00	1,200.00	1,267.20	84.14	1,183.06	84.14	1,183.06	1,267.20	
4	4	Dehumidifier	0.01	1	40.00	40.00	42.24	0.04	42.20	0.04	42.20	42.24	
5	3	Dehumidifier	2.50	1	10.00	10.00	10.56	5.28	5.28	5.28	5.28	10.56	
6	212	Stereo Cabinet	4.00	1	60.00	60.00	63.36	16.98	46.38	16.98	46.38	63.36	
7	200	Childrens recliner	6.00	1	20.00	20.00	21.12	16.90	4.22	16.90	4.22	21.12	
8	16	Turntables	7.46	2	10.00	20.00	21.12	10.56	10.56	10.56	10.56	21.12	
9	3	VHS tapes (50)	2.50	50	1.00	50.00	52.80	26.40	26.40	26.40	26.40	52.80	
10	8	DVD	2.50	150	2.00	300.00	316.80	158.40	158.40	158.40	158.40	316.80	
11	3	CD's	2.50	173	2.58	446.00	470.98	235.49	235.49	235.49	235.49	470.98	
12	366	X-box games	5.00	50	3.00	150.00	158.40	79.20	79.20	79.20	79.20	158.40	
13	212	Coffee table	7.46	1	20.00	20.00	21.12	10.55	10.57	10.55	10.57	21.12	
14	212	High chair	3.73	1	25.00	25.00	26.40	6.60	19.80	6.60	19.80	26.40	
15	212	TV cart	7.46	1	20.00	20.00	21.12	10.56	10.56	10.56	10.56	21.12	
16	212	Computer carts	7.46	2	50.00	100.00	105.60	52.80	52.80	52.80	52.80	105.60	
17	212	Desk	4.00	1	100.00	100.00	105.60	28.30	77.30	28.30	77.30	105.60	
18	212	Desk top computer/custom	7.46	1	800.00	800.00	844.80	422.40	422.40	422.40	422.40	844.80	
19	19	Refrigerator	7.46	1	120.00	120.00	126.72	63.36	63.36	63.36	63.36	126.72	
20	85	Books	7.46	125	1.00	125.00	132.00	66.00	66.00	66.00	66.00	132.00	
21	366	Puzzles	5.00	25	2.00	50.00	52.80	26.40	26.40	26.40	26.40	52.80	
22	264	Stand up lamps	5.00	2	37.50	75.00	79.20	39.60	39.60	39.60	39.60	79.20	
23	264	Table top lamps	5.00	2	5.00	10.00	10.56	5.28	5.28	5.28	5.28	10.56	
24	212	bar/custom	7.46	1	200.00	200.00	211.20	105.60	105.60	105.60	105.60	211.20	
25	13	Heaters	7.46	2	50.00	100.00	105.60	52.80	52.80	52.80	52.80	105.60	
26	13	Heaters	7.46	1	25.00	25.00	26.40	13.20	13.20	13.20	13.20	26.40	
27	9	Fan	7.46	1	10.00	10.00	10.56	5.28	5.28	5.28	5.28	10.56	
28	29	Vacuums	5.00	2	40.00	80.00	84.48	42.24	42.24	42.24	42.24	84.48	
29	277	Bathroom sets	2.50	30	5.00	150.00	158.40	79.20	79.20	79.20	79.20	158.40	
30	75	Bedspreads	10.00	25	8.00	200.00	211.20	105.60	105.60	105.60	105.60	211.20	
TOTALS :							11,068.81	3,681.41	7,987.40	3,681.41	7,987.40	11,068.81	Payment #
													TOTAL PAID

LINE#	DEPR. CODE	DESCRIPTION	AGE	QTY	UNIT COST	REPL COST	BEG BALANCES			ENDING BALANCES			TOTAL PAID
							R/C (incl tax)	DEPR.	ACV	DEPR.	ACV	TOTAL	
31	277	Shower curtains	2.50	20	5.00	100.00	105.60	52.80	52.80	52.80	52.80	105.60	
32	200	Child table	2.50	1	10.00	10.00	10.56	5.28	5.28	5.28	5.28	10.56	
33	365	Motorized childs car	5.00	2	50.00	100.00	105.60	52.80	52.80	52.80	52.80	105.60	
34	368	Big wheel	5.00	1	20.00	20.00	21.12	10.56	10.56	10.56	10.56	21.12	
35	257	Kitchen set	2.50	1	47.00	47.00	49.63	24.82	24.81	24.82	24.81	49.63	
36	101	Kids summer clothing (shorts, skirts, shoes)	1.00	1	200.00	200.00	211.20	105.60	105.60	105.60	105.60	211.20	
37	101	Outfits	1.00	30	10.00	300.00	316.80	158.40	158.40	158.40	158.40	316.80	
38	82	Sheet sets	2.50	21	9.52	200.00	211.20	105.60	105.60	105.60	105.60	211.20	
39	107	Shoes	0.50	18	5.33	96.00	101.38	50.69	50.69	50.69	50.69	101.38	
40	54	Roaster	0.00	1	40.00	40.00	42.24	42.24	42.24	42.24	42.24	42.24	
41	54	Crock pot	5.00	1	30.00	30.00	31.68	15.84	15.84	15.84	15.84	31.68	
42	47	Griddle	5.00	1	25.00	25.00	26.40	13.20	13.20	13.20	13.20	26.40	
43	307	Office supplies (Paper, notebooks)	10.00	1	40.00	40.00	42.24	21.12	21.12	21.12	21.12	42.24	
44	32	Washer/dryer	3.00	1	1,200.00	1,200.00	1,267.20	475.20	792.00	475.20	792.00	1,267.20	
45	199	Desk Chair	0.00	1	80.00	80.00	84.48	0.01	84.47	0.01	84.47	84.48	
46	199	Desk chair	5.00	1	10.00	10.00	10.56	5.28	5.28	5.28	5.28	10.56	
47													
48	48	Iron	0.00	1	27.00	27.00	28.51	4.95	28.51	4.95	28.51	28.51	
49	49	Ironing board	7.00	1	10.00	10.00	10.56	5.28	5.61	4.95	5.61	10.56	
50	212	Wardrobe	7.46	2	40.00	80.00	84.48	42.24	42.24	42.24	42.24	84.48	
51	11	Freezer	2.00	1	220.00	220.00	232.32	23.23	209.09	23.23	209.09	232.32	
52	199	Laundry table	5.00	1	60.00	60.00	63.36	31.68	31.68	31.68	31.68	63.36	
53	251	Tread mill/digital/like new	0.01	1	200.00	200.00	211.20	0.70	210.50	0.70	210.50	211.20	
54	277	baby activity set	2.50	1	36.00	36.00	38.02	19.01	19.01	19.01	19.01	38.02	
55	192	Rolls of toilet paper	1.00	52	0.96	50.00	52.80	52.80	52.80	52.80	52.80	52.80	
56	277	Large bath towel	2.50	27	3.70	100.00	105.60	52.80	52.80	52.80	52.80	105.60	
57	177	Party decorations	5.00	1	30.00	30.00	31.68	15.84	15.84	15.84	15.84	31.68	
58	200	Patto table w/umbrellas (Childrens)	1.00	1	40.00	40.00	42.24	8.45	33.79	8.45	33.79	42.24	
59	367	Stuffed animals	1.00	27	1.86	50.00	52.80	26.40	26.40	26.40	26.40	52.80	
60	212	Wood filing cabinet	0.70	1	65.00	65.00	68.64	3.22	65.42	3.22	65.42	68.64	
61	210	Metal file cabinets	10.00	2	25.00	50.00	52.80	26.40	26.40	26.40	26.40	52.80	
62	212	CD towers	7.46	2	15.00	30.00	31.68	15.84	15.84	15.84	15.84	31.68	
63	365	Remote control motorcycle	5.00	1	100.00	100.00	105.60	52.80	52.80	52.80	52.80	105.60	
64	328	Fax machine	7.46	1	85.00	85.00	89.76	44.88	44.88	44.88	44.88	89.76	
65	80	Pillows	2.50	2	8.00	16.00	16.90	8.45	8.45	8.45	8.45	16.90	
66	282	Lg Luggage	10.00	1	65.00	65.00	68.64	34.32	34.32	34.32	34.32	68.64	
67	281	Tote bags	10.00	2	40.00	80.00	84.48	42.24	42.24	42.24	42.24	84.48	
68	61	Play pen, portable	2.00	1	50.00	50.00	52.80	10.56	42.24	10.56	42.24	52.80	
69	31	VCR	2.50	1	5.00	5.00	5.28	2.64	2.64	2.64	2.64	5.28	
70	362	Furnace filters	0.01	2	20.00	40.00	42.24	0.02	42.22	0.02	42.22	42.24	
71	23	Stereo 50 disc changer	2.50	1	100.00	100.00	105.60	52.80	52.80	52.80	52.80	105.60	
72	212	Printer tower	5.00	1	10.00	10.00	10.56	3.54	7.02	3.54	7.02	10.56	
73	362	Asst tools	10.00	1	100.00	100.00	105.60	52.80	52.80	52.80	52.80	105.60	
74													



Every Day Matters
jcp.com

JC PENNEY #1195
95 NORTH MOORLAND RD
BROOKFIELD WI 53005
PHONE 262-782-2000

* BILLING COPY *

***** FURNITURE *****
FPOS Order Number: 1050168
Customer: sherrel cannon

098/8023/010801	\$1500-\$1999.99	
QTY 1		149.99T
792/1155/100001	PEGAS R/LVST MF	
QTY 1		1339.00
Sale Disc		-590.00
10.000 % Disc		-74.90
Total Discounts		-664.90
Discounted Price		674.10
Net Sales/Return Value		674.10T
792/1156/100001	PEGAS WEDGE MF	
QTY 1		521.00
Sale Disc		-220.00
10.000 % Disc		-30.10
Total Discounts		-250.10
Discounted Price		270.90
Net Sales/Return Value		270.90T
792/1157/100901	PEGAS F/SLPR MF	
QTY 1		1339.00
Sale Disc		-590.00
10.000 % Disc		-74.90
Total Discounts		-664.90
Discounted Price		674.10
Net Sales/Return Value		674.10T
193	DELIVERY	
QTY 1		89.00T
Subtotal		1858.09
Sales Tax 5.6000% 53216		104.05
Total		1962.14

Tell us about your visit at
www.JCPSurvey.com
and receive a

15% off coupon!

See website for details and exclusions.

Access code valid for 30 days.

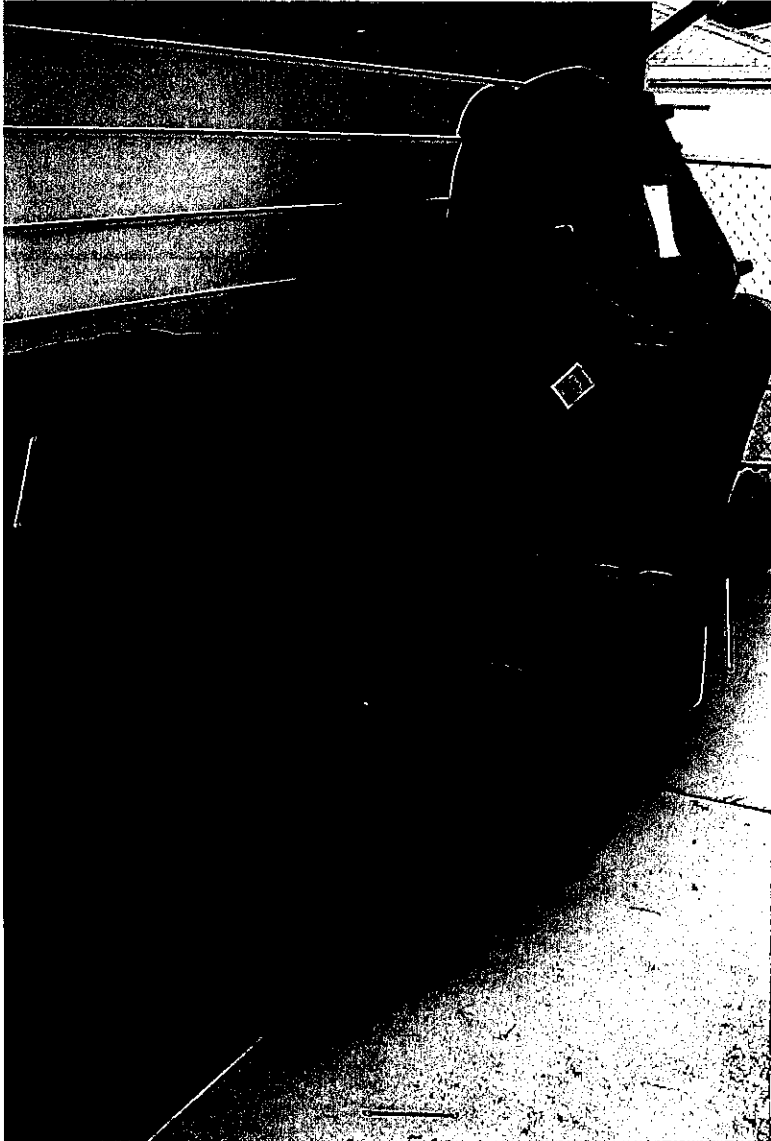
Access Code:1195 182 5579 020808 1117 0

Total Items Sold: 5
Total Items Returned: 0
Your Total Savings Today: 1579.90

VISA 1962:14
XXXXXXXXXXXX7743/XXXX/011645005 M

Cardholder acknowledges receipt of
goods/services in the amount shown and
agrees to pay for them according to credit
contract with card issuer.

Store: 1195 Term: 182 Tran: 5579



*3PC
Action
not done*

Order History

414-241-9276

NAME: CANNON, SHERREL

ORDER NUMBER: 1050168

Log Date & Time	Entered By:	Description
02/08/2008 11:01	729	<u>Original Order</u>
02/14/2008 14:26	5	<u>NOTE</u>
02/14/2008 14:26	5	<u>NOTE</u>
02/14/2008 14:26	5	<u>NOTE</u>
02/14/2008 15:14	991	<u>NOTE</u>
02/14/2008 15:14	991	<u>NOTE</u>
02/14/2008 19:05	118	<u>NOTE</u>
02/14/2008 19:05	118	<u>NOTE</u>

Original Order

Name: CANNON, SHERREL
 Address: 4208 N 71 ST
 City/State: MILWAUKEE, WI
 Zip: 53216-0

Store#: 11957 Home Phone: 414-464-0468
 Day Phone: Other Phone:
 Assoc: 729 Type: CO Reg.: 182
 Delivery Date: 02/14/2008

Date/Time: 02/08/2008 11:01
 Vendor: 0 Trans #: 5579
 Delivery Route: ML44R01

PAYMENT INFORMATION:

Pay Type: 3rd Party Credit Description: PMT Amount: \$1,962.14
 Tender Date: 02/08/2008 Tender Terminal: 182 Tender Transaction: 5579
 Credit Card Nbr: XXXXXXXXXXXX-7743 Expire Date: XX/XX Card Issuer: Visa
 Approval Date: 02/08/2008 Approval Code: 011645005 Approval Method: Authorization System

ITEM INFORMATION:

Sub-Lot-Line	Description	Qty	Back	Cost	Retail	Price	Vendor Comments:
098-8023-0108	PRTCTN PLAN \$149.99	1	0			\$149.99	
792-1155-1001	PEGAS R/LVST MF	1	0			\$674.10	
792-1156-1000	PEGAS WEDGE MF	1	0			\$270.90	
792-1157-1009	PEGAS F/SLPR MF	1	0			\$674.10	

ORDER RECAP

Delivery Charge: \$89.00
 Total Discounts: \$1,579.90
 Total Tax: \$104.05 At a tax rate of 5.60%.
 Total Amount: \$1,962.14

TOP

NOTE

Assoc: System Date/Time: 02/14/2008 14:26
 Comments: DRIVER RICHARD CALLED TO START TIME DELAY @2:32

TOP

NOTE

Assoc: System Date/Time: 02/14/2008 14:26
Comments: 4 MULTI PCS, BASEMENT DEL & HAVE TO TAKE DOORS OFF

[TOP](#)

NOTE

Assoc: System Date/Time: 02/14/2008 14:26
Comments: MRB

[TOP](#)

NOTE

Assoc: System Date/Time: 02/14/2008 15:14
Comments: driver richard called to end time delay @3:20...

[TOP](#)

NOTE

Assoc: System Date/Time: 02/14/2008 15:14
Comments: sha

[TOP](#)

NOTE

Assoc: System Date/Time: 02/14/2008 19:05
Comments: DLV 2-14 EX STOP NOT APPROVED / ONLY A 3 PC

[TOP](#)

NOTE

Assoc: System Date/Time: 02/14/2008 19:05
Comments: SECTIONAL ON ORDER

[TOP](#)

Page last modified: 7/2/2008 10:05:06 AM



MAGIC TOUCH

MAGIC TOUCH WATER DAMAGE RESTORATION
902 S. MAIN ST.
SAUKVILLE, WI 53080

Client: Shirley Lloyd Work to date
Property: 4208 N 71st Street
Milwaukee, WI 53216

Home: (414) 464-0468

Operator Info:
Operator: NICKLAS

Estimator: Nick Kertscher

Business: (262) 284-4547

Business: 902 S. MAIN ST.
SAUKVILLE, WI 53080

Reference: Mike
Title: Adjuster
Company: Country Insurance Mike
Business: 16655 W. Bluemound Road Suite 100
Brookfield, WI 53005

Business: (262) 785-0605

Type of Estimate: Sewage
Date Entered: 6/21/2009 Date Assigned: 6/21/2009

Price List: WIMW5B_JUN09
Restoration/Service/Remodel
Estimate: 2009-06-25-0735
File Number: 177-0004918

2,100

<u>Claim Number</u>	<u>Policy Number</u>	<u>Type of Loss</u>	<u>Deductible</u>
177-0004918		SEWAGE	500.00

Date of Loss 6/21/2009 Date Received 6/21/2009

BASE SERVICE CHARGES - This charge is added to each labor category to help ensure that the unit price will cover the expenses for all jobs with include travel, supplies, planning, and mobilization of each contractor.

PLEASE NOTE - In order to accurately invoice for remediation portion, final invoice will be completed on actual time and material needed to complete repair. Included amounts are allowances only. Amount may vary, based upon final determined scope of work for cleaning after demolition.

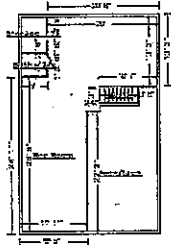


MAGIC TOUCH

MAGIC TOUCH WATER DAMAGE RESTORATION
 902 S. MAIN ST.
 SAUKVILLE, WI 53080

2009-06-25-0735

Main Level

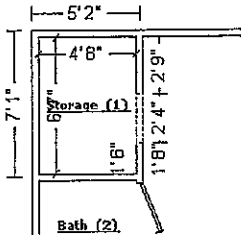


Rec Room

Ceiling Height: 8'

961.11 SF Walls	595.13 SF Ceiling
1,556.24 SF Walls & Ceiling	595.13 SF Floor
66.13 SY Flooring	119.75 LF Floor Perimeter
122.08 LF Ceil. Perimeter	

Missing Wall:	1 -	3'0" X 8'0"	Opens into Stair1	Goes to Floor/Ceiling
Missing Wall:	1 -	2'2" X 8'0"	Opens into Furn/Laun	Goes to Floor/Ceiling
Missing Wall:	1 -	1'1" X 8'0"	Opens into Furn/Laun	Goes to Floor/Ceiling

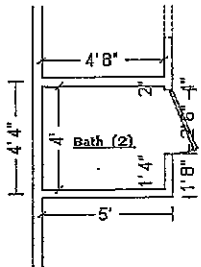


Subroom 1: Storage

Ceiling Height: 8'

164.44 SF Walls	30.72 SF Ceiling
195.17 SF Walls & Ceiling	30.72 SF Floor
3.41 SY Flooring	20.17 LF Floor Perimeter
22.50 LF Ceil. Perimeter	

Missing Wall:	1 -	2'4" X 6'8"	Opens into Rec Room	Goes to Floor
---------------	-----	-------------	---------------------	---------------



Subroom 2: Bath

Ceiling Height: 8'

138.67 SF Walls	18.67 SF Ceiling
157.33 SF Walls & Ceiling	18.67 SF Floor
2.07 SY Flooring	17.33 LF Floor Perimeter
17.33 LF Ceil. Perimeter	

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Clean the floor with pressure steam	644.52 SF	0.00	0.40	257.81
Apply anti-microbial agent - after hours	644.52 SF	0.00	0.20	128.90
Totals: Rec Room				386.71

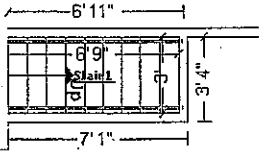


MAGIC TOUCH

MAGIC TOUCH WATER DAMAGE RESTORATION
 902 S. MAIN ST.
 SAUKVILLE, WI 53080

Stair1

Ceiling Height: 17'



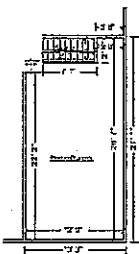
195.75 SF Walls	20.25 SF Ceiling
216.00 SF Walls & Ceiling	49.48 SF Floor
5.50 SY Flooring	22.50 LF Floor Perimeter
16.50 LF Ceil. Perimeter	

Missing Wall: 1 - 3'0" X 17'0" Opens into Rec Room Goes to Floor/Ceiling

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Cleaning charge per step	12.00 EA	0.00	2.86	34.32
Totals: Stair1				34.32

Furn/Laun

Ceiling Height: 8'



606.67 SF Walls	305.76 SF Ceiling
912.42 SF Walls & Ceiling	305.76 SF Floor
33.97 SY Flooring	75.42 LF Floor Perimeter
75.42 LF Ceil. Perimeter	

Missing Wall: 1 - 2'2" X 8'0" Opens into Rec Room Goes to Floor/Ceiling

Missing Wall: 1 - 1'1" X 8'0" Opens into Rec Room Goes to Floor/Ceiling

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Clean the floor with pressure steam	305.76 SF	0.00	0.40	122.30
Apply anti-microbial agent - after hours	305.76 SF	0.00	0.20	61.15
Totals: Furn/Laun				183.45
Total: Main Level				604.48

SERVICES

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Emergency service call - after business hours	0.50 EA	0.00	162.96	81.48
Equipment setup, travel, thermo inspection with thermo & digital pictures - after hrs	2.00 HR	0.00	55.58	111.16



MAGIC TOUCH

MAGIC TOUCH WATER DAMAGE RESTORATION
902 S. MAIN ST.
SAUKVILLE, WI 53080

CONTINUED - SERVICES

DESCRIPTION	QNTY	REMOVE	REPLACE	TOTAL
Equipment take down, monitoring, travel, thermo inspection	2.00 HR	0.00	37.02	74.04
Air mover 14 units / 3 days	42.00 EA	0.00	25.61	1,075.62
Dehumidifier - XLarge - 2 units / 3 days	6.00 EA	0.00	114.72	688.32
Generator temporary power cable 1 units / 3 days	3.00 DA	0.00	18.90	56.70
Totals: SERVICES				2,087.32
Line Item Totals: 2009-06-25-0735				2,691.80

Grand Total Areas:

2,066.64 SF Walls	970.53 SF Ceiling	3,037.17 SF Walls and Ceiling
999.76 SF Floor	111.08 SY Flooring	255.17 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	253.83 LF Ceil. Perimeter
999.76 Floor Area	1,035.22 Total Area	1,728.89 Interior Wall Area
1,056.00 Exterior Wall Area	132.00 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



MAGIC TOUCH

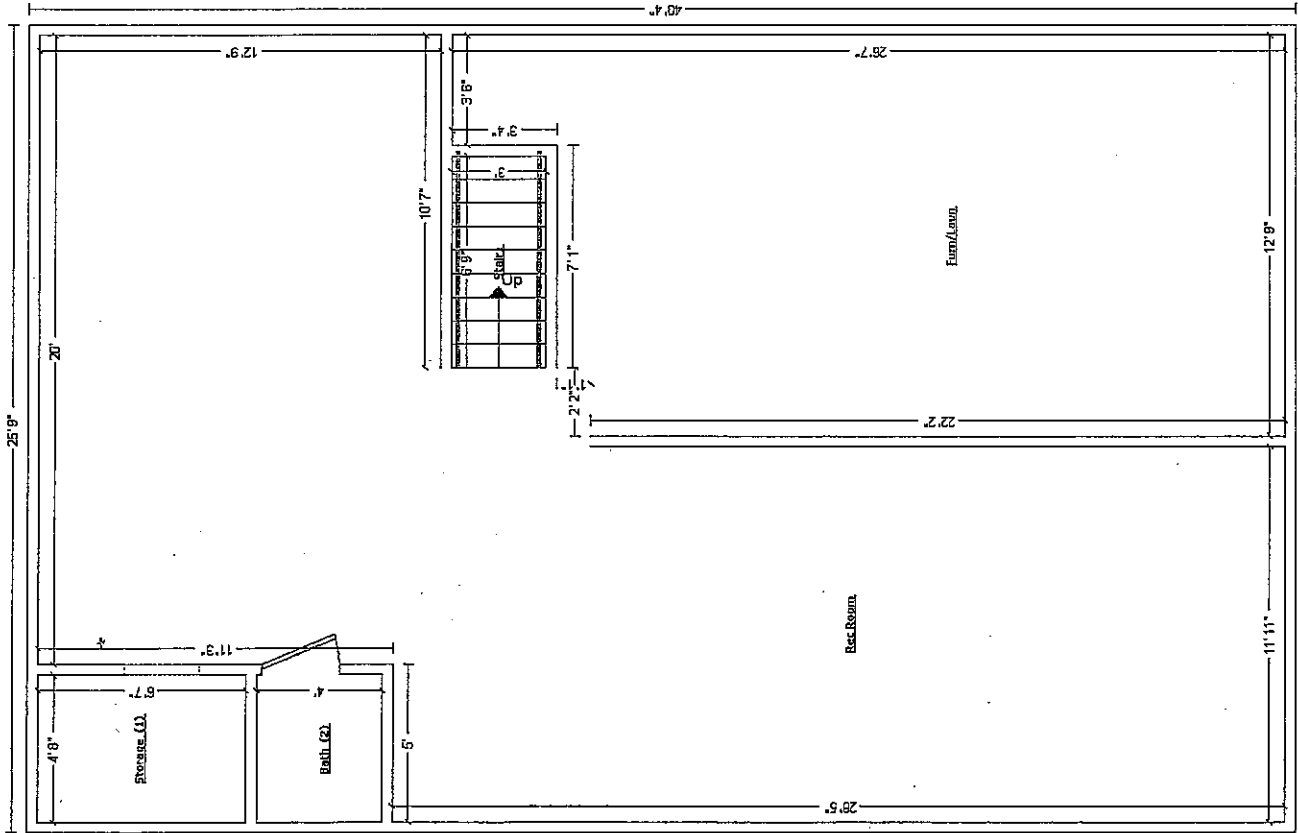
MAGIC TOUCH WATER DAMAGE RESTORATION
902 S. MAIN ST.
SAUKVILLE, WI 53080

Summary

Line Item Total				2,691.80
Services Mat'l Tax	@	5.600% x	190.66	10.68
Subtotal				2,702.48
Service Sales Tax	@	5.600% x	2,645.78	148.16
Replacement Cost Value				\$2,850.64
Less Deductible				(500.00)
Net Claim				<u>\$2,350.64</u>

Credit Card
~~XXXXXXXXXX~~ →

Nick Kertscher



Main Level

Freezer

SEARS
BROOKFIELD SQ S/C 01062
115 S MOORLAND RD
BROOKFIELD, WI 53005-4230
262-796-5300



RETAIN FOR COMPARISON WITH MONTHLY
STATEMENT OR FOR RETURN OR EXCHANGE

SALESCHECK #
010623266569

DELIVER TO: CUSTOMER

PURCHASER: SHERREL CANNON
CUSTOMER: SHERREL CANNON
ADDRESS: 4208 N 71ST
CITY/STATE: MILWAUKEE, WI
ZIP CODE: 53216
PHONE: 414-241-9276 414-464-0468

DELIV. DATE: 07/08/09

TRAN# PG/STORE REG# ASSOC#
6569 14 01062 326 5538
RINGING ASSOC # 5538

MERCHANDISE ORDERED
CENTRAL DELIVERY
46 28432 14 CUFT, K SAL 450.49T
ORDERED

SETUP AND LEVEL
MULT CREDIT \$ 65.00T-
NON-REFUNDABLE DELIVERY FEE .00
SUBTOTAL 385.49
OUT OF AREA TAX 05.600% 21.59
DEPOSIT 345.08
AMOUNT TENDERED 345.08
CHANGE DUE .00

CARD TYPE: DEBIT CARD
ACCT #: W3567
07/06/09 DEBIT TOTAL 62.00

RC: 2457-4250-7659-6637

CALL FOR INFORMATION:
DELIVERY (800)732-7747
PARTS (800)469-4663
INSTALLATION (800)326-8738
SERVICE (800)469-4663

Washer/Dryer

SEARS
BROOKFIELD SQ S/C 01062
115 S MOORLAND RD
BROOKFIELD, WI 53005-4230
262-796-5300



RETAIN FOR COMPARISON WITH MONTHLY
STATEMENT OR FOR RETURN OR EXCHANGE

SALESCHECK #
010623266568

DELIVER TO: CUSTOMER

PURCHASER: SHERREL CANNON
CUSTOMER: SHERREL CANNON
ADDRESS: 4208 N 71ST
CITY/STATE: MILWAUKEE, WI
ZIP CODE: 53216
PHONE: 414-241-9276 414-464-0468

DELIV. DATE: 07/08/09

TRAN# PG/STORE REG# ASSOC#
6568 14 01062 326 5538
RINGING ASSOC # 5538

MERCHANDISE ORDERED
CENTRAL DELIVERY
26 28087 KENMORE OA GRP 749.99T
ORDERED

SETUP AND LEVEL
26 68087 KENMORE OA GRP 749.99T
ORDERED

SETUP AND LEVEL
NON-REFUNDABLE DELIVERY FEE 65.00T
SUBTOTAL 1564.98
OUT OF AREA TAX 05.600% 87.64
AMOUNT TENDERED 1700.00
CHANGE DUE 47.38
07/06/09 CASH TOTAL 1652.62

RC: 2157-4450-8655-6636

CALL FOR INFORMATION:
DELIVERY (800)732-7747
PARTS (800)469-4663
INSTALLATION (800)326-8738
SERVICE (800)469-4663

LAW OFFICES
HOUSEMAN & FEIND, LLP

1650 NINTH AVENUE
POST OFFICE BOX 104
GRAFTON, WISCONSIN 53024-0104

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Robert L. Feind, Jr.
John M. Gallo
Michael P. Herbrand
Margaret G. Zickuhr

Jane E. Miller
Deborah S. R. Hoffmann
Johnathan G. Woodward

TELEPHONE
(262) 377-0600
FACSIMILE
(262) 377-6080

August 11, 2009

Via Certified and Regular Mail

Mr. Clyde Lloyd
Ms. Shirley Lloyd
4208 North 71st Street
Milwaukee, WI 53216-1030

I have been retained by R. Nicklas Kertscher, d/b/a Magic Touch, to collect from Mr. Clyde Lloyd and Ms. Shirley Lloyd a debt in the amount of \$2,160.09 owed to Magic Touch for labor and materials relating to emergency water removal at your property, 4208 N. 71st St. in Milwaukee.

