

Gerard and Karen Holton  
W277 N865 Woodside Dr.  
Waukesha, WI 53188  
October 13, 2011

CITY OF MILWAUKEE  
2011 OCT 17 PM 12:49  
RONALD D. LEONHARDT  
CITY CLERK

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

Dear City Clerk:

Please see the attached paperwork, including the pictures, about our claim against the city of Milwaukee per the instructions sent by the Alderman. This is in regards to the flooding of our property on June 21<sup>st</sup> 2011 (around 6:30pm) with the address 2935/2937 N. 82<sup>nd</sup> Street, due to an error in the installation of a city fire hydrant.

The nature of the situation is as follows: On June 21<sup>st</sup>, a heavy rain fall caused an excess amount of water into the city storm sewer system, which backed into our basement through the floor drain. After speaking to our Alderman, James A. Bohl, Jr., he informed us that it was due to pea gravel coming through an old hydrant drain, thus, clogging the sewer. An extensive amount of sewage flooded into the property basement, at an estimated height of 22-26 inches. (Please see attached pictures.) A sanitation company was immediately called to dry the space, sanitize, and cut out all dry-wall, doors, trim, etc... as shown in the invoice.

We are seeking reimbursement for the cost of cleaning/sanitizing, in addition to restoring the basement to the original condition prior to the flooding. As you can see from the estimate, the amount sought is \$12,823.59 Although the cleaning company was able to salvage our furnaces, we weren't able to find receipts for our tenants' washers and dryers as shown flooded (now ruined) in the pictures.

We appreciate you reviewing this claim, and are available for any further questions at 414-881-8436 (Gerard) or 608-792-9091 (Karen).

Sincerely,



Gerard I. Holton  
Property Owner  
414-881-8436

email: gerry.kid1@yahoo.com

OFFICE OF  
CITY ATTORNEY

2011 OCT 17 PM 3:58

CITY OF MILWAUKEE  
RECEIVED

# SIDELLO PROPERTY SERVICES

4864 South 10th Street  
 Milwaukee, WI 53221  
 (414) 482-7476 FAX (414) 482-7486

# INVOICE

DATE	INVOICE #
7/7/2011	11427

<b>BILL TO</b>
Gerry Holton W220 N865 Woodside Waukesha, WI 53188

<b>JOB NAME</b>
2937 N 82nd St. 2-Family House

<b>TERMS</b>
Due on receipt

QTY	DESCRIPTION	RATE	AMOUNT
	Mobilize, set up, and take down 1 large dehumidifier, 1 large HEPA air scrubber, and 2 air movers Remove all debris from basement per owner Remove all doors and jambs Remove drywall 24" from floor Wash floor and sanitize Clean and sanitize wood 2 x 4's 24" from floor		
	Labor 6/22/11 - 6/27/11	1,430.00	1,430.00T
	Materials:	47.50	47.50T
	Trucking, Dumping/landfill fee	260.00	260.00T
	Equipment Charges:		
6	Days - 2 air movers @ 25.61/mover	52.22	313.32T
6	Days - 1 HEPA Air Scrubber - Large	121.63	729.78T
	Add For HEPA Filter (Negative Air Exhaust Fan)	164.58	164.58T
6	Days - 1 Dehumidifier - Large	114.76	688.56T
	Clean and Decontamination of Equipment	148.00	148.00T
	Sales Tax	5.60%	211.78
<b>Total</b>			<b>\$3,993.52</b>



## Paul Davis Restoration & Remodeling

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2000 S. 4th Street, Milwaukee, WI 53204  
PH: (414) 383-3131  
PH: (800) 954-2215  
Fax: (414) 383-3353  
Fed ID #39-1662830

Insured: Gerard Holton  
Property: 2935-37 N 82nd St  
Milwaukee, WI 53222

Home: (414) 881-8436  
E-mail: gerrykid1@yahoo.com

Estimator: Ben Stern  
Business: 2000 S 4th Street  
Milwaukee, WI 53204

Business: (414) 388-3665  
E-mail: bstern@pdr-usa.net

Contractor:  
Company: Paul Davis Restoration  
Business: 2000 S. 4th Street  
Milwaukee, WI 53204

Business: (414) 383-3131

**Claim Number:**

**Policy Number:**

**Type of Loss: Water Damage**

Date Contacted: 10/7/2011 3:00 PM

Date of Loss: 10/6/2011 11:00 AM

Date Inspected: 10/11/2011 4:00 PM

Date Received: 10/6/2011 12:00 PM

Date Entered: 10/12/2011 2:00 PM

Price List: WIMW7X\_OCT11  
Restoration/Service/Remodel

Estimate: 11990S



## **Paul Davis Restoration & Remodeling**

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Fed ID #39-1662830

### **Inspections**

The site was inspected on 10/11/11 as requested by the Property Owner, Gerard holton, to provide a causation report and a construction estimate for water damage.

