



## Legislation Text

---

**File #: 981331, Version: 1**

---

981331  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution authorizing the cancellation of the Milwaukee Fire Department Invoice No. 45239 in the amount of \$202,000.00 billed to Performance Transport, Inc. and Charles Summers for the cost to replace a 1985 Pirsch fire engine totally damaged as a result of being struck by a 1997 Volvo semi-tractor, owned by Performance Transport, Inc. and driven by Charles Summers on June 20, 1997.

### -Analysis-

This resolution authorizes the cancellation of the Milwaukee Fire Department Invoice No. 45239 in the amount of \$202,000.00 billed to Performance Transport, Inc. and Charles Summers for the cost to replace a 1985 Pirsch fire engine totally damaged as a result of being struck by a 1997 Volvo semi-tractor, owned by Performance Transport, Inc. and driven by Charles Summers on June 20, 1997.

Whereas, On June 20, 1997 a 1997 Volvo semi-tractor driven by Charles Summers and owned by Performance Transport, Inc. was proceeding northbound on 6th Street, disregarded the red light and collided with a 1985 Pirsch fire engine which was proceeding westbound on West Brown Street, thereby causing total damage to the fire engine; and

Whereas, The Milwaukee Fire Department billed Invoice No. 45239 in the amount of \$262,000.00, representing the purchase price of a 1997 Emergency One Pumper, to replace the 1985 Pirsch fire engine totally damaged in the accident; and

Whereas, The value of the 1985 Pirsch fire engine at the time of loss on June 20, 1997 was \$68,000.00, less \$7,450.00 salvage value, for a value of \$60,550.00; and

Whereas, Great West Casualty Company, insurer for Performance Transport, Inc. has offered to settle Invoice No. 45239 in the amount of \$60,000.00; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee, that the Milwaukee Fire Department Invoice No. 45239 billed to Performance Transport, Inc., and Charles Summers in the amount of \$262,000.00 be and hereby is cancelled as to the amount of \$202,000.00 and that this resolution is a cancellation of property damage only as to Invoice No. 45239 for a 1985 Pirsch fire engine, code 330, and in no way affects the rights of the City of Milwaukee to pursue any non property damage claims, including but not limited to, workman's compensation claims and personal injury claims.

City Atty.  
BAT/lj  
17080

Date: January 11, 1999