If you want to resolve this matter without a lawsuit, you must, within one week of receiving this letter, send a check for the outstanding balance, payable to the HOUSEMAN & FEIND TRUST ACCOUNT to the above listed address. If you do not pay, I will be entitled to file a lawsuit against you, for the collection of this debt, when the week is over.

Federal law gives you thirty days to contest this letter or dispute the validity of the debt or any part of it. If you do not dispute the debt within that period, I will assume the debt is valid. If you do dispute the debt – by notifying me in writing to that effect – I will, as required by law, obtain and mail you proof of the debt. And if, within the same period, you request in writing the name and address of your original creditor, if the original creditor is different from the current creditor, I will furnish you with that information.

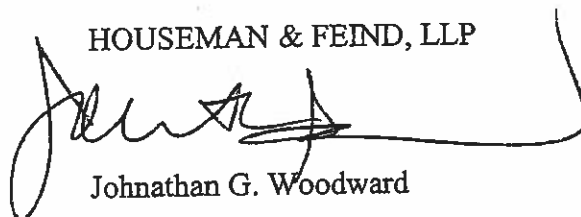
The law does not require me to wait until the end of the thirty day period before suing you to collect this debt. If, however, you request proof of that debt or the name and address of the original creditor within the thirty-day period that begins with your receipt of this letter, the law requires me to suspend my efforts to collect the debt until I mail the requested information to you.

I trust you will resolve this matter before litigation is necessary.

PLEASE BE ADVISED WE ARE ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Very truly yours,

HOUSEMAN & FEIND, LLP



Johnathan G. Woodward

JGW:jgw
cc: Magic Touch

NOTICE OF INTENTION TO FILE CLAIM FOR LIEN

TO:

Mr. Clyde Lloyd
Ms. Shirley Lloyd
4208 North 71st Street
Milwaukee, WI 53216-1030

VIA CERTIFIED MAIL

YOU ARE HEREBY NOTIFIED that the undersigned was engaged by Shirley Lloyd to furnish labor and/or materials for the improvement of the real estate located at 4208 North 71st Street, City of Milwaukee, Milwaukee County, Wisconsin. Such labor and/or materials consist of the following: services related to emergency water removal and damage restoration. The amount due claimant is \$2,160.09.

YOU ARE FURTHER NOTIFIED that this notice is given pursuant to the Wisconsin Construction Lien Law, chapter 779 of the Wisconsin Statutes. **The undersigned intends to file a Claim for Lien against the above-described real estate in the event the undersigned is not paid for such labor and/or materials within thirty (30) days of this notice.**

Dated August 11, 2009.

R. NICKLAS KERTSCHER
d/b/a MAGIC TOUCH
By: HOUSEMAN & FEIND, LLP
Attorneys for Claimant

By: 

JOHNATHAN G. WOODWARD
State Bar No. 1056307
1650 Ninth Avenue
Grafton, WI 53024-2433
Telephone (262) 377-0600
Facsimile (262) 377-6080

Claimant's Address:
902 South Main Street
Saukville, WI 53080

cc: Magic Touch

We Energies

File Accounts Billing Credit Data Maintenance Marketing Meter Pending Work Queue Service Orders Options Help

SHERREL E CANNON
4208 N 71ST ST
MILWAUKEE, WI 53216-1030
RESIDENTIAL ACTIVE

Customer Contact 1. Start Service 5. Bill Analyzer 8. MDT Data
Meter Reading History 2. Stop Service 6. Bill Image 10. Cust/Perm Ord Hist
Billing History 3. Credit Information 7. Budget Bill Setup 11. Problem Maint
Account Analysis 4. Customer Application 8. Pay Agreements 12. Record Control Code

Meter Reading: Automated Meter Reading Hist: 2032579625

File Options Help

Meter: MZ-81665 Svc Type: Electric Dials: 5 Acct Status: A Lock Status: U
Meter Mfg: Landis & Gyr (Duncan/Lawless) Meter Model: E23948722 Last Billed: On Peak Demand: .000 Max Demand: .000

Day	Read Date	Total Rd	DIM	OnPk Rd	DIM	PCT	MaxPk Rd	DIM	PCT	OnPk KW	Time	Max KW	Time
THU	07/02/09	10707	15	0	0	0	0	0	0	.000		.000	
WED	07/01/09	10692	16	0	0	0	0	0	0	.000		.000	
TUE	06/30/09	10676	16	0	0	0	0	0	0	.000		.000	
MON	06/29/09	10660	22	0	0	0	0	0	0	.000		.000	
SUN	06/28/09	10638	31	0	0	0	0	0	0	.000		.000	
SAT	06/27/09	10607	49	0	0	0	0	0	0	.000		.000	
FRI	06/26/09	10567	42	0	0	0	0	0	0	.000		.000	
THU	06/25/09	10525	53	0	0	0	0	0	0	.000		.000	
WED	06/24/09	10472	127	0	0	0	0	0	0	.000		.000	
TUE	06/23/09	10345	173	0	0	0	0	0	0	.000		.000	
MON	06/22/09	10172	172	0	0	0	0	0	0	.000		.000	
SUN	06/21/09	10000	34	0	0	0	0	0	0	.000		.000	
SAT	06/20/09	9865	43	0	0	0	0	0	0	.000		.000	
FRI	06/19/09	9663	50	0	0	0	0	0	0	.000		.000	
THU	06/18/09	9813	24	0	0	0	0	0	0	.000		.000	

Print Report Details Cancel

08/21/09 12:30:41 w38296
CANNON, SHERREL E
4208 N 71ST ST
MILWAUKEE, WI 53216-1030

$$\begin{array}{r} 6/21 - 94 \\ \times .12 \\ \hline \$11.28 \end{array}$$

$$\begin{array}{r} 6/22 172 \\ \times .12 \\ \hline \$20.64 \end{array}$$

$$\begin{array}{r} 6/23 173 \\ \times .12 \\ \hline \$20.76 \end{array}$$

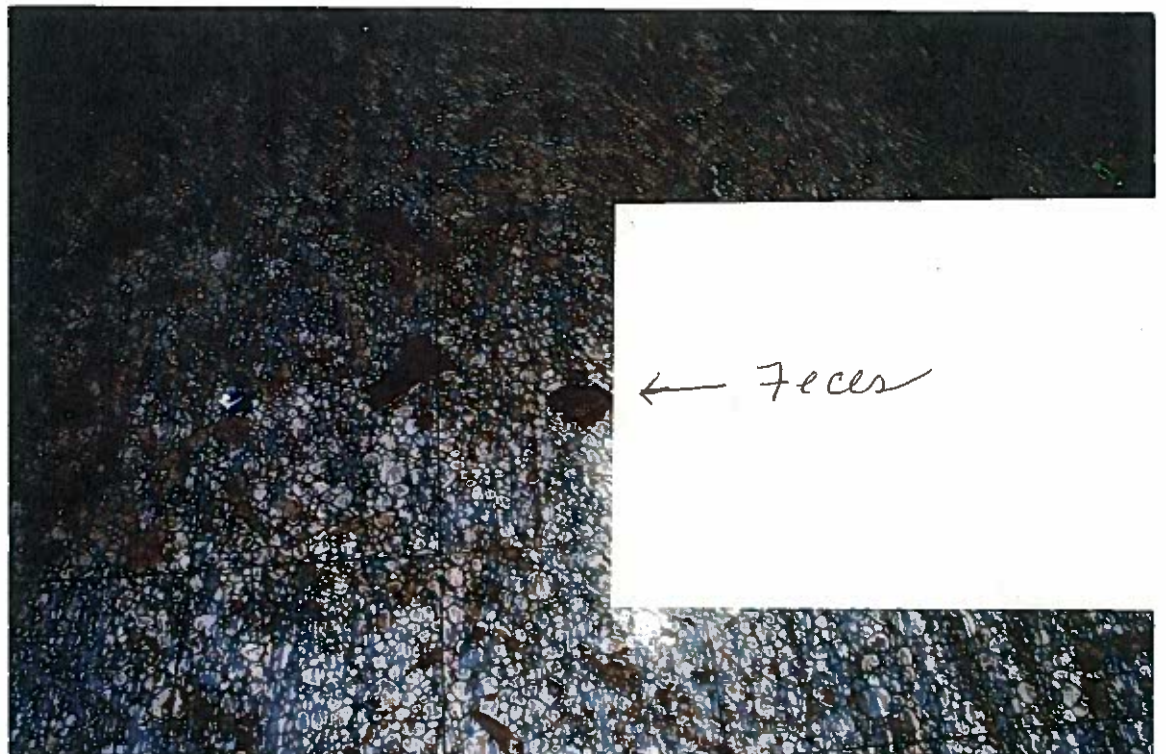
$$\begin{array}{r} 6/24 127 \\ \times .12 \\ \hline \$15.24 \end{array}$$

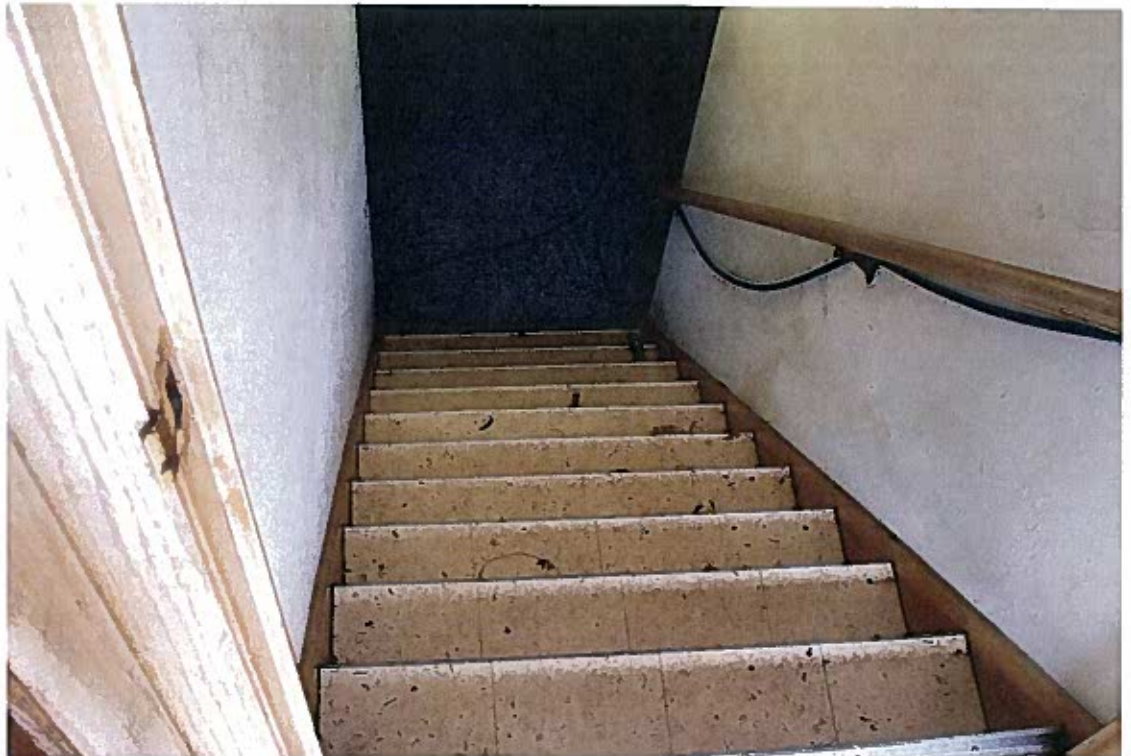
to determine usage multiply
by .12 (cents)

11.28
20.64
20.76
15.24

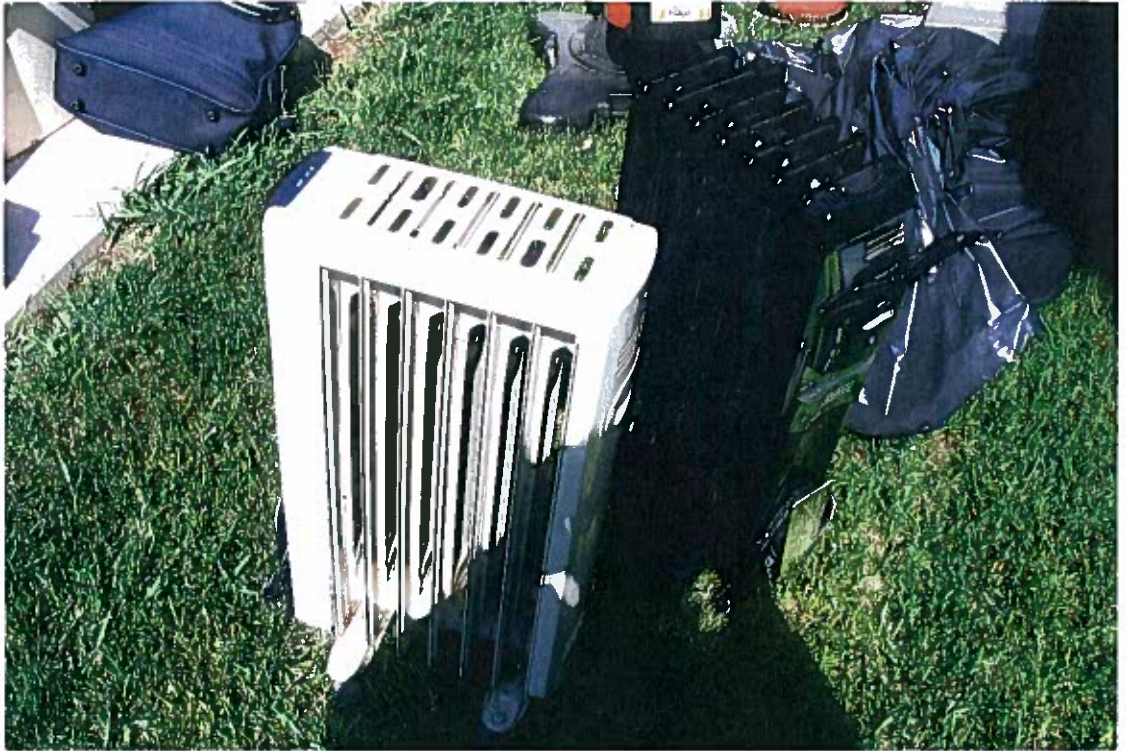
\$67.92



















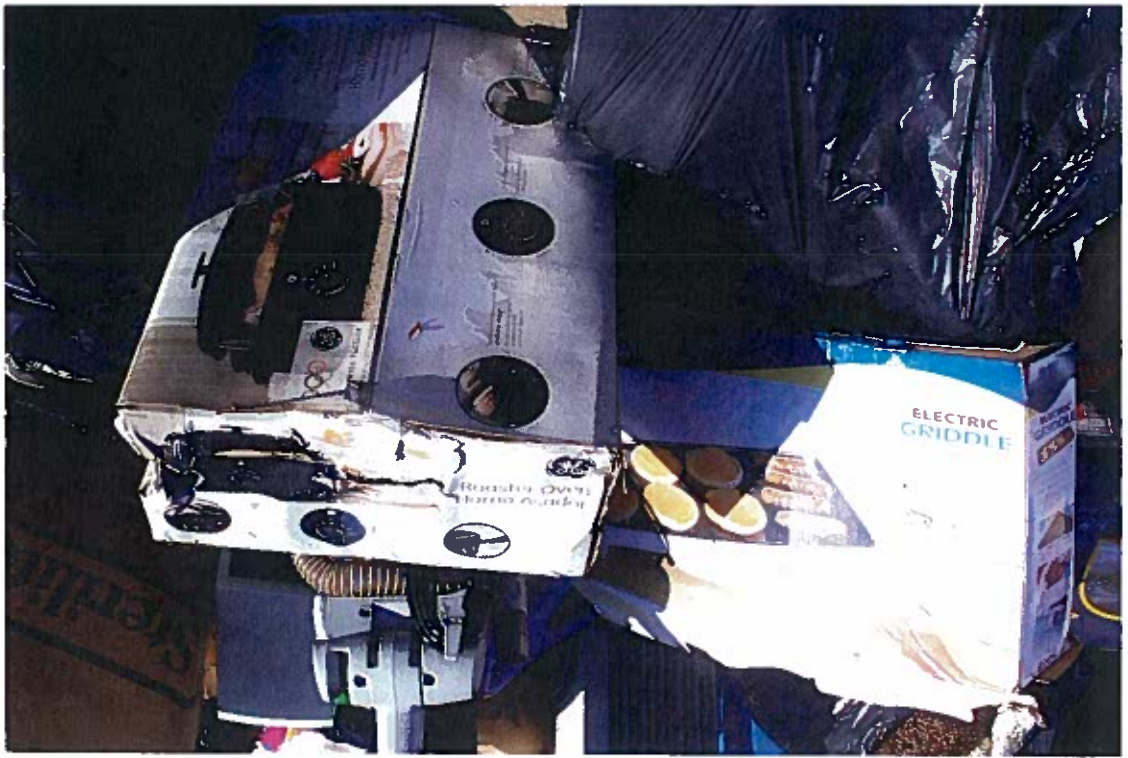
































Legislation Details (With Text)

File #: 090751 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 10/13/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Resolution relating to the claim of Mount Zion Missionary Baptist Church for property damage. (6th Aldermanic District)

Sponsors: THE CHAIR

Indexes: CLAIMS

Attachments: City Attorney Letter, Claim, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/20/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090751

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relating to the claim of Mount Zion Missionary Baptist Church for property damage. (6th Aldermanic District)

Requestor

City Attorney

Drafter

JAS:ms

September 23, 2009

1029-2009-2258:150199

GRANT F. LANGLEY
City Attorney

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



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MEGAN T. CRUMP
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HEIDI E. GALVÁN
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

September 23, 2009

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

Re: Resolution Relating to the Claim of Mt. Zion Missionary Baptist Church
C.I. File No. 09-L-91

Dear Council Members:

We return the enclosed document which as 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, Church Mutual Insurance Company, P.O. Box 357, Merrill, WI 54452-0357, relating to its interests and the interest of its insured, Mt. Zion Missionary Baptist Church, P.O. Box 12545, Milwaukee, WI 53212, alleges that on June 19, 2009 the insured sustained damages when there was a sewer back-up in the church's properties located at 2207 North 2nd Street, 2222 North 2nd Street and 2210-2212 North 2nd Street. The insurer claims damages in the amount of \$113,365.31.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that because of the large amount and strong intensity of rain during this time, the City experienced flows that exceeded the capacity of the sewer system. The City checked the sewer main as a result of this claim and it was found to be in proper working order. City records also indicate that the combined sewer main which is on a cleaning cycle of eight to ten years had last been cleaned in July, 2003 and that only light dirt was found in the cleaning process.

Honorable Common Council
September 23, 2009
Page 2

There is thus no evidence that the City was negligent. It would not, therefore, be liable and we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:ms
Enclosure

1029-2009-2258:150197

CITY OF MILWAUKEE
RECEIVED

2009 AUG 14 PM 2:09



Listening. Learning. Leading.®

August 13, 2009

OFFICE OF
CITY ATTORNEY
CITY CERTIFIED MAIL

CITY CLERK
ATTN CLAIMS
200 E WELLS ST RM 205
MILWAUKEE WI 53202-3567

RE: Claim Number: 1069849
Insured: Mount Zion Missionary Baptist Church
2207 N 2nd Street
Milwaukee, Wisconsin, 53212
Date of Loss: June 19, 2009

Dear City Clerk:

Mount Zion Missionary Baptist Church experienced sewer back ups on June 19, 2009. The damages to their properties totaled \$113,365.31. The City of Milwaukee's sewer/drain system backed up, causing raw sewage to enter our insured's properties. As Church Mutual has paid for the damages, we are looking to the City of Milwaukee for reimbursement.

The locations of the damages are as follows:

Church at 2207 North 2nd Street, Milwaukee, Wisconsin
Resource Center at 2222 North 2nd Street, Milwaukee, Wisconsin
Dwelling (duplex) at 2210-2212 North 2nd Street, Milwaukee, Wisconsin

We have enclosed our supporting loss documentation. Please refer to the claim number 1069849 on all communication.

Sincerely,

Michele Gryskiewicz
Subrogation Specialist
Church Mutual Insurance Company
PO Box 342, Merrill WI 54452
Email: mgryskiewicz@churchmutual.com
Fax: 715-539-4651
1-800-554-2642, Option 2, Extension 4876

2009 AUG 14 AM 11:40
CITY OF MILWAUKEE
RONALD D. LEONHARDT
CITY CLERK



P.O. Box 342
Merrill, WI 54452

Claim Check No. 2129831

79-600
759

M & I Bank of Mayville
Mayville, WI 53050

DATE	AMOUNT
08/11/09	\$*****6,680.07

VOID AFTER 180 DAYS

Pay Exactly

Six Thousand Six Hundred Eighty Dollars and 07/100 Cents

Pay to **MOUNT ZION MISSIONARY BAPTIST CHURCH** and
the **U S BANK NA**
Order of

NON-NEGOTIABLE

Detach before depositing - Please cash within 30 days

Account/Policy No.:	0158988-02-057382	Date of Check:	08/11/09
Claim No.:	1069849	Check No.:	2129831
Date of Loss:	06/19/09		

Insured: **MOUNT ZION MISSIONARY BAPTIST CHURCH**
MILWAUKEE, WI 53212

Claimant: **MOUNT ZION MISSIONARY BAPTIST CHURCH**
Description of Loss: **Sewer back up/Church basement**

Mail To: **MOUNT ZION MISSIONARY BAPTIST**
PO BOX 12545
MILWAUKEE WI 53212

The above check reflects payment for the following:

Payment: \$6,680.07

**003/003 TWO FAMILY NON-OWNER OCCUPIED DWELLING
PAYMENT OF REPLACEMENT COST FOR REPAIRS.**

For questions concerning your claim, please call 1-800-554-2642. Select option 2 and enter my extension number; Lynn E. Renlund, PCLA/FCLA,AIC Ext. 4617.