### **Cause & Description**

The damage is due to a Sudden Occurrence. The City of Milwaukee's sewage main backed up on block of residence due to aggregate clog from road work.

### **Damage**

The resulting damage consists of but is not necessarily limited to: sewage contamination damage to finished basement including insulation, drywall, hardwood doors, casings, and baseboard, carpet and pad.

### **Estimate**

This estimate is intended to provide necessary repairs of the damages stated above. This estimate has been prepared using an industry recognized independent third-party pricing database which has proved reliable for the type of property repairs outlined.

### **Note**

The following estimate assumes that the affected building materials do not contain asbestos or lead. Samples may require testing prior to start of work. If asbestos or lead tests are positive, additional work will be required to complete work in compliance with environmental regulations and worker safety regulations.

### **Intention**

This document is intended to be the contract scope of work to be completed and will be part of and/or in addition to any signed contract between the Insured and PDR&R.

### **Business Hours**

This estimate is written with the assumption that the work will be performed during normal PDR&R business hours



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**11990S**  
**Main Level**

<b>Den</b>			<b>Height: 8'</b>
<b>Subroom 1: STAIRS</b>			<b>Height: Sloped</b>
<b>Missing Wall</b>	<b>2' 8" X 8'</b>	<b>Opens into DEN</b>	
<b>Missing Wall</b>	<b>2' 8" X 8'</b>	<b>Opens into STAIRS1</b>	
<b>Subroom 2: STAIRS1</b>			<b>Height: 17'</b>
<b>Missing Wall</b>	<b>2' 8" X 17'</b>	<b>Opens into STAIRS</b>	

DESCRIPTION	QNTY	UNIT COST	TOTAL
<b>Flooring</b>			
Carpet pad	241.00 SF @	0.53 =	127.73
Carpet	301.66 SF @	2.71 =	817.50
Step charge for "waterfall" carpet installation	13.00 EA @	3.83 =	49.79
Carpet - metal transition strip	6.00 LF @	2.86 =	17.16
<b>Walls</b>			
Batt insulation - 4" - R13	54.00 SF @	0.64 =	34.56
Drywall replacement per LF - up to 2' tall	83.77 LF @	5.37 =	449.84
Seal then paint the walls (2 coats) - 2 colors	649.71 SF @	0.62 =	402.82
<b>Moldings &amp; Doors</b>			
Interior door - solid oak - paneled - pre-hung unit	3.00 EA @	380.06 =	1,140.18
Casing - 2 1/4" stain grade	51.00 LF @	2.51 =	128.01
Stain & finish door slab only (per side)	6.00 EA @	32.64 =	195.84
Stain & finish casing	51.00 LF @	0.86 =	43.86
Door knob - interior	3.00 EA @	37.65 =	112.95

<b>Bedroom</b>			<b>Height: 8'</b>
<b>Subroom 1: CLOSET</b>			<b>Height: 8'</b>

DESCRIPTION	QNTY	UNIT COST	TOTAL
<b>Flooring</b>			
Carpet pad	144.30 SF @	0.53 =	76.48
Carpet	175.50 SF @	2.71 =	475.61
Carpet - metal transition strip	6.00 LF @	2.86 =	17.16
<b>Walls</b>			
Batt insulation - 4" - R13	51.50 SF @	0.64 =	32.96
Drywall replacement per LF - up to 2' tall	77.83 LF @	5.37 =	417.95
Seal then paint the walls (2 coats) - 2 colors	622.65 SF @	0.62 =	386.04
<b>Moldings &amp; Doors</b>			



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**CONTINUED - Bedroom**

DESCRIPTION	QNTY	UNIT COST	TOTAL
Interior door - solid oak - paneled - pre-hung unit	2.00 EA @	380.06 =	760.12
Casing - 2 1/4" stain grade	68.00 LF @	2.51 =	170.68
Stain & finish door slab only (per side)	5.00 EA @	32.64 =	163.20
Stain & finish casing	68.00 LF @	0.86 =	58.48
Door knob - interior	2.00 EA @	37.65 =	75.30

