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CITY OF
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Office of the City Attorney

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Assistant City Attorneys

July 1, 2020

Towne Terrace, LLC
c/o Richard J. Styza
P.O. Box 307
Oak Creek, WI 53154

RE: C.I. File No. 1029-2020-753
Communication from Towne Terrace, LLC

Dear Mr. Styza:

We have received your claim in the amount of \$566.26 from a loss on March 28, 2020.

The Infrastructure Services Division (ISD) records indicate that on March 28, 2020 Sewer Maintenance responded to a backwater call at 117 South 76th Street. They found that the City sanitary sewer was clogged with heavy grease. A Sewer Jet Vac was used to open the clog and restore the sewer to proper working order. On March 30, 2020 the sewer was televised and found to be in good condition but with heavy grease at the crossover. Subsequently, it was degreased. The ISD placed the sewer on a 6 month cleaning schedule. Their records also indicate that the sewer had been on a regular 3 year cleaning schedule and it was last cleaned, prior to this incident, on October 8, 2019. Because the sewer had been on a regular cleaning schedule and the City did not have notice of problems with the sewer, the City cannot be held liable. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the



Towne Terrace, LLC
c/o Richard J. Styza
July 1, 2020
Page Two

Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,



TEARMAN SPENCER
City Attorney

Steven M. Carini

STEVEN M. CARINI
Investigator Adjuster

SMC/cdr

c: Robert Brooks (Infrastructure)

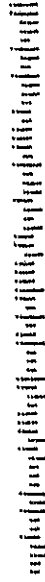
1029-2020-753/269110

U.S. POSTAGE AIRFREIGHT PERMIT NO. 5043
2P 53005 \$ 000.38⁹
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FIRST CLASS
PRESORTED

Towne Terrace, LLC
c/o Richard J. Styza
P.O. Box 307
Oak Creek, WI 53154



FAXXSSB 53154

CITY OF MILWAUKEE
Office of the City Attorney
OFFICE OF THE CITY ATTORNEY
800 City Hall
200 East Wells Street
Milwaukee, Wisconsin 53202-3551



TOWNE TERRACE, LLC

P.O. BOX 307

OAK CREEK, WI 53154

414-764-4040

Fax 414-764-4093

styza1@gmail.com

April 8, 2020

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

Re: 117-117A South 76th Street

Dear Madam/Sir,

On Saturday, March 28, around 7:30 PM, I received a phone call from one of my tenants who stated that water was backing up into their basement. As I had never had a problem there before (I built the building in 2003), I immediately called Roto-Rooter, who does a lot of work for me at other property locations, to try to minimize the damage to my furnaces, water heaters, washers and dryers and to my tenants belongings. Roto-Rooter called me back around 10:00 PM and said that the problem was with the city sewer in the road. I called my tenants back and the tenant who originally called me said that work had been done by the City of Milwaukee on the sewer in the past two weeks. I then called the City of Milwaukee phone number, explained what the tenant had told me, and they put me on a list for someone to come out and look at the problem. I received a call back from a very nice man from the City around 2:00 AM and he said that he had cleared the sewer and he left the 'Instructions For Filing A Claim Against The City Of Milwaukee' for me to pick up. My two maintenance people went there on Monday, March 30 to do clean-up work and to check out the furnaces, water heaters, washers and dryers to make sure they were okay and they were.

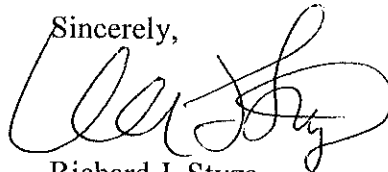
I am requesting the following to be reimbursed to Towne Terrace, LLC:

Roto-Rooter Service Charge	\$450.00
Seatiel Sanchez Wages (3 hours at \$22.00/hr + Soc/Sec & Medicare)	\$ 71.05
Noah Styza Wages (3 hours at \$14.00/hr + Soc/Sec & Medicare)	\$ 45.21
TOTAL REIMBURSEMENT DUE TOWNE TERRACE, LLC	\$566.26

I have not charged you for truck gas or unemployment insurance.

If you have any questions, please do not hesitate to contact me (my address, phone number and e-mail are above).

Sincerely,



Richard J. Styza
Member/Owner

Enclosures: Roto-Rooter bill; Seatiel Sanchez, Noah Styza time cards; basement pictures

Copy: files



OFFICE OF THE CITY CLERK
Milwaukee, Wisconsin

INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF MILWAUKEE

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

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

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

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

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

All information should be submitted to:

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

ADDITIONAL INFORMATION

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

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

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

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

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

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

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

WEEK 2

EMPLOYEE TIMESHEET

Name:

Kevin Sty

Pay Period:

Properties/Codes	Sun. Code	Hours	Mon. Code	Hours	Tue. Code	Hours	Wed. Code	Hours
Apartments:								
BT Brentwood	6:00		6:00		6:00		6:00	
FT-76 (Duplex)	6:30		6:30		6:30		6:30	
FT-76 (Duplex)	7:00		7:00		7:00		7:00	
FT-92 (Towne)	7:30		7:30		7:30		7:30	
	8:00		8:00		8:00		8:00	
	8:30		8:30 SA	1.30	8:30 EC	4.00	8:30	
Office Buildings:	9:00		9:00 TP	3.00	9:00		9:00 SA	7.30
W. Brentwood	9:30		9:30		9:30		9:30	
W. Brentwood	10:00		10:00		10:00		10:00	
W. Brentwood	10:30		10:30		10:30		10:30	
W. Brentwood	11:00		11:00		11:00		11:00	
W. Brentwood	11:30		11:30		11:30		11:30	
	Noon		Noon GE	3.00	Noon		Noon	
De Home Courts:	12:30		12:30		12:30		12:30	
W. Brentwood	1:00		1:00		1:00 RR	1.30	1:00	
W. Brentwood	1:30		1:30		1:30		1:30	
W. Brentwood	2:00		2:00		2:00		2:00	
W. Brentwood	2:30		2:30		2:30 SA	7.30	2:30	
	3:00		3:00		3:00		3:00	
Storage:	3:30		3:30 SA	1.30	3:30		3:30	
W. Brentwood	4:00		4:00		4:00		4:00	
W. Brentwood	4:30		4:30		4:30		4:30	
W. Brentwood	5:00		5:00		5:00		5:00	
W. Brentwood	5:30		5:30		5:30		5:30	
W. Brentwood	6:00		6:00		6:00		6:00	
	Total Hours:		Total Hours:	8	Total Hours:	8	Total Hours:	7.30

Handwritten notes and signatures on the right side of the page, including a large signature and some illegible text.