SERVPRO

Servpro of Milwaukee North

W141N9316 Fountain Blvd Menomonee Falls, WI 53051
 Phone: (262) 250-1101 Fax: (262) 250-1107
 www.servproofmilwaukee.com

MTZIONDUPLEX**MTZIONDUPLEX**

DESCRIPTION	QNTY	UNIT COST	TOTAL
Dehumidifier (per 24 hour period) - XLarge - No monitoring <i>Note: 3 dehumidifiers for 3 days.</i>	9.00 EA @	114.72 =	1,032.48
Equipment setup, take down, and monitoring (hourly charge) <i>Note: 2 techs 1 hour to setup equipment, 2 techs 1 hour to take down equipment and 2 hours of inspection and monitoring.</i>	6.00 HR @	37.02 =	222.12
Equipment decontamination charge - per piece of equipment <i>Note: To decontaminate equipment used in black water mitigation.</i>	4.00 EA @	26.77 =	107.08
Add for HEPA filter (for neg. air machine/vacuum - Large)	1.00 EA @	209.82 =	209.82
Neg. air fan/Air scrub.-Large (per 24 hr period)-No monit. <i>Note: 1 negative air machine for 3 days.</i>	3.00 DA @	120.00 =	360.00
Add for personal protective equipment (hazardous cleanup) <i>Note: 4 techs 1 change of ppe each.</i>	4.00 EA @	8.44 =	33.76
Dumpster load - Approx. 12 yards, 1-3 ton of debris	1.00 EA @	288.33 =	288.33

Main Level**Main Level**

DESCRIPTION	QNTY	UNIT COST	TOTAL
HVAC and Plumbing Inspection <i>Note: To inspect furnaces and water heaters.</i>	1.00 EA @	488.00 =	488.00
Water Heater Replacement - Bid Item	1.00 EA @	1,668.00 =	1,668.00

Laundry

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Cleaning - Remediation Technician - per hour <i>Note: 2 techs 1 hour to move and dispose of affected contents.</i>	2.00 HR @	37.02 =	74.04
Tear out wet drywall, cleanup, bag, per LF - up to 2' tall	7.50 LF @	2.30 =	17.25
Clean floor - Heavy	154.57 SF @	0.43 =	66.47
Clean the walls - Heavy	396.43 SF @	0.29 =	114.96
Apply botanical anti-microbial agent	154.57 SF @	0.23 =	35.55

Storage

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Cleaning - Remediation Technician - per hour <i>Note: 2 techs 2 hours to move and dispose of affected contents.</i>	2.00 HR @	37.02 =	74.04

MTZIONDUPLEX

7/23/2009

Page: 2



Servpro of Milwaukee North

W141N9316 Fountain Blvd Menomonee Falls, WI 53051
 Phone: (262) 250-1101 Fax: (262) 250-1107
 www.servproofmilwaukee.com

CONTINUED - Storage

DESCRIPTION	QNTY	UNIT COST	TOTAL
Clean floor - Heavy	65.00 SF @	0.43 =	27.95
Clean the walls - Heavy	258.62 SF @	0.29 =	75.00
Apply botanical anti-microbial agent	65.00 SF @	0.23 =	14.95

Main Area Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Cleaning - Remediation Technician - per hour	9.00 HR @	37.02 =	333.18
<i>Note: 3 techs 3 hours to move and dispose of affected contents.</i>			
Clean floor - Heavy	954.61 SF @	0.43 =	410.48
Clean the walls - Heavy	1,296.02 SF @	0.29 =	375.85
Apply botanical anti-microbial agent	954.61 SF @	0.23 =	219.56

Grand Total Areas:

1,951.06 SF Walls	1,174.18 SF Ceiling	3,125.24 SF Walls and Ceiling
1,174.18 SF Floor	130.46 SY Flooring	243.88 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	243.88 LF Ceil. Perimeter
1,174.18 Floor Area	1,241.74 Total Area	1,951.06 Interior Wall Area
1,282.67 Exterior Wall Area	160.33 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



Servpro of Milwaukee North

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Summary

Line Item Total				6,248.87
Overhead	@	10.0% x	2,156.00	215.60
Profit	@	10.0% x	2,156.00	215.60
Replacement Cost Value				<u>\$6,680.07</u>
Net Claim				<u><u>\$6,680.07</u></u>

John Zuge



Servpro of Milwaukee North

W141N9316 Fountain Blvd Menomonee Falls, WI 53051
 Phone: (262) 250-1101 Fax: (262) 250-1107
 www.servproofmilwaukee.com

Recap by Room

Estimate: MTZIONDUPLEX	2,253.59	36.06%
Area: Main Level	2,156.00	34.50%
Laundry	308.27	4.93%
Storage	191.94	3.07%
Main Area	1,339.07	21.43%
<hr/>		
Area Subtotal: Main Level	3,993.28	63.94%
<hr/>		
Subtotal of Areas	6,248.87	100.00%
<hr/>		
Total	6,248.87	100.00%


Servpro of Milwaukee North

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Recap by Category

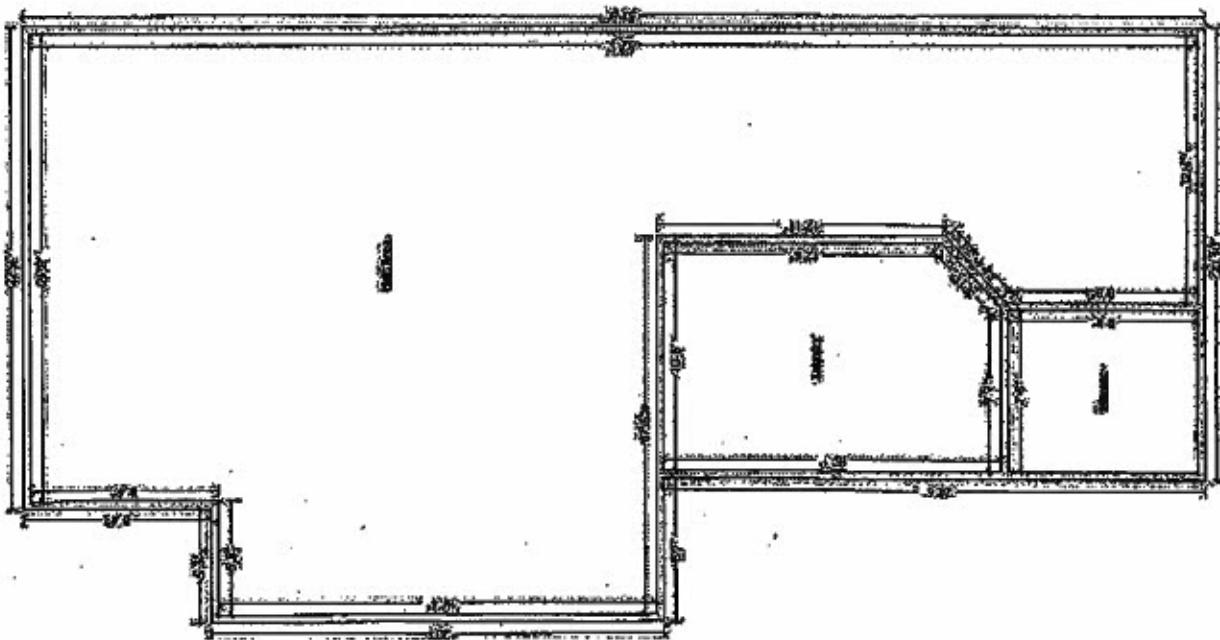
O&P Items				Total Dollars	%
HEAT, VENT & AIR CONDITIONING				488.00	7.31%
PLUMBING				1,668.00	24.97%
Subtotal				2,156.00	32.28%
Overhead	@	10.0%		215.60	3.23%
Profit	@	10.0%		215.60	3.23%
O&P Items Subtotal				2,587.20	38.73%
Non-O&P Items				Total Dollars	%
CLEANING				1,551.97	23.23%
GENERAL DEMOLITION				305.58	4.57%
WATER EXTRACTION & REMEDIATION				2,235.32	33.46%
Non-O&P Items Subtotal				4,092.87	61.27%
O&P Items Subtotal				2,587.20	38.73%
Total				6,680.07	100.00%



0000000000

Page: 7

7/23/2009



in Level

MIZIONDUFLEX



P.O. Box 342
Merrill, WI 54452

Claim Check No. 2130704

79-600
759

M & I Bank of Mayville
Mayville, WI 53050

DATE	AMOUNT
08/12/09	\$*****6,150.00

VOID AFTER 180 DAYS

Pay Exactly

Six Thousand One Hundred Fifty Dollars and 00/100 Cents

Pay to the Order of **MOUNT ZION MISSIONARY BAPTIST CHURCH**

NON-NEGOTIABLE

Detach before depositing - Please cash within 30 days

Account/Policy No.:	0158988-02-057382	Date of Check:	08/12/09
Claim No.:	1069849	Check No.:	2130704
Date of Loss:	06/19/09		

Insured: **MOUNT ZION MISSIONARY BAPTIST CHURCH
MILWAUKEE, WI 53212**

Claimant: **MOUNT ZION MISSIONARY BAPTIST CHURCH**
Description of Loss: **Sewer back up/Church basement**

Mail To: **MOUNT ZION MISSIONARY BAPTIST
PO BOX 12545
MILWAUKEE WI 53212**

The above check reflects payment for the following:

Payment: \$6,150.00

**CONTENTS
REPLACEMENT COST PAYMENT FOR THE FILING CABINETS**

For questions concerning your claim, please call 1-800-554-2642. Select option 2 and enter my extension number; Lynn E. Renlund, PCLA/FCLA,AIC Ext. 4617.



Servpro of Milwaukee North

W141N9316 Fountain Blvd Menomonee Falls, WI 53051
Phone: (262) 250-1101 Fax: (262) 250-1107
www.servproofmilwaukee.com

MTZIONCABINETS

MTZIONCABINETS

DESCRIPTION	QNTY	UNIT COST	TOTAL
Metal Cabinets	1.00 EA @	6,150.00 =	6,150.00
Note: Includes 11 metal cabinets at 36w x 18 1/4d x 71 3/4h. List price per cabinet is \$667, since we are buying 11 they gave us a price of \$550 plus a \$100 delivery fee.			



P.O. Box 342
Merrill, WI 54452

Claim Check No. 2129824

79-600
759

M & I Bank of Mayville
Mayville, WI 53050

DATE	AMOUNT
08/11/09	\$*****84,522.12

VOID AFTER 180 DAYS

Pay Exactly

Eighty Four Thousand Five Hundred Twenty Two Dollars and 12/100 Cents

Pay to the Order of **MOUNT ZION MISSIONARY BAPTIST CHURCH**

NON-NEGOTIABLE

Detach before depositing - Please cash within 30 days

Account/Policy No.:	0158988-02-057382	Date of Check:	08/11/09
Claim No.:	1069849	Check No.:	2129824
Date of Loss:	06/19/09		
Insured:	MOUNT ZION MISSIONARY BAPTIST CHURCH MILWAUKEE, WI 53212		
Claimant:	MOUNT ZION MISSIONARY BAPTIST CHURCH		
Description of Loss:	Sewer back up/Church basement		
Mail To:	MOUNT ZION MISSIONARY BAPTIST PO BOX 12545 MILWAUKEE WI 53212		

The above check reflects payment for the following:

Payment: \$84,522.12
Deductible Applied: \$1,000.00

001/001 CHURCH
PAYMENT FOR REPLACEMENT COST OF REPAIRS PER
AGREED ESTIMATE.

For questions concerning your claim, please call 1-800-554-2642. Select option 2 and enter my extension number; Lynn E. Renlund, PCLA/FCLA,AIC Ext. 4617.



Servpro of Milwaukee North

W141N9316 Fountain Blvd Menomonee Falls, WI 53051
 Phone: (262) 250-1101 Fax: (262) 250-1107
 www.servproofmilwaukee.com

MTZIONMITIGATION09

MTZIONMITIGATION09

DESCRIPTION	QNTY	UNIT COST	TOTAL
Equipment setup, take down, and monitoring (hourly charge)	12.00 HR @	36.68 =	440.16
Dehumidifier (per 24 hour period) - XLarge - No monitoring	55.00 EA @	114.72 =	6,309.60
<i>Note: 2 techs 2 hour to setup equipment, 2 techs 2 hour to take down equipment and 2 hours of inspection and monitoring.</i>			
Air mover (per 24 hour period) - No monitoring	120.00 EA @	25.61 =	3,073.20
<i>Note: 11 dehumidifiers for 5 days.</i>			
Neg. air fan/Air scrub.-Large (per 24 hr period)-No monit.	30.00 DA @	120.00 =	3,600.00
<i>Note: 24 air movers for 5 days.</i>			
Add for HEPA filter (for neg. air machine/vacuum - Large)	6.00 EA @	209.75 =	1,258.50
<i>Note: 6 large negative air machines for 5 days.</i>			
Equipment decontamination charge - HVY, per piece of equip	41.00 EA @	39.06 =	1,601.46
Dumpster load - Approx. 30 yards, 5-7 tons of debris	1.00 EA @	490.00 =	490.00
Add for personal protective equipment (hazardous cleanup)	10.00 EA @	8.44 =	84.40
<i>Note: 10 employees 1 set of ppe each</i>			
Drycleaning - Bid Item	1.00 EA @	613.07 =	613.07

Main Level

Main Level

DESCRIPTION	QNTY	UNIT COST	TOTAL
Vinyl Flooring Repairs - Bid Item	1.00 EA @	6,173.90 =	6,173.90
<i>Note: To repair vinyl floor tiles and buff entire floor.</i>			
Vinyl Base Cove - Bid Item	1.00 EA @	3,218.40 =	3,218.40
<i>Note: To replace all vinyl base trim.</i>			
Carpet on Stage - Bid Item	1.00 EA @	1,079.52 =	1,079.52
<i>Note: To wrap stage and stairs in carpet.</i>			
Drywall - Bid Item	1.00 EA @	4,392.00 =	4,392.00
<i>Note: To replace and texture all drywall.</i>			
Stage Repairs - Bid Item	1.00 EA @	1,200.00 =	1,200.00
<i>Note: To cover stage with plywood and rebuild damaged stairs.</i>			
Shelving - Food Pantry - Bid Item	1.00 EA @	924.00 =	924.00
<i>Note: To make new shelves in food pantry as humidity had affected shelving during loss.</i>			
Day Care Cabinet - Bid Item	1.00 EA @	965.00 =	965.00
<i>Note: To duplicate multicolor childrens cabinet with sink.</i>			
Accordion Door Repairs - Bid Item	1.00 EA @	3,080.00 =	3,080.00
<i>Note: To service and replace rubber guards on the bottom of the accordion doors.</i>			
Cubicle Walls - Bid Item	1.00 EA @	6,146.32 =	6,146.32
<i>Note: To replace partition walls.</i>			
Finish Carpenter - per hour	4.00 HR @	56.96 =	227.84
<i>Note: Time to plane and repair doors from water damage. Will save costs over replacing doors.</i>			
R&R Door kick plate - 16 gauge, 8" x 34"	8.00 EA @	51.97 =	415.76



Servpro of Milwaukee North

W141N9316 Fountain Blvd Menomonee Falls, WI 53051
 Phone: (262) 250-1101 Fax: (262) 250-1107
 www.servproofmilwaukee.com

CONTINUED - Main Level

DESCRIPTION	QNTY	UNIT COST	TOTAL
<i>Note: 1 kick plate on each side of 4 doors.</i>			
Electrical Repairs - Microphone Wiring	1.00 EA @	708.00 =	708.00

Men's Bath Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	119.71 SF @	1.32 =	158.02
Clean floor - Heavy	119.71 SF @	0.42 =	50.28
Apply botanical anti-microbial agent	119.71 SF @	0.23 =	27.53
Cleaning - Remediation Technician - per hour	2.00 HR @	36.68 =	73.36

Note: 1 tech 2 hours to clean and sanitize fixtures.

Day Care Ceiling Height: 8'

Missing Wall: 1 - 23'5" X 8'0" Opens into Main Goes to Floor/Ceiling

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	998.11 SF @	1.32 =	1,317.51
Clean floor - Heavy	998.11 SF @	0.42 =	419.21
Apply botanical anti-microbial agent	998.11 SF @	0.23 =	229.57
Tear out trim/base	122.08 LF @	0.31 =	37.84
Cleaning - Remediation Technician - per hour	15.00 HR @	36.68 =	550.20

Note: 3 tech 5 hours to clean and sanitize tables, chairs and other day care items.

R&R Sink - single	1.00 EA @	222.68 =	222.68
-------------------	-----------	----------	--------

Bath Hall 1 Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	19.53 SF @	1.32 =	25.78
Clean floor - Heavy	19.53 SF @	0.42 =	8.20



Servpro of Milwaukee North

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CONTINUED - Bath Hall 1

DESCRIPTION	QNTY	UNIT COST	TOTAL
Apply botanical anti-microbial agent	19.53 SF @	0.23 =	4.49
Tear out trim/base	18.67 LF @	0.31 =	5.79

Bath Closet

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	14.78 SF @	1.32 =	19.51
Clean floor - Heavy	14.78 SF @	0.42 =	6.21
Apply botanical anti-microbial agent	14.78 SF @	0.23 =	3.40
Tear out trim/base	15.67 LF @	0.31 =	4.86

Women's Bath

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	119.71 SF @	1.32 =	158.02
Clean floor - Heavy	119.71 SF @	0.42 =	50.28
Apply botanical anti-microbial agent	119.71 SF @	0.23 =	27.53
Clearing - Remediation Technician - per hour	2.00 HR @	36.68 =	73.36

Note: 1 tech 2 hours to clean and sanitize fixtures.

Bath Hall 2

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	19.53 SF @	1.32 =	25.78
Clean floor - Heavy	19.53 SF @	0.42 =	8.20
Apply botanical anti-microbial agent	19.53 SF @	0.23 =	4.49
Tear out trim/base	18.67 LF @	0.31 =	5.79



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Closet

Celling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	8.67 SF @	1.32 =	11.44
Clean floor - Heavy	8.67 SF @	0.42 =	3.64
Apply botanical anti-microbial agent	8.67 SF @	0.23 =	1.99
Tear out trim/base	18.17 LF @	0.31 =	5.63

Closet 2

Celling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	5.33 SF @	1.32 =	7.04
Clean floor - Heavy	5.33 SF @	0.42 =	2.24
Apply botanical anti-microbial agent	5.33 SF @	0.23 =	1.23
Tear out trim/base	12.00 LF @	0.31 =	3.72

Main

Celling Height: 8'

Missing Wall: 1 - 23'5" X 8'0" Opens into Day Care Goes to Floor/Ceiling

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	4,123.17 SF @	1.32 =	5,442.58
Clean floor - Heavy	4,123.17 SF @	0.42 =	1,731.73
Apply botanical anti-microbial agent	4,123.17 SF @	0.23 =	948.33
Tear out trim/base	276.08 LF @	0.31 =	85.58
Tear out wet drywall, cleanup, bag for disposal	26.50 SF @	0.69 =	18.29
Cleaning - Remediation Technician - per hour	20.00 HR @	36.68 =	733.60
<i>Note: 4 tech 5 hours to clean and sanitize chairs, tables and other fixtures.</i>			
Seal then paint part of the walls (2 coats) - low or no VOC	835.33 SF @	0.73 =	609.79

Hall 1

Celling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	72.95 SF @	1.32 =	96.29
Clean floor - Heavy	72.95 SF @	0.42 =	30.64
Apply botanical anti-microbial agent	72.95 SF @	0.23 =	16.78
Tear out trim/base	41.00 LF @	0.31 =	12.71
Tear out wet drywall, cleanup, bag for disposal	41.00 SF @	0.69 =	28.29



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CONTINUED - Hall 1

DESCRIPTION	QNTY	UNIT COST	TOTAL
Seal then paint the walls (2 coats) - low or no VOC	328.00 SF @	0.73 =	239.44

Stor. Clst 1

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	83.55 SF @	1.32 =	110.29
Clean floor - Heavy	83.55 SF @	0.42 =	35.09
Apply botanical anti-microbial agent	83.55 SF @	0.23 =	19.22
Tear out trim/base	46.67 LF @	0.31 =	14.47
Tear out wet drywall, cleanup, bag for disposal	93.33 SF @	0.69 =	64.40
Cleaning - Remediation Technician - per hour	1.00 HR @	36.68 =	36.68
Seal then paint the walls (2 coats) - low or no VOC	373.33 SF @	0.73 =	272.53

Stor. Clst 2

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	82.08 SF @	1.32 =	108.35
Clean floor - Heavy	82.08 SF @	0.42 =	34.47
Apply botanical anti-microbial agent	82.08 SF @	0.23 =	18.88
Tear out trim/base	46.00 LF @	0.31 =	14.26
Tear out wet drywall, cleanup, bag for disposal	92.00 SF @	0.69 =	63.48
Cleaning - Remediation Technician - per hour	1.00 HR @	36.68 =	36.68
Seal then paint the walls (2 coats) - low or no VOC	368.00 SF @	0.73 =	268.64

Hall 2

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	72.72 SF @	1.32 =	95.99
Clean floor - Heavy	72.72 SF @	0.42 =	30.54
Apply botanical anti-microbial agent	72.72 SF @	0.23 =	16.73

CONTINUED - Hall 2

DESCRIPTION	QNTY	UNIT COST	TOTAL
Tear out trim/base	40.50 LF @	0.31 =	12.56
Tear out wet drywall, cleanup, bag for disposal	40.50 SF @	0.69 =	27.95
Seal then paint the walls (2 coats) - low or no VOC	324.00 SF @	0.73 =	236.52

Kitchen

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	1,117.79 SF @	1.32 =	1,475.48
Clean floor - Heavy	1,117.79 SF @	0.42 =	469.47
Apply botanical anti-microbial agent	1,117.79 SF @	0.23 =	257.09
Tear out trim/base	143.17 LF @	0.31 =	44.38
Cleaning - Remediation Technician - per hour	32.00 HR @	36.68 =	1,173.76

Note: 4 tech 8 hours to clean and sanitize fixtures.

Mechanical

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	294.25 SF @	1.32 =	388.41
Clean floor - Heavy	294.25 SF @	0.42 =	123.59
Apply botanical anti-microbial agent	294.25 SF @	0.23 =	67.68
Cleaning - Remediation Technician - per hour	1.00 HR @	36.68 =	36.68

Main Hall

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	791.17 SF @	1.32 =	1,044.34
Clean floor - Heavy	791.17 SF @	0.42 =	332.29
Apply botanical anti-microbial agent	791.17 SF @	0.23 =	181.97
Tear out trim/base	319.17 LF @	0.31 =	98.94
Tear out wet drywall, cleanup, bag for disposal	638.33 SF @	0.69 =	440.45



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CONTINUED - Main Hall

DESCRIPTION	QNTY	UNIT COST	TOTAL
Seal then paint the walls (2 coats) - low or no VOC	2,553.33 SF @	0.73 =	1,863.93
R&R Batt insulation - 4" - R12	100.00 SF @	0.82 =	82.00

Women's Bth2

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	49.58 SF @	1.32 =	65.45
Clean floor - Heavy	49.58 SF @	0.42 =	20.82
Apply botanical anti-microbial agent	49.58 SF @	0.23 =	11.40
Tear out trim/base	28.17 LF @	0.31 =	8.73
Cleaning - Remediation Technician - per hour	4.00 HR @	36.68 =	146.72

Note: 2 tech 2 hours to clean and sanitize fixtures.

Men's Bath 2

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	62.42 SF @	1.32 =	82.39
Clean floor - Heavy	62.42 SF @	0.42 =	26.22
Apply botanical anti-microbial agent	62.42 SF @	0.23 =	14.36
Tear out trim/base	31.83 LF @	0.31 =	9.87
Cleaning - Remediation Technician - per hour	4.00 HR @	36.68 =	146.72

Note: 2 tech 2 hours to clean and sanitize fixtures.

B114

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	284.19 SF @	1.32 =	375.13
Clean floor - Heavy	284.19 SF @	0.42 =	119.36
Apply botanical anti-microbial agent	284.19 SF @	0.23 =	65.36
Tear out trim/base	93.51 LF @	0.31 =	28.99

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CONTINUED - B114

DESCRIPTION	QNTY	UNIT COST	TOTAL
Tear out wet drywall, cleanup, bag for disposal	149.61 SF @	0.69 =	103.23
Cleaning - Remediation Technician - per hour	4.00 HR @	36.68 =	146.72
<i>Note: 2 tech 2 hours to clean and sanitize fixtures.</i>			
Seal then paint the walls (2 coats) - low or no VOC	748.07 SF @	0.73 =	546.09

B116

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	302.17 SF @	1.32 =	398.86
Clean floor - Heavy	302.17 SF @	0.42 =	126.91
Apply botanical anti-microbial agent	302.17 SF @	0.23 =	69.50
Tear out trim/base	69.67 LF @	0.31 =	21.60
Tear out wet drywall, cleanup, bag for disposal	111.47 SF @	0.69 =	76.91
Cleaning - Remediation Technician - per hour	4.00 HR @	36.68 =	146.72
<i>Note: 2 tech 2 hours to clean and sanitize fixtures.</i>			
Seal then paint part of the walls (2 coats) - low or no VOC	409.33 SF @	0.73 =	298.81

B118

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	258.61 SF @	1.32 =	341.37
Clean floor - Heavy	258.61 SF @	0.42 =	108.62
Apply botanical anti-microbial agent	258.61 SF @	0.23 =	59.48
Tear out trim/base	64.33 LF @	0.31 =	19.94
Tear out wet drywall, cleanup, bag for disposal	102.93 SF @	0.69 =	71.02
Cleaning - Remediation Technician - per hour	4.00 HR @	36.68 =	146.72
<i>Note: 2 tech 2 hours to clean and sanitize fixtures.</i>			
Seal then paint part of the walls (2 coats) - low or no VOC	388.00 SF @	0.73 =	283.24



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DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	20.67 SF @	1.32 =	27.28
Clean floor - Heavy	20.67 SF @	0.42 =	8.68
Apply botanical anti-microbial agent	20.67 SF @	0.23 =	4.75
Tear out trim/base	21.17 LF @	0.31 =	6.56
Cleaning - Remediation Technician - per hour	1.00 HR @	36.68 =	36.68
Seal then paint the walls (2 coats) - low or no VOC	169.33 SF @	0.73 =	123.61

Music

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	737.92 SF @	1.32 =	974.05
Clean floor - Heavy	737.92 SF @	0.42 =	309.93
Apply botanical anti-microbial agent	737.92 SF @	0.23 =	169.72
Tear out trim/base	117.17 LF @	0.31 =	36.32
Cleaning - Remediation Technician - per hour	4.00 HR @	36.68 =	146.72

Note: 2 tech 2 hours to clean and sanitize fixtures.

B113

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	362.19 SF @	1.32 =	478.09
Clean floor - Heavy	362.19 SF @	0.42 =	152.12
Apply botanical anti-microbial agent	362.19 SF @	0.23 =	83.30
Tear out trim/base	79.33 LF @	0.31 =	24.59
Tear out wet drywall, cleanup, bag for disposal	50.77 SF @	0.69 =	35.03
Cleaning - Remediation Technician - per hour	4.00 HR @	36.68 =	146.72

Note: 2 tech 2 hours to clean and sanitize fixtures.

Seal then paint part of the walls (2 coats) - low or no VOC	203.33 SF @	0.73 =	148.43
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B115

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	443.28 SF @	1.32 =	585.13
Clean floor - Heavy	443.28 SF @	0.42 =	186.18
Apply botanical anti-microbial agent	443.28 SF @	0.23 =	101.95



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CONTINUED - B115

DESCRIPTION	QNTY	UNIT COST	TOTAL
Tear out trim/base	86.33 LF @	0.31 =	26.76
Tear out wet drywall, cleanup, bag for disposal	53.53 SF @	0.69 =	36.94
Cleaning - Remediation Technician - per hour	4.00 HR @	36.68 =	146.72
<i>Note: 2 tech 2 hours to clean and sanitize fixtures.</i>			
Seal then paint part of the walls (2 coats) - low or no VOC	210.67 SF @	0.73 =	153.79

Storage

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	51.56 SF @	1.32 =	68.06
Clean floor - Heavy	51.56 SF @	0.42 =	21.66
Apply botanical anti-microbial agent	51.56 SF @	0.23 =	11.86
Tear out trim/base	31.00 LF @	0.31 =	9.61

B117

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Water extraction from floor - Category 3 water - Heavy	373.86 SF @	1.32 =	493.50
Clean floor - Heavy	373.86 SF @	0.42 =	157.02
Apply botanical anti-microbial agent	373.86 SF @	0.23 =	85.99
Tear out trim/base	80.83 LF @	0.31 =	25.06
Tear out wet drywall, cleanup, bag for disposal	51.73 SF @	0.69 =	35.69
Cleaning - Remediation Technician - per hour	4.00 HR @	36.68 =	146.72
<i>Note: 2 tech 2 hours to clean and sanitize fixtures.</i>			
Seal then paint part of the walls (2 coats) - low or no VOC	208.67 SF @	0.73 =	152.33



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Grand Total Areas:

19,170.32 SF Walls	11,819.57 SF Ceiling	30,989.89 SF Walls and Ceiling
11,962.62 SF Floor	1,329.18 SY Flooring	2,387.40 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	2,404.51 LF Ceil. Perimeter
11,962.62 Floor Area	12,311.01 Total Area	18,285.47 Interior Wall Area
4,390.67 Exterior Wall Area	548.83 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



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Summary

Line Item Total				78,593.00
Overhead	@	10.0% x	34,645.64	3,464.56
Profit	@	10.0% x	34,645.64	3,464.56
Replacement Cost Value				<u>\$85,522.12</u>
Net Claim				<u>\$85,522.12</u>