**General Conditions**

DESCRIPTION	QNTY	UNIT COST	TOTAL
Haul debris - per pickup truck load - including dump fees	1.00 EA @	103.65 =	103.65
Taxes, insurance, permits & fees (Bid item)	1.00 EA @		0.00
Final cleaning - construction - Residential	300.00 SF @	0.23 =	69.00

**Adjustments for Base Service Charges**

	Adjustment
Carpenter - Finish, Trim/Cabinet	117.30
Cleaning Technician	55.72
Drywall Installer/Finisher	234.60
Flooring Installer	100.36
Hardware Installer	107.12
Insulation Installer	117.18
Painter	84.56
<b>Total Adjustments for Base Service Charges:</b>	<b>816.84</b>
<b>Line Item Totals: 11990S</b>	<b>7,143.71</b>



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### Grand Total Areas:

1,953.69 SF Walls	679.29 SF Ceiling	2,632.98 SF Walls and Ceiling
691.00 SF Floor	76.78 SY Flooring	246.77 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	247.72 LF Ceil. Perimeter
691.00 Floor Area	730.44 Total Area	1,674.65 Interior Wall Area
948.00 Exterior Wall Area	105.33 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	



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Fed ID #39-1662830

### Summary for Dwelling

Line Item Total				6,326.87
Total Adjustments for Base Service Charges				816.84
Material Sales Tax	@	5.600% x	3,708.73	207.69
				<hr/>
				7,351.40
Overhead	@	10.0% x	7,351.40	735.14
Profit	@	10.0% x	7,351.40	735.14
Service Sales Tax	@	5.600% x	149.66	8.38
				<hr/>
Replacement Cost Value				\$8,830.06
Net Claim				<u>\$8,830.06</u>

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Ben Stern





## Handy Restoration & Remodeling

2000 S. 4th Street, Milwaukee, WI 53204

TEL: (414) 387-0777

PH: (800) 954-2215

FAX: (414) 387-0777

WWW.DDHANDY.COM

### Recap by Category

O&P Items		Total	%
CLEANING		69.00	0.78%
GENERAL DEMOLITION		103.65	1.17%
DOORS		1,900.30	21.52%
DRYWALL		867.70	9.82%
FLOOR COVERING - CARPET		1,581.43	17.91%
FINISH CARPENTRY / TRIMWORK		298.69	3.38%
FINISH HARDWARE		188.25	2.13%
INSULATION		67.52	0.76%
PAINTING		1,250.24	14.16%
O&P Items Subtotal		6,326.87	71.65%
Base Service Charges		816.84	9.25%
Material Sales Tax	@ 5.600%	207.69	2.35%
Overhead	@ 10.0%	735.14	8.33%
Profit	@ 10.0%	735.14	8.33%
Service Sales Tax	@ 5.600%	8.38	0.09%
Total		8,830.06	100.00%

# SIDELLO

PROPERTY SERVICES

4864 South 10<sup>th</sup> Street  
Milwaukee, WI 53221-2412

Phone (414) 482-7476  
Fax (414) 482-7486

## PROPOSAL

TO: Gerry Holton  
W220 N 865 Woodside Dr  
Waukesha, WI 53188

DATE: July 27, 2011

PROPOSAL # JK07272011

PHONE # 414-482-7476  
FAX # 414-482-7486

JOB NAME: Single family home

LOCATION: 2937 N. 82nd Street

We hereby submit specifications and estimates for:

- Insulate all outside walls 24" from floor
- Drywall, tape and finish with spray 24" from floor
- Match texture as close as possible
- Install 5 new 6-panel doors with trim on both sides (Pre-finished)
- Install new wood base in finished basement
- Prime and paint new drywall
- Paint all block walls in basement to owners selected color
- Paint all stairs from basement to back door

Labor and Materials.....\$9,465.00

NOTE: Bid does not include carpet

**NOTE:** Please read over proposal carefully. Every attempt has been made to include all work that had been discussed between both parties. However, sometimes items may be left out or missed. Only items on the proposal are what is included with the proposal and the cost.