John Zuge



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Recap by Room

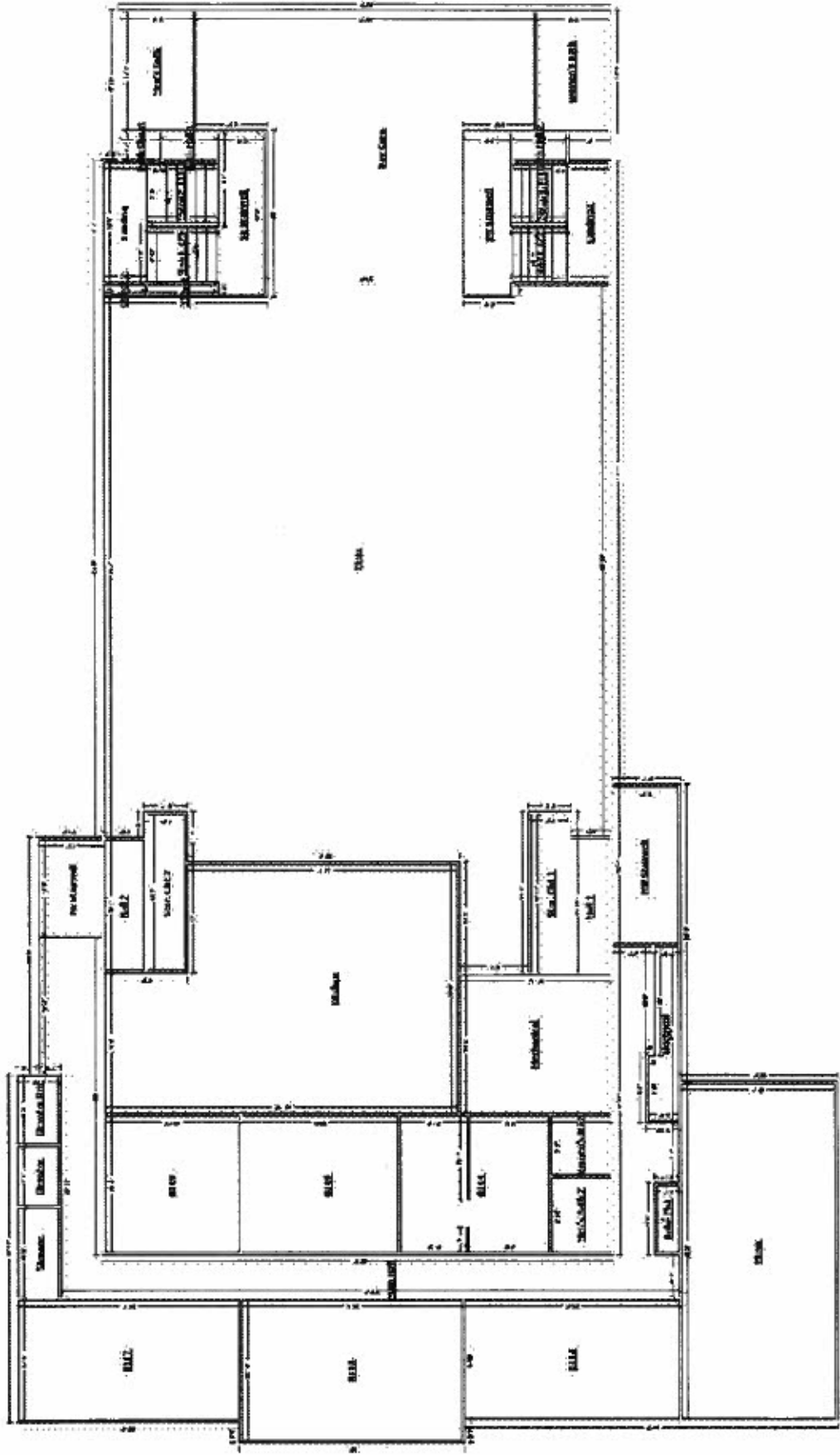
Estimate: MTZIONMITIGATION09	17,470.39	22.23%
Area: Main Level	28,530.74	36.30%
Men's Bath	309.19	0.39%
Day Care	2,777.01	3.53%
Bath Hall 1	44.26	0.06%
Bath Closet	33.98	0.04%
Women's Bath	309.19	0.39%
Bath Hall 2	44.26	0.06%
Closet	22.70	0.03%
Closet 2	14.23	0.02%
Main	9,569.90	12.18%
Hall 1	424.15	0.54%
Stor. Clst 1	552.68	0.70%
Stor. Clst 2	544.76	0.69%
Hall 2	420.29	0.53%
Kitchen	3,420.18	4.35%
Mechanical	616.36	0.78%
Main Hall	4,043.92	5.15%
Women's Bth2	253.12	0.32%
Men's Bath 2	279.56	0.36%
B114	1,384.88	1.76%
B116	1,139.31	1.45%
B118	1,030.39	1.31%
Robe Clst	207.56	0.26%
Music	1,636.74	2.08%
B113	1,068.28	1.36%
B115	1,237.47	1.57%
Storage	111.19	0.14%
B117	1,096.31	1.39%
<hr/>		
Area Subtotal: Main Level	61,122.61	77.77%
<hr/>		
Subtotal of Areas	78,593.00	100.00%
<hr/>		
Total	78,593.00	100.00%

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Recap by Category

O&P Items			Total Dollars	%
CABINETRY			965.00	1.13%
CONT: GARMENT & SOFT GOODS CLN			613.07	0.72%
GENERAL DEMOLITION			79.90	0.09%
DOORS			3,080.00	3.60%
DRYWALL			4,392.00	5.14%
ELECTRICAL			708.00	0.83%
FLOOR COVERING - CARPET			1,079.52	1.26%
FLOOR COVERING - VINYL			9,392.30	10.98%
FINISH CARPENTRY / TRIMWORK			8,498.16	9.94%
FINISH HARDWARE			371.36	0.43%
INSULATION			59.00	0.07%
PLUMBING			210.18	0.25%
PAINTING - LOW OR NO VOC			5,197.15	6.08%
Subtotal			34,645.64	40.51%
Overhead	@	10.0%	3,464.56	4.05%
Profit	@	10.0%	3,464.56	4.05%
O&P Items Subtotal			41,574.76	48.61%
Non-O&P Items			Total Dollars	%
CLEANING			8,645.08	10.11%
GENERAL DEMOLITION			2,056.24	2.40%
WATER EXTRACTION & REMEDIATION			33,246.04	38.87%
Non-O&P Items Subtotal			43,947.36	51.39%
O&P Items Subtotal			41,574.76	48.61%
Total			85,522.12	100.00%





P.O. Box 342
Merrill, WI 54452

Claim Check No. 2129826

79-600
759

M & I Bank of Mayville
Mayville, WI 53050

DATE	AMOUNT
08/11/09	\$*****16,013.12

VOID AFTER 180 DAYS

Pay Exactly

Sixteen Thousand Thirteen Dollars and 12/100 Cents

Pay to **MOUNT ZION MISSIONARY BAPTIST CHURCH**
the
Order of

NON-NEGOTIABLE

Detach before depositing - Please cash within 30 days

Account/Policy No.:	0158988-02-057382	Date of Check:	08/11/09
Claim No.:	1069849	Check No.:	2129826
Date of Loss:	06/19/09		
Insured:	MOUNT ZION MISSIONARY BAPTIST CHURCH MILWAUKEE, WI 53212		
Claimant:	MOUNT ZION MISSIONARY BAPTIST CHURCH		
Description of Loss:	Sewer back up/Church basement		
Mail To:	MOUNT ZION MISSIONARY BAPTIST PO BOX 12545 MILWAUKEE WI 53212		

The above check reflects payment for the following:

Payment: \$16,013.12

002/002 ONE FAMILY NON-OWNER OCCUPIED DWELLING
(REC CENTER)
ACTUAL CASH VALUE PAYMENT FOR REPAIRS.
THE HOLDBACK IS NOT RECOVERABLE.

For questions concerning your claim, please call 1-800-554-2642. Select option 2 and enter my extension number; Lynn E. Renlund, PCLA/FCLA,AIC Ext. 4617.



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MTZIONDOBBSCENTER

MTZIONDOBBSCENTER

DESCRIPTION	QNTY	UNIT COST	TOTAL
Dehumidifier (per 24 hour period) - XLarge - No monitoring <i>Note: 3 dehumidifiers for 3 days.</i>	9.00 EA @	114.72 =	1,032.48
Neg. air fan/Air scrub.-Large (per 24 hr period)-No mont. <i>Note: 1 negative air machine for 3 days.</i>	3.00 DA @	120.00 =	360.00
Equipment setup, take down, and monitoring (hourly charge) <i>Note: 2 techs 1 hour to setup equipment, 2 techs 1 hour to take down equipment and 2 hours of inspection and monitoring.</i>	6.00 HR @	37.02 =	222.12
Add for personal protective equipment (hazardous cleanup) <i>Note: 6 techs 1 change of ppe each.</i>	6.00 EA @	8.44 =	50.64
Equipment decontamination charge - per piece of equipment <i>Note: To decontaminate equipment used in black water mitigation.</i>	4.00 EA @	26.77 =	107.08
Add for HEPA filter (for neg. air machine/vacuum - Large)	1.00 EA @	209.82 =	209.82
Dumpster load - Approx. 12 yards, 1-3 ton of debris	1.00 EA @	288.33 =	288.33

Main Level

Main Level

DESCRIPTION	QNTY	UNIT COST	TOTAL
Drywall - Bid Item	1.00 EA @	2,880.00 =	2,880.00

Main

Celling Height: 8'

Missing Wall: 1 - 3'5" X 8'0" Opens into Entrance Goes to Floor/Ceiling
 Missing Wall: 1 - 4'6" X 8'0" Opens into Entrance Goes to Floor/Ceiling

DESCRIPTION	QNTY	UNIT COST	TOTAL
Cleaning - Remediation Technician - per hour <i>Note: 2 techs 2 hours to remove affected contents.</i>	4.00 HR @	37.02 =	148.08
Tear out wet non-salvageable carpet, cut/bag - Cat 3 water	471.16 SF @	0.53 =	249.71
Tear out wet carpet pad, cut/bag - Category 3 water	471.16 SF @	0.50 =	235.58
Tear out tackless strip and bag for disposal	142.42 LF @	0.63 =	89.72
Tear out trim/base and bag for disposal	142.42 LF @	0.63 =	89.72
Tear out wet drywall, cleanup, bag for disposal	512.70 SF @	0.70 =	358.89
Tear out and bag wet insulation	512.70 SF @	0.49 =	251.22
Clean stud wall	512.70 SF @	0.51 =	261.48
Clean floor - Heavy	471.16 SF @	0.43 =	202.60
Apply botanical anti-microbial agent	1,610.49 SF @	0.23 =	370.41
Carpet pad	471.16 SF @	0.55 =	259.14
Carpet	541.83 SF @	2.99 =	1,620.07

15 % waste added for Carpet.

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CONTINUED - Main

DESCRIPTION	QNTY	UNIT COST	TOTAL
Batt insulation - 4" - R15	512.70 SF @	0.82 =	420.41
Seal then paint the walls and ceiling (2 coats) - low or no VOC	1,610.49 SF @	0.73 =	1,175.66
Baseboard - 3 1/4"	142.42 LF @	2.60 =	370.29
Paint baseboard - two coats	142.42 LF @	0.93 =	132.45
R&R Interior door - oak veneer - pre-hung unit	3.00 EA @	195.23 =	585.69
Paint door slab only - 2 coats (per side)	6.00 EA @	19.73 =	118.38
Paint door/window trim & jamb - 2 coats (per side)	8.00 EA @	20.01 =	160.08
R&R Door opening (jamb & casing) - 32" to 36" wide - paint grade	2.00 EA @	104.47 =	208.94
Chair rail - 2 1/2"	142.42 LF @	2.57 =	366.02
Seal & paint chair rail - two coats	142.42 LF @	0.93 =	132.45
Corner trim	32.00 LF @	1.48 =	47.36
Paint corner trim - one coat	32.00 LF @	0.61 =	19.52

Sump Pump

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Apply botanical anti-microbial agent	247.74 SF @	0.23 =	56.98
Clean floor - Heavy	39.74 SF @	0.43 =	17.09

Storage

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Cleaning - Remediation Technician - per hour	2.00 HR @	37.02 =	74.04
<i>Note: 2 techs 1 hours to remove affected contents.</i>			
Clean floor - Heavy	136.55 SF @	0.43 =	58.72
Apply botanical anti-microbial agent	567.22 SF @	0.23 =	130.46

Bath

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
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CONTINUED - Bath

DESCRIPTION	QNTY	UNIT COST	TOTAL
Cleaning - Remediation Technician - per hour	1.00 HR @	37.02 =	37.02
<i>Note: 2 techs 1 hours to remove fixtures and vanity.</i>			
Tear out trim/base and bag for disposal	19.67 LF @	0.63 =	12.39
Tear out wet drywall, cleanup, bag for disposal	70.80 SF @	0.70 =	49.56
Clean floor - Heavy	23.48 SF @	0.43 =	10.10
Clean stud wall	70.80 SF @	0.51 =	36.11
Apply botanical anti-microbial agent	180.81 SF @	0.23 =	41.59
Remove Vinyl floor covering (sheet goods)	23.48 SF @	0.73 =	17.14
Vinyl floor covering (sheet goods)	27.00 SF @	3.59 =	96.93
<i>15 % waste added for Vinyl floor covering (sheet goods).</i>			
Seal then paint the walls and ceiling (2 coats) - low or no VOC	180.81 SF @	0.73 =	131.99
Paint baseboard - two coats	19.67 LF @	0.93 =	18.29
Baseboard - 3 1/4"	19.67 LF @	2.60 =	51.14
Chair rail - 2 1/2"	19.67 LF @	2.57 =	50.55
Seal & paint chair rail - two coats	19.67 LF @	0.93 =	18.29
Toilet - Detach & reset	1.00 EA @	209.24 =	209.24
Pedestal sink - Detach & reset	1.00 EA @	245.43 =	245.43

Entrance

Ceiling Height: 8'

Missing Wall:	1 - 3'5" X 8'0"	Opens into Main	Goes to Floor/Ceiling
Missing Wall:	1 - 4'6" X 8'0"	Opens into Main	Goes to Floor/Ceiling
Missing Wall:	1 - 3'0" X 8'0"	Opens into Hall	Goes to Floor/Ceiling

DESCRIPTION	QNTY	UNIT COST	TOTAL
Cleaning - Remediation Technician - per hour	1.00 HR @	37.02 =	37.02
<i>Note: 1 techs 1 hours to remove affected contents.</i>			
Tear out wet non-salvageable carpet, cut/bag - Cat 3 water	88.67 SF @	0.53 =	47.00
Tear out wet carpet pad, cut/bag - Category 3 water	88.67 SF @	0.50 =	44.34
Tear out tackless strip and bag for disposal	44.08 LF @	0.63 =	27.77
Tear out trim/base and bag for disposal	44.08 LF @	0.63 =	27.77
Tear out wet drywall, cleanup, bag for disposal	158.70 SF @	0.70 =	111.09
Tear out and bag wet insulation	158.70 SF @	0.49 =	77.76
Clean stud wall	158.70 SF @	0.51 =	80.94
Clean floor - Heavy	88.67 SF @	0.43 =	38.13



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CONTINUED - Entrance

DESCRIPTION	QNTY	UNIT COST	TOTAL
Apply botanical anti-microblal agent	441.33 SF @	0.23 =	101.51
Carpet	101.97 SF @	2.99 =	304.89
<i>15 % waste added for Carpet.</i>			
Carpet pad	88.67 SF @	0.55 =	48.77
Batt Insulation - 4" - R15	158.70 SF @	0.82 =	130.13
Seal then paint the walls and ceiling (2 coats) - low or no VOC	441.33 SF @	0.73 =	322.17
Paint baseboard - two coats	44.08 LF @	0.93 =	40.99
Baseboard - 3 1/4"	44.08 LF @	2.60 =	114.61
Chair rail - 2 1/2"	44.08 LF @	2.57 =	113.29
Seal & paint chair rail - two coats	44.08 LF @	0.93 =	40.99

Closet

Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Cleaning - Remediation Technician - per hour	2.00 HR @	37.02 =	74.04
<i>Note: 2 techs 1 hours to remove affected contents.</i>			
Tear out wet non-salvageable carpet, cut/bag - Cat 3 water	8.61 SF @	0.53 =	4.56
Tear out wet carpet pad, cut/bag - Category 3 water	8.61 SF @	0.50 =	4.31
Tear out tackless strip and bag for disposal	11.83 LF @	0.63 =	7.45
Tear out trim/base and bag for disposal	11.83 LF @	0.63 =	7.45
Tear out wet drywall, cleanup, bag for disposal	42.60 SF @	0.70 =	29.82
Tear out and bag wet insulation	42.60 SF @	0.49 =	20.87
Clean stud wall	42.60 SF @	0.51 =	21.73
Clean floor - Heavy	8.61 SF @	0.43 =	3.70
Apply botanical anti-microblal agent	103.28 SF @	0.23 =	23.75
Carpet	9.90 SF @	2.99 =	29.60
<i>15 % waste added for Carpet.</i>			
Carpet pad	8.61 SF @	0.55 =	4.74
Batt Insulation - 4" - R15	42.60 SF @	0.82 =	34.93
Seal then paint the walls and ceiling (2 coats) - low or no VOC	103.28 SF @	0.73 =	75.39
Paint baseboard - two coats	11.83 LF @	0.93 =	11.00
Baseboard - 3 1/4"	11.83 LF @	2.60 =	30.76
Chair rail - 2 1/2"	11.83 LF @	2.57 =	30.40
Seal & paint chair rail - two coats	11.83 LF @	0.93 =	11.00



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Hall Ceiling Height: 8'

Missing Wall: 1 - 3'0" X 8'0" Opens into Entrance Goes to Floor/Ceiling

DESCRIPTION	QNTY	UNIT COST	TOTAL
Tear out wet non-salvageable carpet, cut/bag - Cat 3 water	10.50 SF @	0.53 =	5.57
Tear out wet carpet pad, cut/bag - Category 3 water	10.50 SF @	0.50 =	5.25
Tear out tackless strip and bag for disposal	10.33 LF @	0.63 =	6.51
Tear out trim/base and bag for disposal	10.33 LF @	0.63 =	6.51
Tear out wet drywall, cleanup, bag for disposal	37.20 SF @	0.70 =	26.04
Tear out and bag wet insulation	37.20 SF @	0.49 =	18.23
Clean stud wall	37.20 SF @	0.51 =	18.97
Clean floor - Heavy	10.50 SF @	0.43 =	4.52
Apply botanical anti-microbial agent	93.17 SF @	0.23 =	21.43
Carpet	12.08 SF @	2.99 =	36.12
<i>15 % waste added for Carpet.</i>			
Carpet pad	10.50 SF @	0.55 =	5.78
Batt insulation - 4" - R15	37.20 SF @	0.82 =	30.50
Seal then paint the walls and ceiling (2 coats) - low or no VOC	93.17 SF @	0.73 =	68.01
Paint baseboard - two coats	10.33 LF @	0.93 =	9.61
Baseboard - 3 1/4"	10.33 LF @	2.60 =	26.86
Chair rail - 2 1/2"	10.33 LF @	2.57 =	26.55
Seal & paint chair rail - two coats	10.33 LF @	0.93 =	9.61

Closet 2 Ceiling Height: 8'

DESCRIPTION	QNTY	UNIT COST	TOTAL
Cleaning - Remediation Technician - per hour	2.00 HR @	37.02 =	74.04
<i>Note: 1 techs 2 hours to remove affected contents.</i>			
Clean floor - Heavy	16.76 SF @	0.43 =	7.21
Apply botanical anti-microbial agent	156.76 SF @	0.23 =	36.05

Stair1 Ceiling Height: 12' 8"

Subroom 1: Stair2 Ceiling Height: 12' 1"

Missing Wall: 1 - 3'0" X 12'1" Opens into Exterior Goes to Floor/Ceiling

Subroom 2: Landing Ceiling Height: 8'

Missing Wall: 1 - 3'0" X 8'0" Opens into Stair1 Goes to Floor/Ceiling

DESCRIPTION	QNTY	UNIT COST	TOTAL
Carpet	137.21 SF @	2.99 =	410.26



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CONTINUED - Stair 1

DESCRIPTION	QNTY	UNIT COST	TOTAL
<i>15 % waste added for Carpet.</i>			
Carpet pad	119.32 SF @	0.55 =	65.63
Seal then paint the walls and ceiling (2 coats) - low or no VOC	344.12 SF @	0.73 =	251.21

Grand Total Areas:

2,878.61 SF Walls	866.32 SF Ceiling	3,744.93 SF Walls and Ceiling
914.79 SF Floor	101.64 SY Flooring	362.87 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	358.76 LF Ceil. Perimeter
913.40 Floor Area	924.00 Total Area	2,656.00 Interior Wall Area
1,141.33 Exterior Wall Area	142.67 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



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Summary

Line Item Total				17,692.54
Overhead	@	10.0% x	11,619.26	1,161.93
Profit	@	10.0% x	11,619.26	1,161.93
Material Sales Tax	@	5.600% x	27.12	1.52
Services Mat'l Tax	@	5.600% x	27.12	1.52
Service Sales Tax	@	5.600% x	503.55	28.20
Replacement Cost Value				<u>\$20,047.64</u>
Net Claim				<u>\$20,047.64</u>

John Zuge



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Recap by Room

Estimate: MTZIONDOBBSCENTER	2,270.47	12.83%
Area: Main Level	2,890.00	16.28%
Main	7,873.87	44.50%
Sump Pump	74.07	0.42%
Storage	263.22	1.49%
Bath	1,025.77	5.80%
Entrance	1,709.17	9.66%
Closet	425.50	2.40%
Hall	326.07	1.84%
Closet 2	117.30	0.66%
Stair1	727.10	4.11%
<hr/>		
Area Subtotal: Main Level	15,422.07	87.17%
<hr/>		
Subtotal of Areas	17,692.54	100.00%
<hr/>		
Total	17,692.54	100.00%



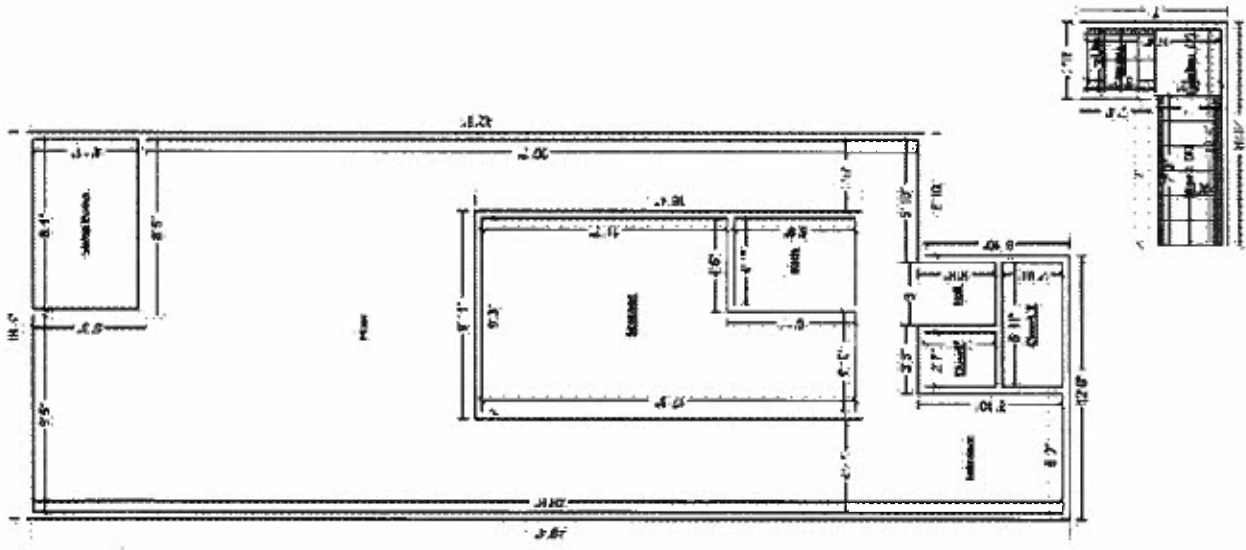
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Recap by Category

O&P Items				Total Dollars	%
GENERAL DEMOLITION				63.24	0.32%
DOORS				548.01	2.73%
DRYWALL				2,890.00	14.37%
FLOOR COVERING - CARPET				2,785.00	13.89%
FLOOR COVERING - VINYL				96.93	0.48%
FINISH CARPENTRY / TRIMWORK				1,428.35	7.12%
INSULATION				615.97	3.07%
PLUMBING				454.67	2.27%
PAINTING				722.66	3.60%
PAINTING - LOW OR NO VOC				2,024.43	10.10%
<hr/> Subtotal				11,619.26	57.96%
Overhead	@	10.0%		1,161.93	5.80%
Profit	@	10.0%		1,161.93	5.80%
<hr/> O&P Items Subtotal				13,943.12	69.55%
Non-O&P Items				Total Dollars	%
CLEANING				1,205.54	6.01%
GENERAL DEMOLITION				2,103.42	10.49%
WATER EXTRACTION & REMEDIATION				2,764.32	13.79%
<hr/> Non-O&P Items Subtotal				6,073.28	30.29%
O&P Items Subtotal				13,943.12	69.55%
Material Sales Tax	@	5.600%		1.52	0.01%
Services Mat'l Tax	@	5.600%		1.52	0.01%
Service Sales Tax	@	5.600%		28.20	0.14%
<hr/> Total				20,047.64	100.00%

Main Level



Main Level



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3 100_3183 6/22/2009 Taken By: Chad Frost
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4 100_3184 6/22/2009 Taken By: Chad Frost
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6 100_3094 6/22/2009 Taken By: Chad Frost
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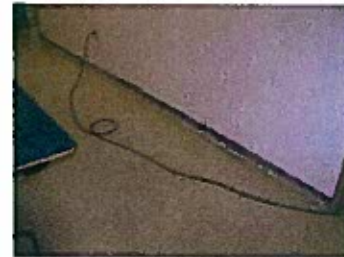


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13 100_3101 6/22/2009 Taken By: Chad Frost
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18 100_3107 6/22/2009 Taken By: Chad Frost
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20 100_3109 6/22/2009 Taken By: Chad Frost
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21 100_3110 6/22/2009 Taken By: Chad Frost
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22 100_3111 6/22/2009 Taken By: Chad Frost
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23 100_3112 6/22/2009 Taken By: Chad Frost
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24 100_3113 6/22/2009 Taken By: Chad Frost
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30 100_3119 6/22/2009 Taken By: Chad Frost
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32 100_3121 6/22/2009 Taken By: Chad Frost
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40 100_3129 6/22/2009 Taken By: Chad Frost
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41 100_3130 6/22/2009 Taken By: Chad Frost
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42 100_3131 6/22/2009 Taken By: Chad Frost
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43 100_3132 6/22/2009 Taken By: Chad Frost
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44 100_3133 6/22/2009 Taken By: Chad Frost
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46 100_3135 6/22/2009 Taken By: Chad Frost
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47 100_3136 6/22/2009 Taken By: Chad Frost
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48 100_3137 6/22/2009 Taken By: Chad Frost
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49 100_3138 6/22/2009 Taken By: Chad Frost



50 100_3139 6/22/2009 Taken By: Chad Frost
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51 100_3140 6/22/2009 Taken By: Chad Frost
2210 - 2212 Duplex



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53 100_3144 6/22/2009 Taken By: Chad Frost
2210 - 2212 Duplex



52 100_3143 6/22/2009 Taken By: Chad Frost
2210 - 2212 Duplex



54 100_3145 6/22/2009 Taken By: Chad Frost
2210 - 2212 Duplex



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55 100_3146 6/22/2009 Taken By: Chad Frost
2210 - 2212 Duplex



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57 100_3148 6/22/2009 Taken By: Chad Frost
2210 - 2212 Duplex



56 100_3147 6/22/2009 Taken By: Chad Frost
2210 - 2212 Duplex



58 100_3149 6/22/2009 Taken By: Chad Frost
2210 - 2212 Duplex



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59 100_3150 6/22/2009 Taken By: Chad Frost
2210 - 2212 Duplex



60 100_3151 6/22/2009 Taken By: Chad Frost
2210 - 2212 Duplex



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61 100_3152 6/22/2009 Taken By: Chad Frost
2210 - 2212 Duplex



62 100_3153 6/22/2009 Taken By: Chad Frost
2210 - 2212 Duplex



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63 100_3154 6/22/2009 Taken By: Chad Frost
2210 - 2212 Duplex



64 100_3155 6/22/2009 Taken By: Chad Frost
2210 - 2212 Duplex



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65 100_3156 6/22/2009 Taken By: Chad Frost
2222 Rec Center



66 100_3158 6/22/2009 Taken By: Chad Frost
2222 Rec Center



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E-Mail: chadf@allmarkasi.com



67 100_3159 6/22/2009 Taken By: Chad Frost
2222 Rec Center



68 100_3160 6/22/2009 Taken By: Chad Frost
2222 Rec Center



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69 100_3161 6/22/2009 Taken By: Chad Frost
2222 Rec Center



70 100_3162 6/22/2009 Taken By: Chad Frost
2222 Rec Center



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71 100_3163 6/22/2009 Taken By: Chad Frost
2222 Rec Center



72 100_3164 6/22/2009 Taken By: Chad Frost
2222 Rec Center



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73 100_3165 6/22/2009 Taken By: Chad Frost
2222 Rec Center



74 100_3166 6/22/2009 Taken By: Chad Frost
2222 Rec Center



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75 100_3167 6/22/2009 Taken By: Chad Frost
2222 Rec Center



76 100_3168 6/22/2009 Taken By: Chad Frost
2222 Rec Center



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77 100_3169 6/22/2009 Taken By: Chad Frost
2222 Rec Center



78 100_3170 6/22/2009 Taken By: Chad Frost
2222 Rec Center



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79 100_3171 6/22/2009 Taken By: Chad Frost
2222 Rec Center



80 100_3172 6/22/2009 Taken By: Chad Frost
2222 Rec Center



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81 100_3173 6/22/2009 Taken By: Chad Frost
2222 Rec Center



82 100_3174 6/22/2009 Taken By: Chad Frost
2222 Rec Center



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83 100_3175 6/22/2009 Taken By: Chad Frost
2222 Rec Center



84 100_3176 6/22/2009 Taken By: Chad Frost
2222 Rec Center



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85 100_3177 6/22/2009 Taken By: Chad Frost
2222 Rec Center



86 100_3178 6/22/2009 Taken By: Chad Frost
2222 Rec Center



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87 100_3179 6/22/2009 Taken By: Chad Frost
2222 Rec Center



88 100_3180 6/22/2009 Taken By: Chad Frost
2222 Rec Center



Legislation Details (With Text)

File #: 090838 **Version:** 1

Type: Resolution **Status:** In Committee

File created: 10/13/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE

On agenda: **Final action:**

Effective date:

Title: Substitute resolution directing the Intergovernmental Relations Division-Department of Administration to pursue introduction and passage of state legislation related to enforcement of laws regulating the illegal transfer and possession of firearms, requiring reporting of lost and stolen firearms, and prohibiting felons from approaching within 1,000 feet of retail firearms establishments.

Sponsors: ALD. DONOVAN

Indexes: DANGEROUS WEAPONS, FIREARMS, STATE LEGISLATION

Attachments: Fiscal Note, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/15/2009	1	CITY CLERK	DRAFT SUBMITTED		
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/20/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/20/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number
090838
Version
SUBSTITUTE 1
Reference

Sponsor
ALD. DONOVAN
Title

Substitute resolution directing the Intergovernmental Relations Division-Department of Administration to pursue introduction and passage of state legislation related to enforcement of laws regulating the illegal transfer and possession of firearms, requiring reporting of lost and stolen firearms, and prohibiting felons from approaching within 1,000 feet of retail firearms establishments.

Analysis

This resolution directs the Intergovernmental Relations Division-Department of Administration to pursue development, introduction and passage of legislation by the Wisconsin Legislature related to enforcing laws regulating the illegal transfer and possession of firearms, requiring reporting of lost and stolen firearms, and prohibiting felons from approaching within 1,000 feet of retail firearms establishments.

The legislation sought would accomplish the following:

Provide felony penalties for purchasing or securing a firearm for the purpose of transferring it to a felon or to any other person prohibited from purchasing or possessing a firearm under state or federal law.

Require that all firearm transfers of handguns to persons other than immediate family members be processed through federal firearm licensees (FFLs) for the purpose of conducting appropriate background checks.

Prohibit felons from approaching within 1,000 feet of a retail establishment that has as its substantial portion of its retail business, the sale or resale of firearms, firearm components, ammunition, or loading and reloading supplies, or from approaching within 1,000 feet of a commercial firing range or a gun show.

Establish minimum mandatory penalties for violation of state laws regulating firearms, prohibit felons from possessing firearm ammunition and increase penalties for persons found guilty of possessing a stolen firearm.

Require prompt reporting of lost or stolen firearms to appropriate law enforcement agencies.

Provide felony penalties for a second or subsequent offense of carrying a concealed weapon and prohibit the retail purchase of firearms by persons convicted of a 2 or more concealed carrying offenses whether or not the conviction is punished as a felony.

The resolution further directs the Intergovernmental Relations Division - Department of Administration to explore, and to report back to the Common Council, the feasibility of developing and pursuing passage of legislation addressing the following:

The development of a rigid permitting system for carrying concealed firearms that includes increased penalties for unpermitted carrying.

Establishing minimum mandatory penalties in addition to maximum penalties for violation of state firearm laws and rules.

Establishing an additional fee or increased sales tax for retail purchase of a firearm and committing a portion of the proceeds of the fee or tax to firearm violence prevention.

Body

Whereas, The epidemic of firearm violence continues to produce tragic injuries and deaths affecting Milwaukee families, neighborhoods and the health and safety of the larger community; and

Whereas, Unlawful possession and carrying of firearms is often the result of “straw purchases” and other intentional transfers of firearms to persons who are not legally entitled to possess or carry firearms due to prior criminal conviction or other prohibited status; and

Whereas, 2009 Assembly Bill 373 has been introduced in the Wisconsin Assembly providing felony penalties for false declarations of a firearm purchaser that the purchase is not made for the purpose of transferring the firearm to a person who is ineligible to purchase or possess a firearm: and

Whereas, Recent investigations conducted by law enforcement have found that felons with easy access to firearms retail establishments acquire firearms unlawfully and have been identified practicing shooting in at least one retail establishment firearm range; and

Whereas, State laws providing minimum mandatory sentences for violation of firearm regulations may be a deterrent to the illegal possession and use of firearms; and

Whereas, Section 66.0409, Wis. Stats., presently limits the ability of the City of Milwaukee to address unique conditions of firearm violence through ordinances that respond to the criminal possession and use of firearms; and

Whereas, Additional legal tools to address the acquisition and use of firearms by felons and other persons prohibited from using or possessing firearms will contribute to a safer, healthier and more secure community; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Intergovernmental Relations Division - Department of Administration is directed to seek introduction and passage of the following state legislation relating to illegal possession and carrying of firearms:

Legislation such as 2009 Wisconsin Assembly Bill 373, providing felony penalties for acquiring a firearm, by straw purchase or otherwise, with the intent to transfer it to a person known or believed to be prohibited under state or federal law from possessing a firearm due to criminal history or other legal impediment.

Legislation prohibiting any person convicted of a felony, or authorizing a municipality from prohibiting any person convicted of a felony, from approaching within 1,000 feet of any retail establishment which, as a substantial portion of its business, engages in the sale or resale of firearms, firearm components, ammunition or reloading supplies, or within 1,000 feet of a commercial shooting range or gun show.

Legislation providing felony penalties for conviction of a second or subsequent offense of carrying a concealed weapon, and prohibiting persons with 2 or more convictions for carrying a concealed weapon from acquiring a firearm whether or not the convictions were for a misdemeanor.

Legislation requiring that the owners of firearms promptly report the loss or theft of any firearm to law enforcement authorities.

Legislation requiring that the transfer of a handgun, other than to an immediate family member, be processed through a federal firearms licensee (FFL) for the purpose of assuring an appropriate background check.

Legislation extending penalties for felons in possession to other categories of persons prohibited by federal laws from purchasing or possessing a firearm or firearm ammunition.

; and, be it

Further Resolved, That the Division of Intergovernmental Relations - Department of Administration explore and report to the Common Council about the development and feasibility of legislation addressing the following:

Amending or modifying the provisions of s. 66.0409, Wis. Stats., to authorize a municipality to regulate the sale, possession or use of firearms by persons prohibited from possession and use of firearms under state or federal law in a manner more stringent than provided in state law.

Establishing a rigid permitting system for carrying a concealed firearm and providing increased penalties for unpermitted carrying.

Establishing a fee or increased sales tax for the retail sale of firearms and committing a portion of the proceeds to firearm violence prevention activities.

; and, be it

Further Resolved, That the Intergovernmental Relations Division - Department of Administration is directed to provide copies of this resolution to the Governor and Attorney General of Wisconsin and to all members of the State Legislature who represent constituents in the Milwaukee region.

Requestor

Drafter
LRB09422-2
RLW
10/14/2009

CITY OF MILWAUKEE FISCAL NOTE

A) DATE 10/19/09

FILE NUMBER: 090838

Original Fiscal Note Substitute

SUBJECT: Substitute resolution directing the Intergovernmental Relations Division-Department of Administration to pursue introduction and passage of state legislation related to enforcement of laws regulating the illegal transfer and possession of firearms, requiring reporting of lost and stolen firearms, and prohibiting felons from approaching within 1,000 feet of retail firearms establishments.

B) SUBMITTED BY (Name/title/dept./ext.): Paul Vornholt – Intergov. Relations

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

E) PURPOSE	SPECIFY TYPE/USE	ACCOUNT	EXPENDITURE	REVENUE	SAVINGS
SALARIES/WAGES:					
SUPPLIES:					
MATERIALS:					
NEW EQUIPMENT:					
EQUIPMENT REPAIR:					
OTHER:					
TOTALS					

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) COMPUTATIONS USED IN ARRIVING AT FISCAL ESTIMATE:

PLEASE LIST ANY COMMENTS ON REVERSE SIDE AND CHECK HERE



Legislation Details (With Text)

File #: 090820 **Version:** 0
Type: Resolution **Status:** In Committee
File created: 10/13/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:**
Effective date:

Title: Resolution relative to legislative bills.

Sponsors: THE CHAIR

Indexes: FEDERAL LEGISLATION, STATE LEGISLATION

Attachments: Agenda 10-26-09.pdf, 2009 Senate Bill 174, 2009 Senate Bill 144, Letter from Dan Casanova, 2009 Bill - Self Insured Health Plans.pdf, Preliminary Draft, Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/20/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		

Number

090820

Version

ORIGINAL

Reference

Sponsor

THE CHAIR

Title

Resolution relative to legislative bills.

Drafter

IRD

Mo

10/12/09

LEGISLATIVE HEARING CALENDAR

Positions to be taken by the City of Milwaukee on the following bills will be discussed by the

COMMITTEE ON JUDICIARY-LEGISLATION

MONDAY, OCTOBER 26, 2009 AT 2:45 PM

Room 301-B City Hall

- AB-174/
SB-144 Authorizing sharing of tax increments by certain environmental remediation tax incremental districts.
- LRB-1657/2 Regulation by the office of the commissioner of insurance of self-insured health plans offered by a city, town, village, county, or school district, providing a penalty, and granting rule-making authority.
- LRB-3451/P1 The southeastern regional transit authority, the creation of interim regional transit authorities in southeast Wisconsin, and requiring the exercise of rule-making authority.



2009 ASSEMBLY BILL 174

March 30, 2009 – Introduced by Representatives MASON, TURNER, RICHARDS, ZEPNICK, MOLEPSKE JR. and BARCA, cosponsored by Senator PLALE. Referred to Committee on Urban and Local Affairs.

1 **AN ACT to amend** 66.1106 (1) (i), 66.1106 (7) (a) and 66.1106 (11) (a); and **to**
2 **create** 66.1106 (2) (c) and 66.1106 (7) (e) of the statutes; **relating to:**
3 authorizing sharing of tax increments by certain environmental remediation
4 tax incremental districts.

Analysis by the Legislative Reference Bureau

Under current law, the environmental remediation tax incremental financing program permits a city, village, town, or county (political subdivision) to recoup the costs of remediating contaminated property from property taxes that are levied on the remediated property. The mechanism for financing remediation costs is very similar to the mechanism for financing project costs under the tax incremental financing program.

Initially, the governing body of a political subdivision adopts a resolution creating an environmental remediation tax incremental district (ERTID) with particular boundaries. This resolution is then reviewed by a joint review board made up of representatives of the overlying taxing jurisdictions. If the joint review board approves the ERTID, a political subdivision that has incurred eligible costs to remediate environmental pollution on a parcel of property may apply to the Department of Revenue (DOR) to certify the environmental remediation tax incremental base of the parcel. DOR is required to certify the environmental remediation tax incremental base if the political subdivision submits to DOR all of the following: 1) a statement that the political subdivision has incurred some eligible costs, together with a detailed proposed remedial action plan approved by the

ASSEMBLY BILL 174

Department of Natural Resources (DNR) that contains cost estimates for anticipated eligible costs, a schedule for the design and implementation that is needed to complete the remediation, and certification from DNR that it has approved the site investigation report that relates to the parcel; 2) a statement that all taxing jurisdictions with authority to levy general property taxes on the parcel of property have been notified that the political subdivision intends to recover its environmental remediation costs by using an environmental remediation tax increment; and 3) a statement that the political subdivision has attempted to recover its environmental remediation costs from the person who is responsible for the environmental pollution that is being remediated. Thereafter, the political subdivision that created the ERTID may use positive environmental remediation tax increments to pay eligible costs of remediating environmental pollution in the ERTID.

Currently, the maximum life of an ERTID is 23 years and no expenditure for an eligible cost may be made by a political subdivision later than 15 years after the environmental remediation tax incremental base is certified by DOR. An ERTID may also terminate when a political subdivision has received sufficient environmental remediation tax increments to cover all of the eligible costs.

This bill allows the governing body of a political subdivision to adopt a resolution requesting that DOR allocate environmental remediation tax increments from an ERTID that has recovered all eligible costs to another ERTID created by the same governing body. Upon receipt of a copy of this resolution, DOR would continue to allocate environmental remediation tax increments from the donor ERTID after all of the eligible costs for that ERTID have been recovered. These increments would be applied to another ERTID created in the same political subdivision. Increments from the donor ERTID continue to be generated until the earlier of: 1) 23 years after the creation of the donor ERTID; or 2) the recovery of all eligible costs for the recipient ERTID.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 1 **SECTION 1.** 66.1106 (1) (i) of the statutes is amended to read:
- 2 66.1106 (1) (i) “Period of certification” means a period of not more than 23 years
- 3 beginning after the department certifies the environmental remediation tax
- 4 incremental base under sub. (4) or, a period before all eligible costs have been paid,
- 5 or a period before all eligible costs of a recipient district designated under sub. (2) (c)
- 6 have been paid, whichever occurs first.

ASSEMBLY BILL 174

1 **SECTION 2.** 66.1106 (2) (c) of the statutes is created to read:

2 66.1106 **(2)** (c) Notwithstanding par. (a) or (b), or sub. (7) (d) 1. or (11) (a), if the
3 governing body of a political subdivision determines that all eligible costs of an
4 environmental remediation tax incremental district that it created will be paid
5 before the date specified in sub. (11) (b), the governing body of that political
6 subdivision may adopt a resolution requesting that the department allocate positive
7 environmental remediation tax increments generated by that donor environmental
8 remediation tax incremental district to pay the eligible costs of another
9 environmental remediation tax incremental district created by that governing body.
10 A resolution under this paragraph must be adopted before the expiration of the
11 period of certification.

12 **SECTION 3.** 66.1106 (7) (a) of the statutes is amended to read:

13 66.1106 **(7)** (a) Subject to pars. (b), (c) ~~and~~, (d), and (e), the department shall
14 annually authorize the positive environmental remediation tax increment with
15 respect to a parcel or contiguous parcels of property during the period of certification
16 to the political subdivision that incurred the costs to remediate environmental
17 pollution on the property, except that an authorization granted under this paragraph
18 does not apply after the department receives the notice described under sub. (10) (b).

19 **SECTION 4.** 66.1106 (7) (e) of the statutes is created to read:

20 66.1106 **(7)** (e) Notwithstanding par. (d), if the governing body of a political
21 subdivision adopts a resolution described in sub. (2) (c), it shall provide a copy of the
22 resolution to the department. The department shall authorize a positive
23 environmental remediation tax increment generated by a donor district, as described
24 in sub. (2) (c), to the political subdivision that incurred eligible costs to remediate

ASSEMBLY BILL 174

1 environmental pollution in another district within that political subdivision, as
2 described in sub. (2) (c), until the earlier of the following occurs:

3 1. The political subdivision has received aggregate environmental remediation
4 tax increments with respect to the recipient district in an amount equal to the
5 aggregate of all of the eligible costs for that district.

6 2. The donor district terminates under sub. (11) (b).

7 **SECTION 5.** 66.1106 (11) (a) of the statutes is amended to read:

8 66.1106 **(11)** (a) The Except as provided in sub. (2) (c), the political subdivision
9 has received aggregate environmental remediation tax increments with respect to
10 the district in an amount equal to the aggregate of all eligible costs.

11 (END)



2009 SENATE BILL 144

March 31, 2009 – Introduced by Senator PLALE, cosponsored by Representatives MASON, TURNER, RICHARDS, ZEPNICK and MOLEPSKE JR.. Referred to Committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue.

1 **AN ACT to amend** 66.1106 (1) (i), 66.1106 (7) (a) and 66.1106 (11) (a); and **to**
2 **create** 66.1106 (2) (c) and 66.1106 (7) (e) of the statutes; **relating to:**
3 authorizing sharing of tax increments by certain environmental remediation
4 tax incremental districts.

Analysis by the Legislative Reference Bureau

Under current law, the environmental remediation tax incremental financing program permits a city, village, town, or county (political subdivision) to recoup the costs of remediating contaminated property from property taxes that are levied on the remediated property. The mechanism for financing remediation costs is very similar to the mechanism for financing project costs under the tax incremental financing program.

Initially, the governing body of a political subdivision adopts a resolution creating an environmental remediation tax incremental district (ERTID) with particular boundaries. This resolution is then reviewed by a joint review board made up of representatives of the overlying taxing jurisdictions. If the joint review board approves the ERTID, a political subdivision that has incurred eligible costs to remediate environmental pollution on a parcel of property may apply to the Department of Revenue (DOR) to certify the environmental remediation tax incremental base of the parcel. DOR is required to certify the environmental remediation tax incremental base if the political subdivision submits to DOR all of the following: 1) a statement that the political subdivision has incurred some eligible costs, together with a detailed proposed remedial action plan approved by the

SENATE BILL 144

Department of Natural Resources (DNR) that contains cost estimates for anticipated eligible costs, a schedule for the design and implementation that is needed to complete the remediation, and certification from DNR that it has approved the site investigation report that relates to the parcel; 2) a statement that all taxing jurisdictions with authority to levy general property taxes on the parcel of property have been notified that the political subdivision intends to recover its environmental remediation costs by using an environmental remediation tax increment; and 3) a statement that the political subdivision has attempted to recover its environmental remediation costs from the person who is responsible for the environmental pollution that is being remediated. Thereafter, the political subdivision that created the ERTID may use positive environmental remediation tax increments to pay eligible costs of remediating environmental pollution in the ERTID.

Currently, the maximum life of an ERTID is 23 years and no expenditure for an eligible cost may be made by a political subdivision later than 15 years after the environmental remediation tax incremental base is certified by DOR. An ERTID may also terminate when a political subdivision has received sufficient environmental remediation tax increments to cover all of the eligible costs.

This bill allows the governing body of a political subdivision to adopt a resolution requesting that DOR allocate environmental remediation tax increments from an ERTID that has recovered all eligible costs to another ERTID created by the same governing body. Upon receipt of a copy of this resolution, DOR would continue to allocate environmental remediation tax increments from the donor ERTID after all of the eligible costs for that ERTID have been recovered. These increments would be applied to another ERTID created in the same political subdivision. Increments from the donor ERTID continue to be generated until the earlier of: 1) 23 years after the creation of the donor ERTID; or 2) the recovery of all eligible costs for the recipient ERTID.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 1 **SECTION 1.** 66.1106 (1) (i) of the statutes is amended to read:
- 2 66.1106 (1) (i) “Period of certification” means a period of not more than 23 years
- 3 beginning after the department certifies the environmental remediation tax
- 4 incremental base under sub. (4) or, a period before all eligible costs have been paid,
- 5 or a period before all eligible costs of a recipient district designated under sub. (2) (c)
- 6 have been paid, whichever occurs first.

SENATE BILL 144

1 **SECTION 2.** 66.1106 (2) (c) of the statutes is created to read:

2 66.1106 **(2)** (c) Notwithstanding par. (a) or (b), or sub. (7) (d) 1. or (11) (a), if the
3 governing body of a political subdivision determines that all eligible costs of an
4 environmental remediation tax incremental district that it created will be paid
5 before the date specified in sub. (11) (b), the governing body of that political
6 subdivision may adopt a resolution requesting that the department allocate positive
7 environmental remediation tax increments generated by that donor environmental
8 remediation tax incremental district to pay the eligible costs of another
9 environmental remediation tax incremental district created by that governing body.
10 A resolution under this paragraph must be adopted before the expiration of the
11 period of certification.

12 **SECTION 3.** 66.1106 (7) (a) of the statutes is amended to read:

13 66.1106 **(7)** (a) Subject to pars. (b), (c) ~~and~~, (d), and (e), the department shall
14 annually authorize the positive environmental remediation tax increment with
15 respect to a parcel or contiguous parcels of property during the period of certification
16 to the political subdivision that incurred the costs to remediate environmental
17 pollution on the property, except that an authorization granted under this paragraph
18 does not apply after the department receives the notice described under sub. (10) (b).

19 **SECTION 4.** 66.1106 (7) (e) of the statutes is created to read:

20 66.1106 **(7)** (e) Notwithstanding par. (d), if the governing body of a political
21 subdivision adopts a resolution described in sub. (2) (c), it shall provide a copy of the
22 resolution to the department. The department shall authorize a positive
23 environmental remediation tax increment generated by a donor district, as described
24 in sub. (2) (c), to the political subdivision that incurred eligible costs to remediate

SENATE BILL 144

1 environmental pollution in another district within that political subdivision, as
2 described in sub. (2) (c), until the earlier of the following occurs:

3 1. The political subdivision has received aggregate environmental remediation
4 tax increments with respect to the recipient district in an amount equal to the
5 aggregate of all of the eligible costs for that district.

6 2. The donor district terminates under sub. (11) (b).

7 **SECTION 5.** 66.1106 (11) (a) of the statutes is amended to read:

8 66.1106 **(11)** (a) The Except as provided in sub. (2) (c), the political subdivision
9 has received aggregate environmental remediation tax increments with respect to
10 the district in an amount equal to the aggregate of all eligible costs.

11 (END)

From: Casanova, Dan
Sent: Friday, October 09, 2009 11:16 AM
To: Vornholt, Paul; Kwaterski, Steve
Cc: Misky, David; Lutzka, Lori
Subject: FW: 2009 Senate Bill 144 / 2009 Assembly Bill 174

Paul or Steve,

We have been working with a developer, Cobalt Partners, to purchase a City-owned landfill in Cudahy for redevelopment. In order for the development to move forward, the City of Cudahy is working on a Environmental Remediation TID (ERTID). In addition to that ERTID, they also need to donate excess funds from another ERTID in Cudahy for the project to work. However, donating from one ERTID to another is not currently allowed (however, donating from a regular TID to another regular TID is).

As a result, there has been a bill introduced to the state legislature allowing successful ERTID's to donate to another ERTID. We'd like to request whatever assistance you can provide towards passing this bill during this session.

The City of Milwaukee benefits in two ways. First, the purchase price is \$1.8m, which we will only receive if the project is able to move forward. Second, in the future, the City may have some ERTID's in which we would like to donate from one to the other. Please let me know if you have any questions,

Dan Casanova

Senior Economic Development Specialist
Redevelopment Authority of the City of Milwaukee
809 North Broadway, Second Floor
Milwaukee, WI 53202
p: 414.286.5921
f: 414.286.0395



State of Wisconsin
2009 – 2010 LEGISLATURE

LRB-1657/2

TJD:nwn:jf

2009 BILL

1 **AN ACT** *to repeal* 632.895 (16) (a) 4.; *to renumber* 631.95 (5) (a) and 632.87 (1);
2 *to renumber and amend* 632.745 (9), 632.745 (24), 632.83 (1) and 632.85 (1)
3 (c); *to amend* 66.0137 (4), 120.13 (2) (g), 153.01 (5m), 601.41 (8) (a) 1., 601.42
4 (1g) (intro.), 601.42 (4), 601.43 (1) (a), 601.43 (1) (d), 601.64 (1), 601.64 (3) (a),
5 601.64 (3) (c), 601.64 (4), 627.23 (2), 631.90 (2) (intro.), 631.90 (2) (b), 631.90 (2)
6 (c), 631.93 (2), 631.95 (4), 631.95 (5) (c) (intro.), 632.726 (2), 632.745 (intro.),
7 632.745 (15), 632.835 (1) (c), 632.857, 632.86 (2) (intro.), 632.88 (1) (intro.),
8 632.88 (2), 632.895 (2) (a), (d) and (e), 632.895 (3), 632.895 (4) (a), 632.895 (4)
9 (c), 632.895 (5) (a), (b), (c) and (d), 632.895 (5m), 632.895 (6) and (7), 632.895 (8)
10 (b) 1. (intro.) and 2., (c), (d) and (e) (intro.), 632.895 (9) (b) (intro.), 632.895 (9)
11 (c), 632.895 (10) (a), 632.895 (11) (a) (intro.) and (d), 632.895 (12) (b) (intro.),
12 632.895 (12) (c), 632.895 (13) (a), 632.895 (14) (b), 632.895 (15) (a), 632.895 (16)
13 (c) 2., 632.896 (2), 632.896 (3) (a) 2., 632.896 (4), 632.896 (6), 635.02 (3k) and
14 646.01 (1) (b) 9.; and *to create* 623.17, 627.23 (6), 631.95 (2m), 631.95 (5) (ag),

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1 632.745 (9) (c), 632.83 (1) (b), 632.83 (1) (c), 632.835 (1) (cg), 632.835 (1) (ck),
2 632.87 (1g), 632.875 (1) (bg), 632.875 (1) (cg), 632.89 (1) (bm), 632.89 (1) (dg),
3 632.895 (1) (e), 632.895 (1) (f), 632.895 (1) (g), 632.896 (1) (bg), 632.896 (1) (bk),
4 632.896 (1) (d), 645.02 (8), 646.01 (1) (a) 3. and 646.03 (2q) of the statutes;
5 **relating to:** regulation by the office of the commissioner of insurance of
6 self-insured health plans offered by a city, town, village, county, or school
7 district, providing a penalty, and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, a city, village, town, county, or school district may offer a self-insured health plan (self-insured governmental health plan) to its employees. The Office of the Commissioner of Insurance (OCI) may enforce laws that specify some of the coverage a self-insured governmental health plan must offer. Current law requires that a self-insured governmental health plan must offer coverage to all eligible employees and their dependents and dictates other requirements for plan participation. Current law also mandates coverage that a self-insured governmental health plan must offer, such as drugs for treatment of human immunodeficiency virus (HIV), lead poisoning screening, treatment for the correction of temporomandibular disorders, anesthetic and surgery center charges in conjunction with dental care, breast reconstruction if the plan also covers mastectomy, certain immunizations, and health care for students on medical leave. Current law requires that if a self-insured governmental health plan covers dependent children, the plan must also cover adopted children. Among other requirements, self-insured governmental health plans must develop procedures for physicians to request an exception for a plan participant for drugs or devices that are routinely not covered under the plan, must specify any limits on coverage of experimental treatment, may not require preauthorization for emergency services if the plan covers emergency services, and may not exclude coverage for treatment of a condition by a dentist if the treatment is covered when performed by another health care provider.

This bill expands the authority of OCI to regulate a self-insured health plan of a city, village, town, county, or school district (governmental body), similar to the way OCI currently regulates insurers offering a health insurance policy or group health benefit plan. The bill allows OCI to require a governmental body that provides a self-insured health plan to provide reports pertaining to the self-insured health plan and to reply to requests for information made to a person with authority over the self-insured health plan. OCI may examine the affairs of the governmental body as they relate to the self-insured health plan. The bill allows OCI to seek an injunction or temporary restraining order for a violation of the statutes pertaining

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to a self-insured governmental health plan and allows forfeitures and criminal penalties to be imposed for those violations. OCI must promulgate rules regarding the level of reserves and surpluses that the governmental body must maintain with respect to its self-insured health plan. The governmental body may reinsure the self-insured health plan under this bill but must report the name of the reinsurer to OCI. The bill applies laws pertaining to rehabilitation and liquidation of insurers and the insurance security fund to governmental bodies, with respect to a self-insured health plan.

The bill imposes coverage requirements on self-insured governmental health plans similar to requirements imposed on health insurance policies and group health benefit plans. Self-insured governmental health plans, under the bill, may not limit coverage of HIV treatment if limits are not imposed on other illnesses or medical conditions, may not refuse to provide or renew coverage based on the health plan participant being a victim of domestic violence, must establish an internal grievance procedure and an independent review plan for the review of adverse and experimental treatment determinations, may not exclude coverage of treatment by a licensed chiropractor, must provide an explanation for a restriction or termination of coverage, must cover home care in certain circumstances, must cover skilled nursing care meeting certain requirements, must cover maternity and newborn children, must cover diabetes treatment and diabetic supplies, and must cover mammograms, among other requirements.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 66.0137 (4) of the statutes, as affected by 2009 Wisconsin Act

2 (Senate Bill 27), is amended to read:

3 66.0137 (4) SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or
4 a village provides health care benefits under its home rule power, or if a town
5 provides health care benefits, to its officers and employees on a self-insured basis,
6 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
7 631.95, 632.726, 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.748, 632.83, 632.835,
8 632.85, 632.853, 632.855, 632.857, 632.86, 632.87 (4), (5), and (6), 632.875, 632.88,
9 632.89, 632.895 (9) to (16), 632.896, 632.897, and 767.513 (4).

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1 **SECTION 2.** 120.13 (2) (g) of the statutes, as affected by 2009 Wisconsin Act ...
2 (Senate Bill 27), is amended to read:

3 120.13 **(2)** (g) Every self-insured plan under par. (b) shall comply with ss.
4 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 631.95, 632.726, 632.746 (10) (a) 2. and (b)
5 2., 632.747 (3), 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.857, 632.86,
6 632.87 (4), (5), and (6), 632.875, 632.88, 632.89, 632.895 (9) to (16), 632.896, 632.897,
7 and 767.513 (4).