(All prices are subject to sales tax if applicable)

We propose hereby to furnish material and labor complete in accordance with these specifications, for the sum of: \_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_)

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 our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature: \_\_\_\_\_

\*\*\*This proposal may be withdrawn by us if not accepted within 30 days\*\*\*

Payable upon completion

**Acceptance of proposal – The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**COMMITTEES**

- Licenses, Chair
- Judiciary & Legislation
- Steering & Rules

**BOARD MEMBER**

- Milwaukee Survive Alive, Vice President
- VISIT Milwaukee



**JAMES A. BOHL, JR.**  
Alderman, 5th District

July 22, 2011

Dear 5<sup>th</sup> District Resident:

I am writing to inform you that since the June 21st heavy rain and sewer back-up on North 82<sup>nd</sup> Street, I have been working closely with the Department of Public Works Infrastructure Services Division and the Milwaukee Water Works Department to ensure that your sewer is clean and in proper working order. Your street and the immediate area have borne the brunt of a number of flooding and sewer back-up issues over the past 3 years in particular. This most recent event was due to pea gravel coming thru an old hydrant drain, which happened as a result of City repair work. City crews have contacted multiple operations to ensure that the sewer is now free flowing and free of any impediments that would cause future problems.

Most recently, I spoke with Ms. Laura Daniels of Milwaukee Water Works who was responding to my call for an investigation into the incident. She has informed me the Water Works has corroborated the City's responsibility in this and will work to ensure any residents who damages incurred are reasonable compensated. In order to assess fair compensation for damages, the Water Works has asked that all residents file a claim against the City. Ms. Daniels has stated that the City attorney's office will process claims in an expeditious manner.

Enclosed you will find the instructions for filing a claim. Please submit your written statement, along with any information you have regarding the damages that may have incurred. Please include all photographs, estimates for repair and bills that you may have incurred. Please note in subsection (a) that you have 120 days to file a claim.

Should you have any additional questions, please feel free to contact me at 414-286-3870. It is a pleasure to serve you.

Sincerely,

A handwritten signature in black ink that reads "Jim Bohl".

Jim Bohl  
Alderman, 5th District

Enclosure



**Peterson, Todd**

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**From:** Bohl, James  
**Sent:** Tuesday, June 28, 2011 2:46 PM  
**To:** Peterson, Todd  
**Subject:** FW: 2900 N. 82nd St. Flooding

Please forward a hard copy of this email to all of our constituents on 82<sup>nd</sup> St who reported a flooding incident last week. They should include this with their claim made to the city. I will still have the discussion with Water Works to see if they might be willing to handle this without the claims process, but am uncertain if this is legal/possible. Folk's should still file the claim within 120 days of the incident. Thanks, jb

---

**From:** Daniels, Laura  
**Sent:** Tuesday, June 28, 2011 2:14 PM  
**To:** Bohl, James  
**Cc:** Brocks, Robert  
**Subject:** RE: 2900 N. 82nd St. Flooding

Alderman,

I am getting back to regarding your emails of today. I am working with Bob Brooks of Sewers about the ongoing sewer back up investigation in the 2900 block of N 82<sup>nd</sup> St.

What I can tell you thus far is that is that the Water Works did replace the hydrant at 2940 N 82<sup>nd</sup> Street on June 21, 2011. The hydrant which was originally installed with the water main in 1928, apparently had a 2" drain to the sewer. Not all hydrants of this vintage had drains and if they did, not all were connected to the sewer. However, when discovered these drains are to be disconnected and abandoned. The drain at this location was not visible or evident during the course of our excavating activities.

With that being said, Sewers is still investigating with dye tests and cameras to locate the possible cause of sewer backups in this area especially since they were reported to be ongoing annually since the 1990's.

Bob Brooks and I will keep you updated as soon as we know more.

Laura

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**From:** Bohl, James  
**Sent:** Tuesday, June 28, 2011 8:46 AM  
**To:** Daniels, Laura  
**Cc:** Peterson, Todd  
**Subject:** 2900 N. 82nd St. Flooding

Laura,

Have you any update for me on the basement flooding investigation that I requested regarding the alleged back-ups on this street due to fill from a fire hydrant installation getting into the sanitary sewer? I'd appreciate your sharing anything you find here. Thanks, jb

6/28/2011

**Peterson, Todd**

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**From:** Bohl, James  
**Sent:** Wednesday, June 22, 2011 3:11 PM  
**To:** Lewis, Carrie; Daniels, Laura; Peterson, Todd  
**Subject:** FW: enough  
Carrie/Laura,

With what was shared with me it would appear that there may be some culpability on the part of the Water Works for a faulty installation of a hydrant that lead to several basement backwaters on the 2900 block of N. 82<sup>nd</sup> St. I would like to request your investigation of this matter, with the additional request that if found to be true that the Water Works compensate residents fairly for any damage or loss due to basement flooding.

I'd appreciate hearing back from you on any findings. Thanks much, jb

---

**From:** Brooks, Robert  
**Sent:** Wednesday, June 22, 2011 2:59 PM  
**To:** Goldapp, Dave  
**Cc:** Daniels, Laura; Bohl, James; Aquino, Martin; Thur, Timothy  
**Subject:** FW: enough

Laura/Dave,

Below are our findings after we televised the city's main sewer in the 2900 block of North 82nd Street.

Bob - 3241

---

**From:** Rosolek, Mark  
**Sent:** Wed 6/22/2011 1:45 PM  
**To:** Brooks, Robert; Stewart, Anthony  
**Subject:** 2836 N 82nd St

Bob,

We will bulkhead the 2" weep hole in the MH @ 2936 N 82nd St ASAP. The sewer was clogged on 6/21/11 due to pea gravel coming thru the old hydrant drain. We will also have someone take a look @ the inlet. Ben Glatzel from the Water Dept. reports that the curb box was sinking even before they began their work. There were several backwaters in this block due to pea gravel from a water department hydrant installation. There is no problem with the city's main sewer.

Thanks,

Mark Rosolek  
City of Milwaukee  
Mark.Rosolek@milwaukee.gov  
414-286-3786


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**From:** Bohl, James  
**Sent:** Wed 6/22/2011 1:00 PM  
**To:** [REDACTED]

6/22/2011

They also handed all of us a sheet of paper asking us to fill it out and get it back to the City, along with photos of the mess. The crew stressed several times that it was the main sewer drain that was the issue. If so, that might explain why we have had yearly, and sometimes twice-yearly, basement backups. Since 1996 I and many neighbors on the block have had this problem *almost every year*.

What a horrible mess....but thanks for your note.

  
On Wed, Jun 22, 2011 at 8:41 AM, Bohl, James <[jbohl@milwaukee.gov](mailto:jbohl@milwaukee.gov)> wrote:  
Dan,

Sorry this happened to you.

The biggest problem is the laterals in the area homes that are now going on nearly 70 years old, are made of clay and have cracked significantly since the 50's where they were not cracked. The problem has been studied at numerous sites and has been confirmed that private properties with faulty laterals is the biggest single contributing factor. That is a fix that residents are required to make on their own dime, per code. Of course there are public main sources that are contributing as well.

I have been extremely active on this topic. I have pushed DPW for city mains being replaced in the larger area, including one on Locust where the work will be done this summer to improve flow for residents in the area. I also pushed for the city's one major demonstration pilot project to be in our area. I chaired the city's recently completed task force that will call for major city and MMSD assistance to homeowners to relieve the lateral problem and foundation drain problem (pre-1955 plumbing code for some dumb reason allowed foundation drains to drain into the sanitary sewer and this needs to be corrected as it also is allowing massive amounts of rainwater to overflow the sanitary sewer system). I've attached some articles that spell out part of the problem and some of my active roll on this issue.

In terms of get it done, this will take the active roll of the Mayor as well as my colleagues on the council. Task forces are advisory. Changes need the active leadership of the Mayor putting things in his budget along with the majority vote of the Council. My vote will be going in the proper places for proper fixes. I can only hope that others on the Council will join me.

Best, jb


<http://www.jsonline.com/news/opinion/103354104.html>

<http://city.milwaukee.gov/ImageLibrary/Groups/ccCouncil/2011-PDF/05-FloodingStudyTaskForcetoVot.pdf>

<http://city.milwaukee.gov/ImageLibrary/Groups/ccCouncil/2011-PDF/05-FloodingTaskForcercstocmte.pdf>

<http://www.jsonline.com/news/milwaukee/124167959.html>

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**From:**   
**Sent:** Tuesday, June 21, 2011 9:08 PM  
**To:** Bohl, James  
**Subject:** enough

Dear Jim:

Forgive me, Jim, but have had it with these floods in my basement.

6/22/2011