8 **SECTION 3.** 153.01 (5m) of the statutes is amended to read:

9 153.01 **(5m)** “Insurer” has the meaning given under s. 632.745 (15) but does
10 not include a city, town, village, county, or school district that provides a self-insured
11 health plan, with respect to the self-insured health plan.

12 **SECTION 4.** 601.41 (8) (a) 1. of the statutes is amended to read:

13 601.41 **(8)** (a) 1. “Group health benefit plan” has the meaning given in s.
14 632.745 (9) (a) and (b).

15 **SECTION 5.** 601.42 (1g) (intro.) of the statutes is amended to read:

16 601.42 **(1g)** REPORTS. (intro.) The commissioner may require any of the
17 following from any person subject to regulation under chs. 600 to 655 and from any
18 city, village, town, county, or school district that provides a self-insured health plan,
19 with respect to the self-insured health plan:

20 **SECTION 6.** 601.42 (4) of the statutes is amended to read:

21 601.42 **(4)** REPLIES. Any officer, manager or general agent of any insurer
22 authorized to do or doing an insurance business in this state, any person controlling
23 or having a contract under which the person has a right to control such an insurer,
24 whether exclusively or otherwise, any person with executive authority over or in
25 charge of any segment of such an insurer’s affairs, any person with authority over

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1 or in charge of a self-insured health plan of a city, town, village, county or school
2 district, any individual practice association or officer, director or manager of an
3 individual practice association, any insurance agent or other person licensed under
4 chs. 600 to 646, any provider of services under a continuing care contract, as defined
5 in s. 647.01 (2), any independent review organization certified or recertified under
6 s. 632.835 (4) or any health care provider, as defined in s. 655.001 (8), shall reply
7 promptly in writing or in other designated form, to any written inquiry from the
8 commissioner requesting a reply.

9 **SECTION 7.** 601.43 (1) (a) of the statutes is amended to read:

10 601.43 (1) (a) *Insurers, other licensees and other persons subject to regulation.*

11 Whenever the commissioner deems it necessary in order to inform himself or herself
12 about any matter related to the enforcement of chs. 600 to 647, the commissioner may
13 examine the affairs and condition of any licensee or permittee under chs. 600 to 647
14 or applicant for a license or permit, of any person or organization of persons doing
15 or in process of organizing to do an insurance business in this state, of any city,
16 village, town, county, or school district that provides a self-insured health plan, with
17 respect to the self-insured health plan, and of any advisory organization serving any
18 of the foregoing in this state.

19 **SECTION 8.** 601.43 (1) (d) of the statutes is amended to read:

20 601.43 (1) (d) *Delivery of records to the office.* On order of the commissioner any
21 licensee or permittee under chs. 600 to 647, or a city, town, village, county, or school
22 district that provides a self-insured health plan, with respect to the self-insured
23 health plan, shall bring to the office for examination such records as the order
24 reasonably requires.

25 **SECTION 9.** 601.64 (1) of the statutes is amended to read:

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1 **601.64 (1)** INJUNCTIONS AND RESTRAINING ORDERS. The commissioner may
2 commence an action in circuit court in the name of the state to restrain by temporary
3 or permanent injunction or by temporary restraining order any violation of chs. 600
4 to 655 or s. 59.52 (11) (c), 66.0137 (4) or (4m), 120.13 (2) (b) to (g), or 149.13, any rule
5 promulgated under chs. 600 to 655, or any order issued under s. 601.41 (4). The
6 commissioner need not show irreparable harm or lack of an adequate remedy at law
7 in an action commenced under this subsection.

8 **SECTION 10.** 601.64 (3) (a) of the statutes is amended to read:

9 **601.64 (3) (a)** *Restitutionary forfeiture.* Whoever violates an effective order
10 issued under s. 601.41 (4), any insurance statute or rule, or s. 59.52 (11) (c), 66.0137
11 (4) or (4m), 120.13 (2) (b) to (g), or 149.13 shall forfeit to the state twice the amount
12 of any profit gained from the violation, in addition to any other forfeiture or penalty
13 imposed.

14 **SECTION 11.** 601.64 (3) (c) of the statutes is amended to read:

15 **601.64 (3) (c)** *Forfeiture for violation of statute or rule.* Whoever violates an
16 insurance statute or rule or s. 149.13, intentionally aids a person in violating an
17 insurance statute or rule or s. 59.52 (11) (c), 66.0137 (4) or (4m), 120.13 (2) (b) to (g),
18 or 149.13, or knowingly permits a person over whom he or she has authority to violate
19 an insurance statute or rule or s. 149.13 shall forfeit to the state not more than \$1,000
20 for each violation. If the statute or rule imposes a duty to make a report to the
21 commissioner, each week of delay in complying with the duty is a new violation.

22 **SECTION 12.** 601.64 (4) of the statutes is amended to read:

23 **601.64 (4)** **CRIMINAL PENALTY.** Whoever intentionally violates or intentionally
24 permits any person over whom he or she has authority to violate or intentionally aids
25 any person in violating any insurance statute or rule of this state, s. 59.52 (11) (c),

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1 66.0137 (4) or (4m), 120.13 (2) (b) to (g), or 149.13, or any effective order issued under
2 s. 601.41 (4) is guilty of a Class I felony, unless a specific penalty is provided
3 elsewhere in the statutes. Intent has the meaning expressed under s. 939.23.

4 **SECTION 13.** 623.17 of the statutes is created to read:

5 **623.17 Self-insured governmental health plans. (1)** The commissioner
6 shall promulgate rules regarding the level of reserves, compulsory surplus, and
7 security surplus that must be maintained by a city, village, town, county, or school
8 district that provides a self-insured health plan, with respect to the self-insured
9 health plan.

10 **(2)** The commissioner may order a city, village, town, county, or school district
11 to adjust its reserves or surpluses if they do not bear an appropriate relation to its
12 obligations with regard to a self-insured health plan.

13 **(3)** A city, village, town, county, or school district that provides a self-insured
14 health plan shall do all of the following:

15 (a) Comply with rules promulgated and orders issued under this section.

16 (b) Report to the commissioner annually the levels of reserves and surpluses
17 maintained with respect to a self-insured health plan.

18 **SECTION 14.** 627.23 (2) of the statutes is amended to read:

19 **627.23 (2) POWER TO CEDE REINSURANCE.** Subject to s. 611.78, any authorized
20 insurer or a city, town, village, county, or school district that provides a self-insured
21 health plan, with respect to the self-insured health plan, may cede to any insurer
22 authorized to assume it under chs. 611 to 618 and sub. (1) any liability it has
23 undertaken on risks lawfully written under its certificate of authority. It may also
24 cede reinsurance to any authorized agency of the federal government or of this state.
25 Subject to rules promulgated by the commissioner for calculation of its reserves and

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1 its surplus, and subject to sub. (3), an authorized insurer may also cede reinsurance
2 to an unauthorized insurer.

3 **SECTION 15.** 627.23 (6) of the statutes is created to read:

4 627.23 (6) REINSURANCE OF SELF-INSURED HEALTH PLANS. A city, town, village,
5 county, or school district that provides a self-insured health plan, with respect to the
6 self-insured health plan, shall report annually to the commissioner the name of any
7 reinsurer.

8 **SECTION 16.** 631.90 (2) (intro.) of the statutes is amended to read:

9 631.90 (2) (intro.) With regard to policies or plans issued or renewed on and
10 after July 20, 1985, an insurer or self-insured health plan, as defined in s. 632.85 (1)
11 (c) 2. and 3., may not do any of the following:

12 **SECTION 17.** 631.90 (2) (b) of the statutes is amended to read:

13 631.90 (2) (b) Condition the provision of insurance or plan coverage on whether
14 an individual has obtained a test for the presence of HIV, antigen or nonantigenic
15 products of HIV or an antibody to HIV or what the results of this test, if obtained by
16 the individual, were.

17 **SECTION 18.** 631.90 (2) (c) of the statutes is amended to read:

18 631.90 (2) (c) Consider in the determination of rates or any other aspect of
19 insurance or plan coverage provided to an individual whether an individual has
20 obtained a test for the presence of HIV, antigen or nonantigenic products of HIV or
21 an antibody to HIV or what the results of this test, if obtained by the individual, were.

22 **SECTION 19.** 631.93 (2) of the statutes is amended to read:

23 631.93 (2) ACCIDENT AND HEALTH INSURANCE. An accident or health insurance
24 policy or self-insured health plan, as defined in s. 632.85 (1) (c) 2. and 3., may not
25 contain exclusions or limitations, including deductibles or copayments, for coverage

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1 of the treatment of HIV infection or any illness or medical condition arising from or
2 related to HIV infection, unless the exclusions or limitations apply generally to other
3 illnesses or medical conditions covered by the policy or plan.

4 **SECTION 20.** 631.95 (2m) of the statutes is created to read:

5 631.95 **(2m)** PROHIBITIONS AND EXCEPTIONS FOR SELF-INSURED HEALTH PLANS. (a)

6 In this subsection, “self-insured governmental body” means a city, town, village,
7 county, or school district that provides a self-insured health plan, with respect to the
8 health plan.

9 (b) Except as provided in par. (c), a self-insured governmental body may not
10 do any of the following:

11 1. Refuse to provide or renew coverage to a health plan participant under the
12 self-insured health plan on the basis that the health plan participant has been, or
13 the self-insured governmental body has reason to believe that the health plan
14 participant is, a victim of abuse or domestic abuse or that a member of the health plan
15 participant’s family has been, or the self-insured governmental body has reason to
16 believe that a member of the health plan participant’s family is, a victim of abuse or
17 domestic abuse.

18 2. Use as a factor in the determination of employee contributions or any other
19 aspect of coverage under the self-insured health plan, the knowledge or suspicion
20 that a health plan participant has been or is a victim of abuse or domestic abuse or
21 that a member of the health plan participant’s family has been or is a victim of abuse
22 or domestic abuse.

23 3. Exclude or limit coverage of, or deny a claim for, health care services or items
24 related to the treatment of injury or disease resulting from abuse or domestic abuse
25 on the basis that a health plan participant has been, or the self-insured

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1 governmental body has reason to believe that a health plan participant is, a victim
2 of abuse or domestic abuse or that a member of the health plan participant's family
3 has been, or the self-insured governmental body has reason to believe that a member
4 of the health plan participant's family is, a victim of abuse or domestic abuse.

5 (c) In establishing any employee contribution amounts for a self-insured
6 health plan, a self-insured governmental body may inquire about a person's existing
7 medical condition and, based on the opinion of a qualified actuary, as defined in s.
8 623.06 (1c), use information related to a person's existing medical condition,
9 regardless of whether that condition is or may have been caused by abuse or domestic
10 abuse.

11 **SECTION 21.** 631.95 (4) of the statutes is amended to read:

12 631.95 (4) IMMUNITY FOR INSURERS. An insurer or a city, town, village, county,
13 or school district that provides a self-insured health plan, with respect to the
14 self-insured health plan, is immune from any civil or criminal liability for any action
15 taken under sub. (2m) (c) or (3) or for the death of, or injury to, an insured or health
16 plan participant that results from abuse or domestic abuse.

17 **SECTION 22.** 631.95 (5) (a) of the statutes is renumbered 631.95 (5) (ar).

18 **SECTION 23.** 631.95 (5) (ag) of the statutes is created to read:

19 631.95 (5) (ag) In this subsection, unless the context requires otherwise:

20 1. "Insurance" includes a self-insured health plan of a city, town, village,
21 county, or school district.

22 2. "Insured" includes a person who participates in a self-insured health plan
23 provided by a city, town, village, county, or school district.

24 3. "Insurer" includes a city, town, village, county, or school district that provides
25 a self-insured health plan, with respect to the self-insured health plan.

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1 **SECTION 24.** 631.95 (5) (c) (intro.) of the statutes is amended to read:

2 631.95 **(5)** (c) (intro.) Paragraphs ~~(a)~~ (ar) and (b) do not apply if the use,
3 disclosure or transfer of the information is made with the consent of the individual
4 to whom the information relates or if the use, disclosure or transfer satisfies any of
5 the following:

6 **SECTION 25.** 632.726 (2) of the statutes is amended to read:

7 632.726 **(2)** If an insurer or a city, town, village, county, or school district that
8 provides a self-insured health plan, with respect to the self-insured health plan,
9 changes a current procedural terminology code that was submitted by a health care
10 provider on a health insurance claim form, the insurer or city, town, village, county,
11 or school district shall include on the explanation of benefits form the reason for the
12 change to the current procedural terminology code and shall cite on the explanation
13 of benefits form the source for the change.

14 **SECTION 26.** 632.745 (intro.) of the statutes is amended to read:

15 **632.745 Coverage requirements for group and individual health**
16 **benefit plans; definitions.** (intro.) In this section and ss. 632.746 to 632.7495,
17 unless the context requires otherwise:

18 **SECTION 27.** 632.745 (9) of the statutes is renumbered 632.745 (9) (intro.) and
19 amended to read:

20 632.745 **(9)** (intro.) “Group health benefit plan” means ~~a~~ any of the following:

21 (a) A health benefit plan that is issued by an insurer to or through an employer
22 on behalf of a group consisting of at least 2 employees or a group including at least
23 2 eligible employees. The term includes individual

24 (b) Individual health benefit plans covering eligible employees when 3 or more
25 are sold to or through an employer.

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1 **SECTION 28.** 632.745 (9) (c) of the statutes is created to read:

2 632.745 **(9)** (c) A self-insured health plan under sub. (24) (b) and (c).

3 **SECTION 29.** 632.745 (15) of the statutes is amended to read:

4 632.745 **(15)** “Insurer” means an insurer that is authorized to do business in
5 this state, in one or more lines of insurance that includes health insurance, and that
6 offers health benefit plans covering individuals in this state or eligible employees of
7 one or more employers in this state. The term includes a health maintenance
8 organization, a preferred provider plan, as defined in s. 609.01 (4), an insurer
9 operating as a cooperative association organized under ss. 185.981 to 185.985, a city,
10 town, village, county, or school district that provides a self-insured health plan, with
11 respect to the self-insured health plan, and a limited service health organization, as
12 defined in s. 609.01 (3).

13 **SECTION 30.** 632.745 (24) of the statutes is renumbered 632.745 (24) (intro.) and
14 amended to read:

15 632.745 **(24)** “Self-insured health plan” means a self-insured health plan of
16 ~~the~~ any of the following:

17 (a) The state or a,

18 (b) A county, city, village, or town or,

19 (c) A school district.

20 **SECTION 31.** 632.83 (1) of the statutes is renumbered 632.83 (1) (intro.) and
21 amended to read:

22 632.83 **(1)** In this section, ~~“health:~~

23 (a) “Health benefit plan” has the meaning given in s. 632.745 (11), except that
24 “health benefit plan” includes the coverage specified in s. 632.745 (11) (b) 10. and
25 includes a self-insured health plan, as defined in s. 632.85 (1) (c) 2. and 3., and a

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1 policy, certificate or contract under s. 632.745 (11) (b) 9. that provides only
2 limited-scope dental or vision benefits.

3 **SECTION 32.** 632.83 (1) (b) of the statutes is created to read:

4 632.83 (1) (b) “Insured” includes a person who participates in a self-insured
5 health plan, as defined in s. 632.85 (1) (c) 2. and 3.

6 **SECTION 33.** 632.83 (1) (c) of the statutes is created to read:

7 632.83 (1) (c) “Insurer” includes a city, town, village, county, or school district
8 that provides a self-insured health plan, with respect to the self-insured health
9 plan.

10 **SECTION 34.** 632.835 (1) (c) of the statutes is amended to read:

11 632.835 (1) (c) “Health benefit plan” has the meaning given in s. 632.745 (11),
12 except that “health benefit plan” includes the coverage specified in s. 632.745 (11) (b)
13 10. and a self-insured health plan, as defined in s. 632.85 (1) (c) 2. and 3.

14 **SECTION 35.** 632.835 (1) (cg) of the statutes is created to read:

15 632.835 (1) (cg) “Insured” includes a person who participates in a self-insured
16 health plan, as defined in s. 632.85 (1) (c) 2. and 3.

17 **SECTION 36.** 632.835 (1) (ck) of the statutes is created to read:

18 632.835 (1) (ck) “Insurer” includes a city, town, village, county, or school district
19 that provides a self-insured health plan, with respect to the self-insured health
20 plan.

21 **SECTION 37.** 632.85 (1) (c) of the statutes is renumbered 632.85 (1) (c) (intro.)

22 and amended to read:

23 632.85 (1) (c) “Self-insured health plan” means a self-insured health plan of
24 the any of the following:

25 1. The state or a

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1 2. A county, city, village, or town or,

2 3. A school district.

3 **SECTION 38.** 632.857 of the statutes is amended to read:

4 **632.857 Explanation required for restriction or termination of**
5 **coverage.** If an insurer or a self-insured health plan, as defined in s. 632.85 (1) (c)
6 2. and 3., restricts or terminates an insured's or a health plan participant's coverage
7 for the treatment of a condition or complaint and, as a result, the insured or health
8 plan participant becomes liable for payment for all of his or her treatment for the
9 condition or complaint, the insurer or self-insured health plan shall provide on the
10 explanation of benefits form a detailed explanation of the clinical rationale and of the
11 basis in the policy, plan, or contract or in applicable law for the insurer's or
12 self-insured health plan's restriction or termination of coverage.

13 **SECTION 39.** 632.86 (2) (intro.) of the statutes is amended to read:

14 **632.86 (2)** No group or blanket disability insurance policy or self-insured
15 health plan, as defined in s. 632.85 (1) (c) 2. and 3., that provides coverage of
16 prescribed drugs or devices through a pharmaceutical mail order plan may do any
17 of the following:

18 **SECTION 40.** 632.87 (1) of the statutes is renumbered 632.87 (1r).

19 **SECTION 41.** 632.87 (1g) of the statutes is created to read:

20 **632.87 (1g)** In this section, unless the context requires otherwise:

21 (a) “Insured” includes a person who participates in a self-insured health plan,
22 as defined in s. 632.85 (1) (c) 2. and 3.

23 (b) “Insurer” includes a city, town, village, county, or school district that
24 provides a self-insured health plan, with respect to that self-insured health plan.

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1 (c) “Plan” includes a self-insured health plan, as defined in s. 632.85 (1) (c) 2.
2 and 3.

3 **SECTION 42.** 632.875 (1) (bg) of the statutes is created to read:

4 632.875 (1) (bg) “Insurer” includes a city, town, village, county, or school district
5 that provides a self-insured health plan, with respect to the self-insured health
6 plan.

7 **SECTION 43.** 632.875 (1) (cg) of the statutes is created to read:

8 632.875 (1) (cg) “Plan” includes a self-insured health plan, as defined in s.
9 632.85 (1) (c) 2. and 3.

10 **SECTION 44.** 632.88 (1) (intro.) of the statutes is amended to read:

11 632.88 (1) TERMINATION OF COVERAGE. (intro.) Every hospital or medical
12 expense insurance policy or contract or self-insured health plan, as defined in s.
13 632.85 (1) (c) 2. and 3., that provides that coverage of a dependent child of a person
14 insured under the policy or covered under the plan shall terminate upon attainment
15 of a limiting age for dependent children specified in the policy or plan shall also
16 provide that the age limitation may not operate to terminate the coverage of a
17 dependent child while the child is and continues to be both:

18 **SECTION 45.** 632.88 (2) of the statutes is amended to read:

19 632.88 (2) PROOF OF INCAPACITY. The insurer or self-insured health plan, as
20 defined in s. 632.85 (1) (c) 2. and 3., may require that proof of the incapacity and
21 dependency be furnished by the person insured under the policy or participating in
22 the self-insured health plan within 31 days of the date the child attains the limiting
23 age, and at any time thereafter except that the insurer or self-insured health plan
24 may not require proof more frequently than annually after the 2-year period
25 immediately following attainment of the limiting age by the child.

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1 **SECTION 46.** 632.89 (1) (bm) of the statutes is created to read:

2 632.89 (1) (bm) “Group or blanket disability insurance policy” includes a
3 self-insured health plan, as defined in 632.85 (1) (c) 2. and 3.

4 **SECTION 47.** 632.89 (1) (dg) of the statutes is created to read:

5 632.89 (1) (dg) “Insurer” includes a city, town, village, county, or school district
6 that provides a self-insured health plan, with respect to the self-insured health
7 plan.

8 **SECTION 48.** 632.895 (1) (e) of the statutes is created to read:

9 632.895 (1) (e) “Insured” includes a person who participates in a self-insured
10 health plan.

11 **SECTION 49.** 632.895 (1) (f) of the statutes is created to read:

12 632.895 (1) (f) “Insurer” includes a city, town, village, county, or school district
13 that provides a self-insured health plan, with respect to that self-insured health
14 plan.

15 **SECTION 50.** 632.895 (1) (g) of the statutes is created to read:

16 632.895 (1) (g) “Self-insured health plan” means a self-insured health plan of
17 any of the following:

- 18 1. The state.
- 19 2. A county, city, village, or town.
- 20 3. A school district.

21 **SECTION 51.** 632.895 (2) (a), (d) and (e) of the statutes are amended to read:

22 632.895 (2) (a) Every disability insurance policy or self-insured health plan
23 under sub. (1) (g) 2. and 3. which provides coverage of expenses incurred for inpatient
24 hospital care shall provide coverage for the usual and customary fees for home care.
25 Such coverage shall be subject to the same deductible and coinsurance provisions of

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1 the policy or self-insured health plan as other covered services. The maximum
2 weekly benefit for such coverage need not exceed the usual and customary weekly
3 cost for care in a skilled nursing facility. If an insurer provides disability insurance,
4 or if 2 or more insurers jointly provide disability insurance, to an insured under 2 or
5 more policies, home care coverage is required under only one of the policies.

6 (d) Each visit by a person providing services under a home care plan or
7 evaluating the need for or developing a plan shall be considered as one home care
8 visit. The policy or self-insured health plan under sub. (1) (g) 2. and 3. may contain
9 a limit on the number of home care visits, but not less than 40 visits in any 12-month
10 period, for each person covered under the policy or self-insured health plan. Up to
11 4 consecutive hours in a 24-hour period of home health service shall be considered
12 as one home care visit.

13 (e) Every disability insurance policy or self-insured health plan under sub. (1)
14 (g) 2. and 3. which purports to provide coverage supplementing parts A and B of Title
15 XVIII of the social security act shall make available and if requested by the insured
16 provide coverage of supplemental home care visits beyond those provided by parts
17 A and B, sufficient to produce an aggregate coverage of 365 home care visits per plan
18 or policy year.

19 **SECTION 52.** 632.895 (3) of the statutes is amended to read:

20 632.895 (3) SKILLED NURSING CARE. Every disability insurance policy filed after
21 ~~November 29, 1979, which~~ and every self-insured health plan under sub. (1) (g) 2.
22 and 3. that provides coverage for hospital care shall provide coverage for at least 30
23 days for skilled nursing care to patients who enter a licensed skilled nursing care
24 facility. A disability insurance policy or self-insured health plan, other than a
25 medicare supplement policy or medicare replacement policy, may limit coverage

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1 under this subsection to patients who enter a licensed skilled nursing care facility
2 within 24 hours after discharge from a general hospital. The daily rate payable
3 under this subsection to a licensed skilled nursing care facility shall be no less than
4 the maximum daily rate established for skilled nursing care in that facility by the
5 department of health services for purposes of reimbursement under the medical
6 assistance program under subch. IV of ch. 49. The coverage under this subsection
7 shall apply only to skilled nursing care which is certified as medically necessary by
8 the attending physician and is recertified as medically necessary every 7 days. If the
9 disability insurance policy or self-insured health plan is other than a medicare
10 supplement policy or medicare replacement policy, coverage under this subsection
11 shall apply only to the continued treatment for the same medical or surgical
12 condition for which the insured had been treated at the hospital prior to entry into
13 the skilled nursing care facility. Coverage under any disability insurance policy or
14 self-insured health plan governed by this subsection may be subject to a deductible
15 that applies to the hospital care coverage provided by the policy or plan. The
16 coverage under this subsection shall not apply to care which is essentially
17 domiciliary or custodial, or to care which is available to the insured without charge
18 or under a governmental health care program, other than a program provided under
19 ch. 49.

20 **SECTION 53.** 632.895 (4) (a) of the statutes is amended to read:

21 632.895 (4) (a) Every disability insurance policy ~~which~~ and every self-insured
22 health plan under sub. (1) (g) 2. and 3. that provides hospital treatment coverage on
23 an expense incurred basis shall provide coverage for hospital inpatient and
24 outpatient kidney disease treatment, which may be limited to dialysis,

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1 transplantation and donor-related services, in an amount not less than \$30,000
2 annually, as defined by the department of health services under par. (d).

3 **SECTION 54.** 632.895 (4) (c) of the statutes is amended to read:

4 632.895 (4) (c) Coverage under this subsection may not be subject to exclusions
5 or limitations, including deductibles and coinsurance factors, which are not
6 generally applicable to other conditions covered under the policy or plan.

7 **SECTION 55.** 632.895 (5) (a), (b), (c) and (d) of the statutes are amended to read:

8 632.895 (5) (a) Every disability insurance policy and every self-insured health
9 plan under sub. (1) (g) 2. and 3. shall provide coverage for a newly born child of the
10 insured from the moment of birth.

11 (b) Coverage for newly born children required under this subsection shall
12 consider congenital defects and birth abnormalities as an injury or sickness under
13 the policy or self-insured health plan under sub. (1) (g) 2. and 3. and shall cover
14 functional repair or restoration of any body part when necessary to achieve normal
15 body functioning, but shall not cover cosmetic surgery performed only to improve
16 appearance.

17 (c) If payment of a specific premium or subscription fee is required to provide
18 coverage for a child, the policy or self-insured health plan under sub. (1) (g) 2. and
19 3. may require that notification of the birth of a child and payment of the required
20 premium or fees shall be furnished to the insurer within 60 days after the date of
21 birth. The insurer may refuse to continue coverage beyond the 60-day period if such
22 notification is not received, unless within one year after the birth of the child the
23 insured makes all past-due payments and in addition pays interest on such
24 payments at the rate of 5 1/2% per year.

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1 (d) If payment of a specific premium or subscription fee is not required to
2 provide coverage for a child, the policy, self-insured health plan under sub. (1) (g) 2.
3 and 3., or contract may request notification of the birth of a child but may not deny
4 or refuse to continue coverage if such notification is not furnished.

5 **SECTION 56.** 632.895 (5m) of the statutes is amended to read:

6 **632.895 (5m) COVERAGE OF GRANDCHILDREN.** Every disability insurance policy
7 ~~issued or renewed on or after May 7, 1986,~~ and every self-insured health plan under
8 sub. (1) (g) 2. and 3. that provides coverage for any child of the insured shall provide
9 the same coverage for all children of that child until that child is 18 years of age.

10 **SECTION 57.** 632.895 (6) and (7) of the statutes are amended to read:

11 **632.895 (6) EQUIPMENT AND SUPPLIES FOR TREATMENT OF DIABETES.** Every
12 disability insurance policy and every self-insured health plan under sub. (1) (g) 2.
13 and 3. which provides coverage of expenses incurred for treatment of diabetes shall
14 provide coverage for expenses incurred by the installation and use of an insulin
15 infusion pump, coverage for all other equipment and supplies, including insulin or
16 any other prescription medication, used in the treatment of diabetes, and coverage
17 of diabetic self-management education programs. Coverage required under this
18 subsection shall be subject to the same exclusions, limitations, deductibles, and
19 coinsurance provisions of the policy or self-insured health plan as other covered
20 expenses, except that insulin infusion pump coverage may be limited to the purchase
21 of one pump per year and the insurer may require the insured to use a pump for 30
22 days before purchase.

23 **(7) MATERNITY COVERAGE.** Every group disability insurance policy ~~which~~ and
24 every self-insured health plan under sub. (1) (g) 2. and 3. that provides maternity
25 coverage shall provide maternity coverage for all persons covered under the policy.

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1 Coverage required under this subsection may not be subject to exclusions or
2 limitations which are not applied to other maternity coverage under the policy or
3 self-insured health plan.

4 **SECTION 58.** 632.895 (8) (b) 1. (intro.) and 2., (c), (d) and (e) (intro.) of the
5 statutes are amended to read:

6 632.895 **(8)** (b) 1. (intro.) Except as provided in subd. 2. and par. (f), every
7 disability insurance policy and every self-insured health plan under sub. (1) (g) 2.
8 and 3. that provides coverage for a woman age 45 to 49 shall provide coverage for that
9 woman of 2 examinations by low-dose mammography performed when the woman
10 is age 45 to 49, if all of the following are satisfied:

11 2. A disability insurance policy or self-insured health plan under sub. (1) (g)
12 2. and 3. need not provide coverage under subd. 1. to the extent that the woman had
13 obtained one or more examinations by low-dose mammography while between the
14 ages of 45 and 49 and before obtaining coverage under the disability insurance policy
15 or self-insured health plan.

16 (c) Except as provided in par. (f), every disability insurance policy and every
17 self-insured health plan under sub. (1) (g) 2. and 3. that provides coverage for a
18 woman age 50 or older shall provide coverage for that woman of an annual
19 examination by low-dose mammography to screen for the presence of breast cancer,
20 if the examination is performed at the direction of a licensed physician or a nurse
21 practitioner or if par. (e) applies.

22 (d) Coverage is required under this subsection despite whether the woman
23 shows any symptoms of breast cancer. Except as provided in pars. (b), (c) and (e),
24 coverage under this subsection may only be subject to exclusions and limitations,
25 including deductibles, copayments and restrictions on excessive charges, that are

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1 applied to other radiological examinations covered under the disability insurance
2 policy or self-insured health plan under sub. (1) (g) 2. and 3.

3 (e) (intro.) A disability insurance policy or self-insured health plan under sub.
4 (1) (g) 2. and 3. shall cover an examination by low-dose mammography that is not
5 performed at the direction of a licensed physician or a nurse practitioner but that is
6 otherwise required to be covered under par. (b) or (c), if all of the following are
7 satisfied:

8 **SECTION 59.** 632.895 (9) (b) (intro.) of the statutes is amended to read:

9 632.895 (9) (b) (intro.) Except as provided in par. (d), every disability insurance
10 policy ~~that is issued or renewed on or after April 28, 1990,~~ and every self-insured
11 health plan under sub. (1) (g) 2. and 3. that provides coverage of prescription
12 medication shall provide coverage for each drug that satisfies all of the following:

13 **SECTION 60.** 632.895 (9) (c) of the statutes is amended to read:

14 632.895 (9) (c) Coverage of a drug under par. (b) may be subject to any
15 copayments and deductibles that the disability insurance policy or self-insured
16 health plan under sub. (1) (g) 2. and 3. applies generally to other prescription
17 medication covered by the disability insurance policy or self-insured health plan.

18 **SECTION 61.** 632.895 (10) (a) of the statutes is amended to read:

19 632.895 (10) (a) Except as provided in par. (b), every disability insurance policy
20 and every ~~health care benefits plan provided on a self-insured basis by a county~~
21 ~~board under s. 59.52 (11), by a city or village under s. 66.0137 (4), by a political~~
22 ~~subdivision under s. 66.0137 (4m), by a town under s. 60.23 (25), or by a school district~~
23 ~~under s. 120.13 (2)~~ self-insured health plan under sub. (1) (g) 2. and 3. shall provide
24 coverage for blood lead tests for children under 6 years of age, which shall be
25 conducted in accordance with any recommended lead screening methods and

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1 intervals contained in any rules promulgated by the department of health services
2 under s. 254.158.

3 **SECTION 62.** 632.895 (11) (a) (intro.) and (d) of the statutes are amended to read:

4 632.895 **(11)** (a) (intro.) Except as provided in par. (e), every disability
5 insurance policy, and every self-insured health plan ~~of the state or a county, city,~~
6 ~~village, town or school district,~~ that provides coverage of any diagnostic or surgical
7 procedure involving a bone, joint, muscle or tissue shall provide coverage for
8 diagnostic procedures and medically necessary surgical or nonsurgical treatment for
9 the correction of temporomandibular disorders if all of the following apply:

10 (d) Notwithstanding par. (c) 1., an insurer or a self-insured health plan ~~of the~~
11 ~~state or a county, city, village, town or school district~~ may require that an insured
12 obtain prior authorization for any medically necessary surgical or nonsurgical
13 treatment for the correction of temporomandibular disorders.

14 **SECTION 63.** 632.895 (12) (b) (intro.) of the statutes is amended to read:

15 632.895 **(12)** (b) (intro.) Except as provided in par. (d), every disability
16 insurance policy, and every self-insured health plan ~~of the state or a county, city,~~
17 ~~village, town or school district,~~ shall cover hospital or ambulatory surgery center
18 charges incurred, and anesthetics provided, in conjunction with dental care that is
19 provided to a covered individual in a hospital or ambulatory surgery center, if any
20 of the following applies:

21 **SECTION 64.** 632.895 (12) (c) of the statutes is amended to read:

22 632.895 **(12)** (c) The coverage required under this subsection may be subject
23 to any limitations, exclusions or cost-sharing provisions that apply generally under
24 the disability insurance policy or self-insured health plan.

25 **SECTION 65.** 632.895 (13) (a) of the statutes is amended to read:

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1 632.895 (13) (a) Every disability insurance policy, and every self-insured
2 health plan of the state or a county, city, village, town or school district, that provides
3 coverage of the surgical procedure known as a mastectomy shall provide coverage of
4 breast reconstruction of the affected tissue incident to a mastectomy.

5 **SECTION 66.** 632.895 (14) (b) of the statutes is amended to read:

6 632.895 (14) (b) Except as provided in par. (d), every disability insurance policy,
7 and every self-insured health plan of the state or a county, city, town, village or school
8 district, that provides coverage for a dependent of the insured shall provide coverage
9 of appropriate and necessary immunizations, from birth to the age of 6 years, for a
10 dependent who is a child of the insured.

11 **SECTION 67.** 632.895 (15) (a) of the statutes is amended to read:

12 632.895 (15) (a) Subject to pars. (b) and (c), every disability insurance policy,
13 and every self-insured health plan of the state or a county, city, town, village, or
14 school district, that provides coverage for a person as a dependent of the insured
15 because the person is a full-time student shall continue to provide dependent
16 coverage for the person if, due to a medically necessary leave of absence, he or she
17 ceases to be a full-time student.

18 **SECTION 68.** 632.895 (16) (a) 4. of the statutes, as created by 2009 Wisconsin
19 Act (Senate Bill 27), is repealed.

20 **SECTION 69.** 632.895 (16) (c) 2. of the statutes, as created by 2009 Wisconsin
21 Act (Senate Bill 27), is amended to read:

22 632.895 (16) (c) 2. A disability insurance policy, or a self-insured health plan
23 of the state or a county, city, town, village, or school district, that provides only
24 limited-scope dental or vision benefits.

25 **SECTION 70.** 632.896 (1) (bg) of the statutes is created to read:

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1 632.896 (1) (bg) “Insured” includes a person who participates in a self-insured
2 health plan.

3 **SECTION 71.** 632.896 (1) (bk) of the statutes is created to read:

4 632.896 (1) (bk) “Insurer” includes a city, town, village, county, or school district
5 that provides a self-insured health plan, with respect to the self-insured health
6 plan.

7 **SECTION 72.** 632.896 (1) (d) of the statutes is created to read:

8 632.896 (1) (d) “Self-insured health plan” has the meaning given in s. 632.85
9 (1) (c) 2. and 3.

10 **SECTION 73.** 632.896 (2) of the statutes is amended to read:

11 632.896 (2) ~~ADOPTED OR PLACED FOR ADOPTION.~~ Every disability insurance policy
12 ~~that is issued or renewed on or after March 1, 1991,~~ and every self-insured health
13 plan, that provides coverage for dependent children of the insured, as defined in the
14 disability insurance policy or self-insured health plan, shall cover adopted children
15 of the insured and children placed for adoption with the insured, on the same terms
16 and conditions, including exclusions, limitations, deductibles and copayments, as
17 other dependent children, except as provided in subs. (3) to (6).

18 **SECTION 74.** 632.896 (3) (a) 2. of the statutes is amended to read:

19 632.896 (3) (a) 2. Subdivision 1. does not require coverage to begin before
20 coverage is available under the disability insurance policy or self-insured health
21 plan for other dependent children.

22 **SECTION 75.** 632.896 (4) of the statutes is amended to read:

23 632.896 (4) **PREEXISTING CONDITIONS.** Notwithstanding ss. 632.746 and 632.76
24 (2) (a), a disability insurance policy or self-insured health plan, that is subject to sub.
25 (2) and that is in effect when a court makes a final order granting adoption or when

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1 the child is placed for adoption may not exclude or limit coverage of a disease or
2 physical condition of the child on the ground that the disease or physical condition
3 existed before coverage is required to begin under sub. (3).

4 **SECTION 76.** 632.896 (6) of the statutes is amended to read:

5 632.896 (6) NOTICE TO INSURER. The disability insurance policy or self-insured
6 health plan may require the insured to notify the insurer that a child is adopted or
7 placed for adoption and to pay the insurer any premium or fees required to provide
8 coverage for the child, within 60 days after coverage is required to begin under sub.
9 (3). If the insured fails to give notice or make payment within 60 days as required
10 by the disability insurance policy or self-insured health plan in accordance with this
11 subsection, the disability insurance policy or self-insured health plan shall treat the
12 adopted child or child placed for adoption no less favorably than it treats other
13 dependents, other than newborn children, who seek coverage at a time other than
14 when the dependent was first eligible to apply for coverage.

15 **SECTION 77.** 635.02 (3k) of the statutes is amended to read:

16 635.02 (3k) “Group health benefit plan” has the meaning given in s. 632.745
17 (9) (a) and (b).

18 **SECTION 78.** 645.02 (8) of the statutes is created to read:

19 645.02 (8) A city, town, village, county, or school district that provides a
20 self-insured health plan, with respect to the self-insured health plan.

21 **SECTION 79.** 646.01 (1) (a) 3. of the statutes is created to read:

22 646.01 (1) (a) 3. A city, town, village, county, or school district that provides a
23 self-insured health plan, with respect to the self-insured health plan.

24 **SECTION 80.** 646.01 (1) (b) 9. of the statutes is amended to read:

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1 646.01 (1) (b) 9. Any Except for a self-insured health plan of a city, town,
2 village, county, or school district, any self-funded, self-insured, or partially or wholly
3 uninsured plan of an employer or other person to provide life insurance, annuity, or
4 disability benefits to its employees or members to the extent that the plan is
5 self-funded, self-insured, or uninsured.

6 **SECTION 81.** 646.03 (2q) of the statutes is created to read:

7 646.03 (2q) “Insurer” includes a city, village, town, county, or school district
8 that provides a self-insured health plan, with respect to the self-insured health
9 plan.

10 **SECTION 82. Initial applicability.**

11 (1) This act first applies to the following:

12 (a) Except as provided in paragraph (b), self-insured governmental health
13 plans provided by that are established, extended, modified, or renewed on the
14 effective date of this paragraph.

15 (b) Self-insured governmental health plans covering employees who are
16 affected by a collective bargaining agreement containing provisions inconsistent
17 with this act that are established, extended, modified, or renewed on the earlier of
18 the following:

19 1. The day on which the collective bargaining agreement expires.

20 2. The day on which the collective bargaining agreement is extended, modified,
21 or renewed.

22 **SECTION 83. Effective date.**

23 (1) This act takes effect on the first day of the 7th month beginning after
24 publication.

25 **(END)**



PRELIMINARY DRAFT – NOT READY FOR INTRODUCTION

1 **AN ACT** *to repeal* 59.58 (6); *to renumber* 66.0615 (1) (a); *to amend* 20.395 (5)
2 (iv), 59.58 (7) (a) 1., 59.58 (7) (b), 59.58 (7) (c) 1. (intro.), 59.58 (7) (d), 59.58 (7)
3 (e) 2., 59.58 (7) (f) 2., 59.58 (7) (f) 4., 59.58 (7) (g), 59.58 (7) (i), 66.0615 (1m) (a),
4 77.708 (1), 77.708 (2), 77.9971 (1), 79.03 (3) (b) 4. a., 85.11 (1) (a), 85.20 (4m) (a)
5 6. e., 341.35 (title), 341.35 (1), 341.35 (2) (intro.), 341.35 (3m), 341.35 (4), 341.35
6 (5), 341.35 (6), 341.35 (6r) and 341.35 (7); and *to create* 59.58 (7) (a) 2m., 59.58
7 (7) (a) 4., 5. and 6., 59.58 (7) (c) 1. h. and i., 59.58 (7) (e) 3., 59.58 (7) (k), 59.58
8 (7) (L), 59.58 (7) (m), 59.58 (7) (n), 66.0615 (1) (ad), 66.0615 (1) (ge), 66.0615 (1m)
9 (ee), 66.0615 (1m) (em), 66.1041 and 341.35 (9) of the statutes; **relating to:** the
10 southeastern regional transit authority, the creation of interim regional transit
11 authorities in southeast Wisconsin, and requiring the exercise of rule-making
12 authority.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.395 (5) (iv) of the statutes is amended to read:

2 20.395 (5) (iv) ~~Municipal and county~~ Local vehicle registration fee, local funds.

3 All moneys received under s. 341.35, less the portion of the fee attributable to the
4 department's administrative costs, for the purpose of remitting the ~~municipal or~~
5 ~~county~~ local vehicle registration fee to the municipality ~~or~~, county, or transit
6 authority under s. 341.35 (6).

7 **SECTION 2.** 59.58 (6) of the statutes, as affected by 2009 Wisconsin Act 28, is
8 repealed.

9 **SECTION 3.** 59.58 (7) (a) 1. of the statutes, as created by 2009 Wisconsin Act 28,
10 is amended to read:

11 59.58 (7) (a) 1. ~~“Authority”~~ Except as used in subd. 2m., “authority” means the
12 southeastern regional transit authority created under this subsection.

13 **SECTION 4.** 59.58 (7) (a) 2m. of the statutes is created to read:

14 59.58 (7) (a) 2m. “Interim regional transit authority” means an authority
15 created under s. 66.1041.

16 **SECTION 5.** 59.58 (7) (a) 4., 5. and 6. of the statutes are created to read:

17 59.58 (7) (a) 4. “Participating political subdivision” means a political
18 subdivision that has adopted a resolution creating an interim regional transit
19 authority or joining an established interim regional transit authority.

20 5. “Political subdivision” has the meaning given in s. 66.1041 (1) (f).

21 6. “Southeast Wisconsin” has the meaning given in s. 66.1041 (1) (h).

1 **SECTION 6.** 59.58 (7) (b) of the statutes, as created by 2009 Wisconsin Act 28,
2 is amended to read:

3 59.58 (7) (b) There is created the southeastern regional transit authority, a
4 public body corporate and politic and a separate governmental entity, ~~consisting~~
5 that, except as provided in par. (n) 4., consists of the counties and cities of Kenosha,
6 Racine, and Milwaukee. This authority may transact business and exercise any
7 powers granted to it under this subsection. ~~The Except as provided in par. (n) 3., the~~
8 jurisdictional area of this authority is the geographic area formed by the combined
9 territorial boundaries of the counties of Kenosha, Racine, and Milwaukee.

10 **SECTION 7.** 59.58 (7) (c) 1. (intro.) of the statutes, as created by 2009 Wisconsin
11 Act 28, is amended to read:

12 59.58 (7) (c) 1. (intro.) The powers of the authority shall be vested in its board
13 of directors, ~~consisting~~ which, except as provided in par. (n) 5., shall consist of the
14 following members:

15 **SECTION 8.** 59.58 (7) (c) 1. h. and i. of the statutes are created to read:

16 59.58 (7) (c) 1. h. One member from any city with a population of more than
17 60,000, other than a city identified in subd. 1. b., 1. d., or 1. f., that is a participating
18 political subdivision in an interim regional transit authority, appointed by the mayor
19 of the city.

20 i. One member from any county, other than a county identified in subd. 1. a.,
21 1. c., or 1. e., that is a participating political subdivision in an interim regional transit
22 authority, appointed by the chairperson of the county board.

23 **SECTION 9.** 59.58 (7) (d) of the statutes, as created by 2009 Wisconsin Act 28,
24 is amended to read:

1 59.58 (7) (d) The authority shall have all powers necessary and convenient to
2 plan, create, construct, operate, and manage a KRM commuter rail line. The
3 authority may operate the KRM commuter rail line itself or may contract for a rail
4 service to operate the KRM commuter rail line.

5 **SECTION 10.** 59.58 (7) (e) 2. of the statutes, as created by 2009 Wisconsin Act
6 28, is amended to read:

7 59.58 (7) (e) 2. Retain Except as provided in subd. 3., retain the difference
8 between the amount of the fees imposed under subch. XIII of ch. 77 and the amount
9 of those fees retained under subd. 1. for expenditures related to the KRM commuter
10 rail line, including planning, construction, maintenance, operations, and
11 engineering expenditures.

12 **SECTION 11.** 59.58 (7) (e) 3. of the statutes is created to read:

13 59.58 (7) (e) 3. Provide incentive funds to any interim regional transit authority
14 in compliance with the requirements specified in par. (L). No incentive funds may
15 be provided under this subdivision after December 31, 2011.

16 **SECTION 12.** 59.58 (7) (f) 2. of the statutes, as created by 2009 Wisconsin Act
17 28, is amended to read:

18 59.58 (7) (f) 2. The Except as provided in par. (n) 6., the authority may issue
19 bonds in an aggregate principal amount not to exceed \$50,000,000, excluding bonds
20 issued to refund outstanding bonds issued under this subdivision, for the purpose of
21 providing funds for the anticipated local funding share required for initiating KRM
22 commuter rail line service.

23 **SECTION 13.** 59.58 (7) (f) 4. of the statutes, as created by 2009 Wisconsin Act
24 28, is amended to read:

1 59.58 (7) (f) 4. The bonds of the authority are not a debt of the counties or cities
2 that comprise the authority. Neither these counties, nor cities, nor the state are
3 liable for the payment of the bonds. The bonds of the authority shall be payable only
4 out of funds or properties of the authority. The bonds of the authority shall state the
5 restrictions contained in this subdivision on the face of the bonds.

6 **SECTION 14.** 59.58 (7) (g) of the statutes, as created by 2009 Wisconsin Act 28,
7 is amended to read:

8 59.58 (7) (g) All moneys transferred under s. 59.58 (6) (cg), 2007 stats., shall
9 be used by the authority to assist in the planning of the KRM commuter rail line
10 project.

11 **SECTION 15.** 59.58 (7) (i) of the statutes, as created by 2009 Wisconsin Act 28,
12 is amended to read:

13 59.58 (7) (i) The authority is the only entity in ~~the counties of Milwaukee,~~
14 ~~Racine, and Kenosha~~ southeast Wisconsin that may submit an application for
15 funding to the federal transit administration in the U.S. department of
16 transportation under the federal new starts grant program ~~for funding for the KRM~~
17 ~~commuter rail line.~~ Upon receiving any application for federal funds described in s.
18 66.1041 (5), the authority shall promptly submit the application to the appropriate
19 federal agency for consideration.

20 **SECTION 16.** 59.58 (7) (k) of the statutes is created to read:

21 59.58 (7) (k) 1. The authority may provide nonfinancial transit assistance to
22 any interim regional transit authority, including reviewing the transit plans of the
23 interim regional transit authority.

1 2. If the authority receives federal or state funding intended to ultimately be
2 received by any interim regional transit authority, the authority shall forward this
3 funding to the intended recipient.

4 3. Upon request from any municipality or county considering the creation of an
5 interim regional transit authority, the authority shall assist the municipality or
6 county in determining the amount of incentive funds under par. (L) that the interim
7 regional transit authority would likely receive after its creation.

8 **SECTION 17.** 59.58 (7) (L) of the statutes is created to read:

9 59.58 (7) (L) 1. From the fees identified in par. (e), the authority may provide
10 incentive funds to interim regional transit authorities. Upon application for
11 incentive funds by an interim regional transit authority, the board of directors of the
12 authority shall evaluate the application and provide incentive funding in compliance
13 with the provisions of this subsection and the bylaws of the authority.

14 2. The board of directors of the authority may not provide incentive funds to
15 an interim regional transit authority in an amount in excess of the total amount of
16 revenue generated by the interim regional transit authority from all sources
17 identified in s. 66.1041 (2) (c) 2. or \$5,000,000, whichever is less.

18 3. In evaluating and awarding incentive funding under this paragraph, the
19 board of directors of the authority shall apply uniform criteria to all applicants. The
20 board shall consider all of the following factors in evaluating applications by interim
21 regional transit authorities for incentive funds:

22 a. The number of participating political subdivisions in the interim regional
23 transit authority.

24 b. All funding sources providing revenue to the interim regional transit
25 authority.

1 c. The long-term transit goals for the interim regional transit authority.

2 d. Whether the interim regional transit authority has satisfied any of the
3 requirements under s. 66.1041 (6) (c) and (d) ahead of schedule.

4 4. The bylaws of the authority shall specify a minimum amount of revenue that
5 must be generated by an interim regional transit authority from all sources
6 identified in s. 66.1041 (2) (c) 2. in order to obtain incentive funding under this
7 paragraph.

8 **SECTION 18.** 59.58 (7) (m) of the statutes is created to read:

9 59.58 (7) (m) 1. Beginning on July 1, 2011, from the aids received by the
10 authority under s. 85.20 (4m) (a) 6. e., the authority shall provide incentive funds to
11 interim regional transit authorities to assist interim regional transit authorities in
12 meeting the minimum revenue requirement specified in par. (L) 4.

13 2. The bylaws of the authority shall specify a method, which must be uniformly
14 applicable to all interim regional transit authorities, for determining the amount of
15 incentive funding provided under this paragraph. For each interim regional transit
16 authority receiving incentive funding under both this paragraph and par. (L), the
17 proportion of incentive funding under this paragraph to the incentive funding under
18 par. (L) must be uniform in comparison to all other interim regional transit
19 authorities receiving such incentive funding.

20 **SECTION 19.** 59.58 (7) (n) of the statutes is created to read:

21 59.58 (7) (n) 1. After the department of transportation provides the notice
22 specified in s. 66.1041 (7) (a), the authority shall assist each interim regional transit
23 authority in the winding down process described in s. 66.1041 (7) (b), including
24 assisting in the orderly transfer of assets and property to the southeastern regional
25 transit authority.

1 2. a. Within 120 days after the department of transportation provides the notice
2 specified in s. 66.1041 (7) (a), the authority shall assume responsibility for providing
3 transit service and transit planning within the jurisdictional area of every interim
4 regional transit authority. In assuming this responsibility, the authority shall have
5 available all options for providing transit service that were formerly available to the
6 interim regional transit authority, including those described in s. 66.1041 (4) (a) 1.
7 and (b) 1., and shall impose the taxes under s. 77.708 (1), if any interim regional
8 transit authority imposed the taxes and if the authority adopts a resolution to
9 establish the tax rate. The authority shall have all powers necessary and convenient
10 to carry out its responsibilities under this subdivision.

11 b. If an authority adopts a resolution to establish the tax rate, as described in
12 subd. 2. a., it shall deliver a certified copy of the resolution to the department of
13 revenue at least 120 days before its effective date. The authority may, by adoption
14 of a resolution by the board of directors, repeal the imposition of the taxes under s.
15 77.708 and shall deliver a certified copy of the repeal resolution to the department
16 of revenue at least 120 days before its effective date.

17 c. If the authority adopts a resolution as provided in subd. 2. a., it shall specify
18 to the department of revenue the exact boundaries of the authority's jurisdictional
19 area. If the boundaries are other than a county line on any side of the authority's
20 jurisdictional area, the authority shall provide the department with a complete list
21 of all of the 9-digit zip codes that are entirely within the authority's jurisdictional
22 area and a complete list of all the street addresses that are within the authority's
23 jurisdictional area and not included in any 9-digit zip code that is entirely within the
24 authority's jurisdictional area. The authority shall provide a certified copy of the
25 information required under this subd. 2. c. to the department, in the manner, format,

1 and layout prescribed by the department, at least 120 days prior to the resolution's
2 effective date. If the boundaries of the authority's jurisdictional area subsequently
3 change, the authority shall submit a certified copy of the information required under
4 this subd. 2. c. to the department, in the manner, format, and layout prescribed by
5 the department, at least 120 days prior to the change's effective date.

6 3. a. For all purposes except those specified in subds. 3. b. and c., upon assuming
7 responsibility for transit as provided in subd. 2., the jurisdictional area of the
8 authority shall be the combined jurisdictional areas of all interim regional transit
9 authorities.

10 b. For purposes of s. 77.9971 (1), if part but not all of Racine County is included
11 in the jurisdictional area described in subd. 3. a., the authority's jurisdictional area
12 shall include, in addition to the area in subd. 3. a., all of Racine County unless the
13 board of the authority votes to not impose the fees under subch. XIII of ch. 77 in the
14 part of Racine County that did not become a participating political subdivision in an
15 interim regional transit authority.

16 c. For purposes of imposing the taxes under s. 77.708 (1), the authority's
17 jurisdictional area shall not include the jurisdictional area of any interim regional
18 transit authority that did not impose the taxes under s. 77.708 (1) before the
19 department of transportation provided the notice specified in s. 66.1041 (7) (a).

20 4. After the department of transportation provides the notice specified in s.
21 66.1041 (7) (a), the authority consists of the participating political subdivisions of all
22 interim regional transit authorities. If Racine County was not a participating
23 political subdivision of an interim regional transit authority at the time that the
24 department of transportation provided the notice specified in s. 66.1041 (7) (a),
25 Racine County may subsequently join the southeastern regional transit authority if

1 the governing body of Racine County adopts a resolution to join the authority and the
2 board of directors of the authority approves. The bylaws of the authority shall specify
3 the necessary contents of such a resolution.

4 5. After the department of transportation provides the notice specified in s.
5 66.1041 (7) (a), all of the following apply with respect to the authority's board of
6 directors:

7 a. The political subdivisions that are members of the authority may adopt
8 identical resolutions providing for representation on the board of directors in
9 proportion to each political subdivision's population.

10 b. If any member of the board of directors described in par. (c) 1. a. to g. is from
11 a political subdivision that is not a participating political subdivision in an interim
12 regional transit authority, the board of directors may vote to remove that member.

13 c. Any member of the board of directors described in par. (c) 1. a. to g. that is
14 from a political subdivision which is not a participating political subdivision in an
15 interim regional transit authority, and that has not been removed under subd. 5. b.,
16 is limited to voting on issues directly related to the KRM commuter rail line.

17 6. After the department of transportation provides the notice specified in s.
18 66.1041 (7) (a), in addition to the authorization under par. (f) 2., the authority may
19 use bond proceeds from the bonds issued under par. (f) for the construction of new
20 capital improvements to the authority's transit system or for the acquisition of
21 existing transit systems.

22 **SECTION 20.** 66.0615 (1) (a) of the statutes is renumbered 66.0615 (1) (ah).

23 **SECTION 21.** 66.0615 (1) (ad) of the statutes is created to read:

24 66.0615 (1) (ad) "Authority" has the meaning given in s. 66.1041 (1) (a) for an
25 interim regional transit authority.

1 **SECTION 22.** 66.0615 (1) (ge) of the statutes is created to read:

2 66.0615 (1) (ge) “Transit authority” has the meaning given in s. 59.58 (7) (a)
3 1. for the southeastern regional transit authority.

4 **SECTION 23.** 66.0615 (1m) (a) of the statutes is amended to read:

5 66.0615 (1m) (a) The governing body of a municipality may enact an
6 ordinance,; and a district, under par. (e), an authority under par. (ee), and a transit
7 authority under par. (em), may adopt a resolution,; imposing a tax on the privilege
8 of furnishing, at retail, except sales for resale, rooms or lodging to transients by
9 hotelkeepers, motel operators and other persons furnishing accommodations that
10 are available to the public, irrespective of whether membership is required for use
11 of the accommodations. A tax imposed under this paragraph is not subject to the
12 selective sales tax imposed by s. 77.52 (2) (a) 1. and may not be imposed on sales to
13 the federal government and persons listed under s. 77.54 (9a). A tax imposed under
14 this paragraph by a municipality shall be paid to the municipality and may be
15 forwarded to a commission if one is created under par. (c), as provided in par. (d).
16 Except as provided in par. (am), a tax imposed under this paragraph by a
17 municipality may not exceed 8% 8 percent. Except as provided in par. (am), if a tax
18 greater than 8% 8 percent under this paragraph is in effect on May 13, 1994, the
19 municipality imposing the tax shall reduce the tax to 8% 8 percent, effective on
20 June 1, 1994.

21 **SECTION 24.** 66.0615 (1m) (ee) of the statutes is created to read:

22 66.0615 (1m) (ee) 1. An authority may adopt a resolution imposing a room tax
23 under par. (a) in an amount not to exceed 8 percent of total room charges. A room
24 tax imposed by an authority under this subdivision applies within the authority’s

1 jurisdiction, as specified in s. 66.1041 (2) (d), and the proceeds of the tax may be used
2 for any lawful purpose of the authority.

3 2. An authority adopting a resolution to impose the taxes under subd. 1. shall
4 deliver a certified copy of the resolution to the secretary of revenue at least 120 days
5 before its effective date.

6 3. The department of revenue shall administer the tax that is imposed under
7 par. (a) by an authority and may take any action, conduct any proceeding, and impose
8 interest and penalties. Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (3),
9 (4), (13), (14), (18), and (19), 77.522, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60,
10 77.61 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under
11 subch. III of ch. 77, apply to the tax described under subd. 1.

12 4. From the appropriation under s. 20.835 (4) (gg), the department of revenue
13 shall distribute 97.45 percent of the taxes collected under this paragraph for each
14 authority to that authority and shall indicate to the authority the taxes reported by
15 each taxpayer in that authority, no later than the end of the month following the end
16 of the calendar quarter in which the amounts were collected. The taxes distributed
17 shall be increased or decreased to reflect subsequent refunds, audit adjustments,
18 and all other adjustments. Interest paid on refunds of the tax under this paragraph
19 shall be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60
20 (1) (a). Any authority that receives a report along with a payment under this
21 subdivision or subd. 3. is subject to the duties of confidentiality to which the
22 department of revenue is subject under s. 77.61 (5).

23 **SECTION 25.** 66.0615 (1m) (em) of the statutes is created to read:

24 66.0615 (1m) (em) 1. Following the completion of a winding down, dissolution,
25 and transition process described in s. 66.1041 (7), and a transit authority becoming

1 the successor to the authorities created under s. 66.1041 and assuming responsibility
2 for providing transit service and transit planning as described in s. 59.58 (7) (n) 2.,
3 a transit authority may adopt a resolution imposing a room tax under par. (a) in an
4 amount not to exceed 8 percent of total room charges. A room tax imposed by a transit
5 authority under this subdivision applies within the authority's jurisdiction, as
6 specified in subd. 2., and the proceeds of the tax may be used for any lawful purpose
7 of the transit authority.

8 2. a. For all purposes except those specified in subds. 2. b. and c., upon assuming
9 responsibility for transit service and transit planning as described in subd. 1., the
10 jurisdictional area of the transit authority shall be the combined jurisdictional areas
11 of all authorities.

12 b. For purposes of par. (ee), if part but not all of Racine County is included in
13 the jurisdictional area described in subd. 2. a., the transit authority's jurisdictional
14 area shall include, in addition to the area in subd. 2. a., all of Racine County unless
15 the board of the transit authority votes to not impose the tax under this paragraph
16 in the part of Racine County that did not become a participating political subdivision
17 in an authority.

18 c. For purposes of imposing the taxes under this paragraph, the transit
19 authority's jurisdictional area shall not include the jurisdictional area of any
20 authority that did not impose the taxes under par. (ee) before the department of
21 transportation provided the notice specified in s. 66.1041 (7) (a).

22 3. A transit authority adopting a resolution to impose the taxes under subd. 1.
23 shall deliver a certified copy of the resolution to the secretary of revenue at least 120
24 days before its effective date. If the transit authority adopts a resolution as provided
25 in subd. 1., it shall specify to the department of revenue the exact boundaries of the

1 transit authority’s jurisdictional area. If the boundaries are other than a county line
2 on any side of the transit authority’s jurisdictional area, the transit authority shall
3 provide the department with a complete list of all of the 9–digit zip codes that are
4 entirely within the transit authority’s jurisdictional area and a complete list of all the
5 street addresses that are within the transit authority’s jurisdictional area and not
6 included in any 9–digit zip code that is entirely within the transit authority’s
7 jurisdictional area. The transit authority shall provide a certified copy of the
8 information required under this subdivision to the department, in the manner,
9 format, and layout prescribed by the department, at least 120 days prior to the
10 resolution’s effective date. If the boundaries of the transit authority’s jurisdictional
11 area subsequently change, the transit authority shall submit a certified copy of the
12 information required under this subdivision to the department, in the manner,
13 format, and layout prescribed by the department, at least 120 days prior to the
14 change’s effective date.

15 4. Paragraph (ee) 3. and 4., to the extent that it applies to the tax under that
16 paragraph, applies to the tax under this paragraph.

17 **SECTION 26.** 66.1041 of the statutes is created to read:

18 **66.1041 Interim regional transit authorities. (1) DEFINITIONS.** In this
19 section:

20 (a) Except as used in par. (g), “authority” means an interim regional transit
21 authority created under this section.

22 (b) “Comprehensive unified local transit system” means a transit system that
23 is comprised of motor bus lines and any other local public transit facilities, the major
24 portion of which is located within, or the major portion of the service of which is
25 supplied to the inhabitants of, the jurisdictional area of the authority.

1 (c) “Department” means the department of transportation.

2 (d) “Municipality” means any city, village, or town.

3 (e) “Participating political subdivision” means a political subdivision that has
4 adopted a resolution creating an authority or joining an established authority under
5 this section.

6 (f) “Political subdivision” means a municipality or county.

7 (g) “Southeastern regional transit authority” means the southeastern regional
8 transit authority created under s. 59.58 (7).

9 (h) “Southeast Wisconsin” means the geographical area comprising the
10 counties of Kenosha, Milwaukee, Ozaukee, Washington, Racine, and Waukesha.

11 (i) “Transit system” means all land, shops, structures, equipment, property,
12 franchises, and rights of whatever nature required for transit of passengers within
13 the jurisdictional area of the authority and outside the jurisdictional area of the
14 authority. “Transit system” includes motor buses, fixed guideway transit,
15 ridesharing, specialized transportation, motor vehicles, elevated railroads,
16 subways, underground railroads, and any combination thereof, and any other form
17 of mass transit, but does not include transportation excluded from the definition of
18 “common motor carrier” under s. 194.01 (1), charter or contract operations to, from,
19 or between points that are outside the jurisdictional area of the authority, or travel
20 by aircraft flight.

21 **(2) CREATION OF AUTHORITY.** (a) Subject to pars. (e) and (f), the governing body
22 of a political subdivision in southeast Wisconsin may, by resolution, create an
23 authority consisting of the political subdivision or may join together with one or more
24 other political subdivisions to jointly create, by adopting identical resolutions, an
25 authority. An authority created under this section is a public body corporate and

1 politic and shall be known as an “interim regional transit authority.” The authority
2 may transact business and exercise any powers granted to it under this section.

3 (b) 1. Subject to pars. (e) and (f), and except as provided in subd. 2., if an
4 authority has been created under par. (a), a political subdivision may join the
5 authority if the governing body of the political subdivision adopts a resolution
6 identical to the existing resolutions of the authority’s participating political
7 subdivisions or, if the authority is created by a single political subdivision, identical
8 to the existing resolution of the authority’s participating political subdivision, and
9 if the authority’s board of directors adopts a resolution allowing the political
10 subdivision to join the authority. For purposes of determining whether a resolution
11 adopted under this subdivision is identical to an existing resolution of the authority,
12 both the resolutions adopted under par. (a) to create the authority under par. (a) and
13 any modifications to those resolutions under par. (g) shall be considered.

14 2. The resolution of a political subdivision adopted under subd. 1. may differ
15 from each existing resolution by specifying what the composition of the authority’s
16 board of directors will be after the political subdivision has joined the authority, but
17 this resolution must be consistent with the authority’s bylaws as described in sub.

18 (3) (b) 3. If the authority’s board of directors thereafter adopts a resolution allowing
19 the political subdivision to join the authority, the board of directors thereby agrees
20 to the new composition of the authority’s board of directors specified in the resolution
21 of the joining political subdivision and any existing resolution is considered modified
22 under par. (g) 2. to reflect this new board composition.

23 (c) Any resolution creating an authority under par. (a) or joining an authority
24 under par. (b) shall specify all of the following:

1 1. Subject to sub. (3) (b), the composition of the authority's board of directors
2 and other matters relating to the selection, terms, and duties of the board of
3 directors.

4 2. All revenue sources on which the authority will rely for funding and the
5 minimum amount of revenue that the authority will commit to satisfy the revenue
6 requirements for the authority specified in this section.

7 (d) 1. Except as provided in subd. 2., the jurisdictional area of an authority is
8 the geographic area formed by the combined territorial boundaries of all
9 participating political subdivisions of the authority.

10 2. If the authority includes a county as a participating political subdivision, the
11 jurisdictional area of the authority includes only that portion of the county that is
12 within the territorial boundaries of municipalities in the county that are also
13 participating political subdivisions except that, for Milwaukee County, the
14 jurisdictional area includes all of Milwaukee County.

15 (e) An authority may be created under par. (a) only if all of the following apply:

16 1. At least one of the political subdivisions creating the authority operated a
17 transit system receiving funding under s. 85.20 on the effective date of this
18 subdivision [LRB inserts date].

19 2. The political subdivision or political subdivisions creating the authority
20 commit to providing funding for the authority, upon creation, in an amount of at least
21 the political subdivision's property tax levy contribution to transit as of one year prior
22 to the effective date of this subdivision [LRB inserts date], and also make a
23 commitment that the authority, after creation, will meet the revenue requirements
24 specified in sub. (6) through one or more of the revenue sources identified in par. (c)

25 2.

1 (f) An authority may not include more than one county. An authority may not
2 include municipalities located in different counties.

3 (g) 1. Subject to subds. 2. and 3., if an authority has been created under this
4 subsection, the participating political subdivisions of the authority may amend or
5 modify their resolutions creating or joining the authority if, after any amendment or
6 modification, the resolutions of all participating political subdivisions of the
7 authority remain identical and continue to satisfy the requirements under this
8 subsection.

9 2. If a political subdivision joins an authority under par. (b), the participating
10 political subdivisions of the authority may amend or modify their existing
11 resolutions to accomplish any changes necessary to reflect the addition of the new
12 political subdivision to the authority, including any changes to the composition of the
13 authority's board of directors. In lieu of expressly amending or modifying their
14 existing resolutions, the participating political subdivisions of the authority may
15 also effect changes to the composition of the authority's board of directors, in
16 connection with the addition of a new political subdivision to the authority, by means
17 of the approval process specified in par. (b) 2., in which case the existing resolutions
18 of the participating political subdivisions are considered modified to reflect the new
19 composition of the authority's board of directors.

20 3. In lieu of expressly amending or modifying the existing resolutions of the
21 participating political subdivisions of an authority to reflect changes to the revenue
22 sources specified in par. (c) 2., these changes to the revenue sources relied upon may
23 be made by a vote of the authority's board of directors if, after the changes, the
24 authority continues to satisfy the revenue requirements specified in sub. (6). After

1 such a vote, the existing resolutions of the participating political subdivisions are
2 considered modified to reflect the change in revenue sources.

3 **(3) GOVERNANCE OF AUTHORITY.** (a) The powers of an authority shall be vested
4 in its board of directors. A majority of the board of directors' full authorized
5 membership constitutes a quorum for the purpose of conducting the authority's
6 business and exercising its powers. Action may be taken by the board of directors
7 upon a vote of a majority of the directors present and voting, unless the bylaws of the
8 authority require a larger number.

9 (b) The board of directors of an authority shall be determined as provided in
10 resolutions creating the authority under sub. (2) (a) or joining an existing authority
11 under sub. (2) (b) except that all of the following shall apply:

12 1. The board of directors shall consist of at least 5 members and not more than
13 9 members.

14 2. The board of directors shall include at least one member from the authority's
15 jurisdictional area, appointed by the governor.

16 3. Subject to subds. 1. and 2., the bylaws of the authority shall specify a
17 procedure and guidelines for changing board membership upon the joinder of a
18 political subdivision under sub. (2) (b).

19 4. Notwithstanding subds. 1. to 3., the board of directors of an authority that
20 includes Milwaukee County shall consist of the following members:

21 a. Two members from the authority's jurisdictional area, appointed by the
22 Milwaukee County board chairperson.

23 b. One member from that portion of the authority's jurisdictional area that is
24 outside the city of Milwaukee, appointed by the Milwaukee County board
25 chairperson.

1 c. One member, appointed by the mayor of the city of Milwaukee.

2 d. One member from the authority's jurisdictional area, appointed by the
3 governor.

4 **(4) AUTHORITY POWERS AND DUTIES.** (a) Notwithstanding s. 59.84 (2) and any
5 other provision of this chapter or ch. 59 or 85, an authority shall do all of the
6 following:

7 1. Provide, or contract with existing transit providers for the provision of,
8 transit service within the authority's jurisdictional area, except that an authority
9 that includes Milwaukee County shall contract with the Milwaukee County board
10 for the authority to provide transit service in Milwaukee County.

11 2. Provide transit planning within the authority's jurisdictional area. Each
12 transit plan of the authority shall be submitted to the southeastern regional transit
13 authority.

14 (b) Notwithstanding s. 59.84 (2) and any other provision of this chapter or ch.
15 59 or 85, in addition to the duties specified in par. (a), an authority may do any of the
16 following:

17 1. Acquire a comprehensive unified local transit system by entering into a
18 transfer agreement with the owner of the system.

19 2. Subject to sub. (5), apply for and utilize state and federal funds.

20 **(5) FEDERAL AND STATE AID; INCENTIVE FUNDS.** Any application by an authority
21 for federal or state funding shall first be submitted to the southeastern regional
22 transit authority, which shall then provide the application to the appropriate federal
23 or state agency. If the application results in the receipt of any federal or state funds,
24 those federal or state funds shall first be received by the southeastern regional

1 transit authority, which shall then forward the funds to the authority that provided
2 the application.

3 **(6) AUTHORITY REVENUE REQUIREMENTS.** (a) An authority may generate revenue
4 by doing any of the following:

5 1. Imposing a local vehicle registration fee under s. 341.35.

6 2. Levying a hotel tax.

7 3. a. Imposing, by the adoption of a resolution by the board of directors, the
8 taxes under s. 77.708, except that no authority may adopt such a resolution until a
9 referendum is held in the authority's jurisdictional area on the question of whether
10 the authority may impose the taxes under s. 77.708 and the referendum is decided
11 in the affirmative. For purposes of an authority that has Milwaukee County as the
12 boundaries of its jurisdictional area, the referendum for imposing sales and use taxes
13 for transit purposes that was approved in 2009 in Milwaukee County satisfies the
14 referendum requirement of this subd. 3. a. If an authority adopts a resolution to
15 impose the taxes, it shall deliver a certified copy of the resolution to the department
16 of revenue at least 120 days before its effective date. The authority may, by adoption
17 of a resolution by the board of directors, repeal the imposition of the taxes under s.
18 77.708 and shall deliver a certified copy of the repeal resolution to the department
19 of revenue at least 120 days before its effective date.

20 b. If the authority adopts a resolution as provided in subd. 3. a., it shall specify
21 to the department of revenue the exact boundaries of the authority's jurisdictional
22 area. If the boundaries are the same as the county lines on all sides of the authority's
23 jurisdictional area, the resolution shall specify the county or counties that comprise
24 the authority's entire jurisdictional area. If the boundaries are other than a county
25 line on any side of the authority's jurisdictional area, the authority shall provide the

1 department with a complete list of all the 9–digit zip codes that are entirely within
2 the authority’s jurisdictional area and a complete list of all the street addresses that
3 are within the authority’s jurisdictional area and not included in any 9–digit zip code
4 that is entirely within the authority’s jurisdictional area. The authority shall
5 provide a certified copy of the information required under this subd. 3. b. to the
6 department, in the manner, format, and layout prescribed by the department, at
7 least 120 days prior to the resolution’s effective date. If the boundaries of the
8 authority’s jurisdictional area subsequently change, the authority shall submit a
9 certified copy of the information required under this subd. 3. b. to the department,
10 in the manner, format, and layout prescribed by the department, at least 120 days
11 prior to the change’s effective date.

12 4. Charging a membership fee to the participating political subdivisions of the
13 authority in an amount not to exceed the amount of property taxes that each political
14 subdivision levied for transit purposes in the year before the year the authority is
15 created.

16 (b) An authority shall generate revenue equal to the amount required by pars.
17 (c) and (d). This minimum revenue requirement may be met through funding from
18 one or a combination of revenue sources identified by resolution under sub. (2) (c) 2.,
19 including any revenue option under par. (a).

20 (c) 1. Within 2 years after the creation of an authority, the authority shall
21 generate revenue sufficient to offset a 30 percent reduction in passenger fare
22 revenues resulting from transit operations or to provide a 2 percent increase in
23 transit service, or a combination of both, as compared with passenger fare revenues
24 and transit service as of the time that the authority was created.

1 2. Within 4 years after the creation of an authority, the authority shall generate
2 revenue sufficient to offset a 60 percent reduction in passenger fare revenues
3 resulting from transit operations or to provide a 4 percent increase in transit service,
4 or a combination of both, as compared with passenger fare revenues and transit
5 service as of the time that the authority was created.

6 3. For purposes of this paragraph, a 15 percent reduction in passenger fare
7 revenues is equivalent to a 1 percent increase in transit service, and increases in
8 transit service may be calculated by the increase in either transit service miles or
9 transit service hours.

10 4. Every 2 years after an authority is created under this section, the
11 department shall determine and certify whether the authority has met the
12 requirements specified in this paragraph. In making this determination, the
13 department shall calculate, and make publicly available, the dollar amount of the
14 passenger fare revenue reductions and the transit service mile or hour increases that
15 would be necessary for the authority to satisfy the requirements under subds. 1. and
16 2. In making its calculation and determination under this subdivision, the
17 department shall consider whether, and make allowances for the fact that, any
18 municipality or county joined the authority under sub. (2) (a) after its initial creation.

19 (d) 1. Within 6 years after the creation of an authority, in addition to continuing
20 to satisfy the requirements specified in par. (c), the authority shall improve the
21 interconnectivity of its transit system by linking with other modes of transportation
22 and improving cross-county links.

23 2. The department shall, by rule, establish criteria for determining whether an
24 authority has satisfied the requirement under subd. 1.

1 3. The department shall determine and certify whether an authority has
2 satisfied the requirement specified in subd. 1.

3 (e) 1. Subject to subd. 3., if an authority does not meet the requirements
4 specified in pars. (c) 1. and 2. and (d) within the time limits specified in those
5 provisions, the authority is not eligible for incentive funding provided under s. 59.58
6 (7) (L) or (m).

7 2. Subject to subd. 3., if an authority does not meet the requirements specified
8 in pars. (c) 1. and 2. and (d) within 2 years after the time limits specified in those
9 provisions, the authority shall be dissolved and responsibility for providing transit
10 service and transit planning, as well as all assets, liabilities, rights, and obligations
11 of the authority, shall revert to the participating political subdivisions of the
12 authority.

13 3. If any municipality or county joins an authority under sub. (2) (b) after its
14 initial creation, the department may make allowances for this fact, including
15 delaying or suspending the penalties under subds. 1. and 2. for failure to meet the
16 requirements specified in pars. (c) 1. and 2. and (d).

17 **(7) SUNSET AND TRANSITION.** (a) When every authority created under this
18 section has been certified by the department under sub. (6) (d) 3. as having satisfied
19 the requirement specified in sub. (6) (d) 1., the department shall provide notice of this
20 fact to every such authority.

21 (b) Upon receiving the notice specified in par. (a), each authority created under
22 this section shall begin the process of winding down and dissolving, including taking
23 those actions specified in this subsection, and shall complete this process no later
24 than 120 days after receiving the notice specified in par. (a). Notwithstanding sub.
25 (4), upon receiving the notice specified in par. (a), the duties of the authority shall be

1 limited to winding down and dissolving the authority and facilitating the transition
2 described in this paragraph. The board of directors of each authority created under
3 this section shall assist in good faith in the transition from the authority created
4 under this section to the southeastern regional transit authority. The southeastern
5 regional transit authority shall be considered the successor to an authority created
6 under this section, except one that is dissolved as provided in sub. (6) (e) 2. As part
7 of the winding down process for an authority created under this section, all of the
8 following shall occur:

9 1. The assets and liabilities of the authority shall become the assets and
10 liabilities of the southeastern regional transit authority.

11 2. All tangible personal property, including records, of the authority shall be
12 transferred to the southeastern regional transit authority.

13 3. All contracts entered into by the authority, in effect at the time of winding
14 down the authority, remain in effect and are transferred to the southeastern regional
15 transit authority. The southeastern regional transit authority shall carry out any
16 obligations under such a contract until the contract is modified or rescinded by the
17 southeastern regional transit authority to the extent allowed under the contract.

18 (c) Any authority created under this section terminates on the 120th day after
19 the authority receives the notice specified in par. (a).

20 **SECTION 27.** 77.708 (1) of the statutes, as affected by 2009 Wisconsin Act 28,
21 is amended to read:

22 77.708 (1) A transit authority created under s. 59.58, 66.1039, or 66.1041, by
23 resolution under s. 59.58 (7) (n) 2., 66.1039 (4) (s), or 66.1041 (6) (a) 3., respectively,
24 may impose a sales tax and a use tax under this subchapter at a rate not to exceed
25 0.5 percent of the sales price or purchase price. Those taxes may be imposed only in

1 their entirety. The resolution shall be effective on the first day of the first calendar
2 quarter that begins at least 120 days after the adoption of the resolution.

3 **SECTION 28.** 77.708 (2) of the statutes, as created by 2009 Wisconsin Act 28, is
4 amended to read:

5 77.708 (2) Retailers and the department of revenue may not collect a tax under
6 sub. (1) for any transit authority created under s. 59.58, 66.1039, or 66.1041, after
7 the calendar quarter during which the transit authority adopts a repeal resolution
8 under s. 59.58 (7) (n) 2., 66.1039 (4) (s), or 66.1041 (6) (a) 3., respectively, except that
9 the department of revenue may collect from retailers taxes that accrued before such
10 calendar quarter and fees, interest, and penalties that relate to those taxes.

11 **SECTION 29.** 77.9971 (1) of the statutes, as affected by 2009 Wisconsin Act 28,
12 is amended to read:

13 77.9971 (1) The southeastern regional transit authority under s. 59.58 (7) may
14 impose a fee at a rate not to exceed \$18, as adjusted under sub. (2), for each
15 transaction in the authority's jurisdictional area, as described in s. 59.58 (7) (b) and
16 (n) 3., on the rental, but not for reregal and not for rental as a service or repair
17 replacement vehicle, of Type 1 automobiles, as defined in s. 340.01 (4) (a), by
18 establishments primarily engaged in short-term rental of passenger cars without
19 drivers, for a period of 30 days or less, unless the sale is exempt from the sales tax
20 under s. 77.54 (1), (4), (7) (a), (7m), (9), or (9a). The fee imposed under this subchapter
21 shall be effective on the first day of the first month that begins at least 90 days after
22 the board of directors of the southeastern regional transit authority approves the
23 imposition of the fee and notifies the department of revenue. The board of directors
24 shall notify the department of a repeal of the fee imposed under this subchapter at
25 least 60 days before the effective date of the repeal.

1 **SECTION 30.** 79.03 (3) (b) 4. a. of the statutes is amended to read:

2 79.03 **(3)** (b) 4. a. “Local general purpose taxes” means the portion of tax
3 increments collected for payment to a municipality under s. 66.1105 which is
4 attributable to that municipality’s own levy, the portion of environmental
5 remediation tax increments collected for payment to a municipality or county under
6 s. 66.1106 that is attributable to that municipality’s or county’s own levy, general
7 property taxes, excluding taxes for a county children with disabilities education
8 board, collected to finance the general purpose government unit, property taxes
9 collected for sewage and sanitary districts, monthly municipal permit fees under s.
10 66.0435 (3), the proceeds of county sales and use taxes, and ~~municipal and county~~
11 local vehicle registration fees under s. 341.35 (1).

12 **SECTION 31.** 85.11 (1) (a) of the statutes, as created by 2009 Wisconsin Act 28,
13 is amended to read:

14 85.11 **(1)** (a) “Eligible applicant” means the southeastern regional transit
15 authority under s. 59.58 (7) or an interim regional transit authority created under
16 s. 66.1041.

17 **SECTION 32.** 85.20 (4m) (a) 6. e. of the statutes, as created by 2009 Wisconsin
18 Act 28, is amended to read:

19 85.20 **(4m)** (a) 6. e. From the appropriation under s. 20.395 (1) (hw), the
20 department may pay the uniform percentage for each eligible applicant for a planned
21 commuter or light rail system that has been enumerated under s. 85.062 (3) and for
22 making payments under s. 59.58 (7) (m). An eligible applicant may not receive aid
23 under subd. 6. cm. or d., 7., or 8. for a commuter rail or light rail transit system.

24 **SECTION 33.** 341.35 (title) of the statutes is amended to read:

25 **341.35** (title) ~~Municipal or county~~ Local vehicle registration fee.

1 **SECTION 34.** 341.35 (1) of the statutes is amended to read:

2 341.35 (1) ANNUAL REGISTRATION FEE. In this section “municipality” means a
3 town, village or city and “motor vehicle” means an automobile or motor truck
4 registered under s. 341.25 (1) (c) at a gross weight of not more than 8,000 pounds.
5 Subject to sub. (9), in this section “authority” means an interim regional transit
6 authority created under s. 66.1041. The governing body of a municipality or county
7 may enact an ordinance imposing an annual flat municipal or county registration fee
8 on all motor vehicles registered in this state which are customarily kept in the
9 municipality or county. The board of directors of an authority may adopt a resolution
10 imposing an annual flat registration fee on all motor vehicles registered in this state
11 which are customarily kept in the jurisdictional area of the authority, but the
12 resolution may only be given effect if the resolution is ratified by the electors at a
13 referendum held in the authority’s jurisdictional area. A registration fee imposed
14 under this section shall be in addition to state registration fees.

15 **SECTION 35.** 341.35 (2) (intro.) of the statutes is amended to read:

16 341.35 (2) EXEMPTIONS. (intro.) The following vehicles are exempt from any
17 ~~municipal or county~~ local vehicle registration fee under this section:

18 **SECTION 36.** 341.35 (3m) of the statutes is amended to read:

19 341.35 (3m) ~~COUNTY AND MUNICIPAL~~ MULTIPLE LOCAL FEES. If a municipality and
20 the county in which the municipality is located enact ordinances under this section,
21 a motor vehicle customarily kept in the municipality shall be subject to a municipal
22 registration fee and a county registration fee. If an authority imposes a local
23 registration fee under this section, this fee is in addition to any local registration fee
24 imposed by a municipality or county under this section.

25 **SECTION 37.** 341.35 (4) of the statutes is amended to read:

1 341.35 (4) NOTICE OF FEES. The governing body of a municipality or county
2 ~~which enacts a municipal or county, and the board of directors of an authority, that~~
3 imposes a local vehicle registration fee under this section shall notify the department
4 that it has so elected and report the amount of such fee. The municipality ~~or~~ county,
5 or authority shall report any change in such amount to the department. The
6 notification shall be made at the time and in the form prescribed by the department.

7 **SECTION 38.** 341.35 (5) of the statutes is amended to read:

8 341.35 (5) PAYMENT OF FEES. At the time a motor vehicle is first registered or
9 at the time of registration renewal, the applicant shall pay to the department any fee
10 imposed by a county ~~or~~ municipality, or authority under this section in addition to
11 fees required under this chapter.

12 **SECTION 39.** 341.35 (6) of the statutes is amended to read:

13 341.35 (6) DEPARTMENT TO REMIT FEES TO ~~MUNICIPALITIES AND COUNTIES.~~
14 Beginning July 1, 1984, and annually thereafter, the department shall remit those
15 moneys collected under this section, less administrative costs under sub. (6m), to any
16 municipality ~~or~~ county ~~which~~, or authority that has imposed a fee under this section.
17 The department may by rule provide that the moneys be remitted at more frequent
18 intervals if the department deems it advisable.

19 **SECTION 40.** 341.35 (6r) of the statutes is amended to read:

20 341.35 (6r) USE OF FEE PROCEEDS. Any municipality ~~or~~ county, or authority
21 receiving moneys under sub. (6) shall use the moneys only for transportation related
22 purposes.

23 **SECTION 41.** 341.35 (7) of the statutes is amended to read:

