

CLAIM FORM AND INFORMATION

Important Information: For the City of West Allis to consider your claim, you must follow the Wisconsin statutory procedure for filing a claim. Completing this form does not guarantee compliance with statutory procedure. City employees, including the City Attorney's Office, cannot give you legal advice or instructions on the statutory procedure. Any questions regarding claims should be directed to the City Attorney's Office at 414-302-8450.

NOTICE OF CLAIM

RECEIVED
MAR 12 2019
CITY OF WEST ALLIS
CITY CLERK

Name: Joshua Rodriguez Incident/Accident Information
Address: 7070 W Saturnia Dr Date: Jan 19 - 2019
Apt 72, Greendale WI 53220 Time: early morning
Phone: 414-391-1432 Place: 935 S 111 St

CIRCUMSTANCES OF CLAIM

In the space below briefly describe the circumstances of your claim. (Attach additional sheets, if necessary). Some helpful information may be the police report, pictures of the incident or damage, a diagram of the location, a list of injuries, a list of property damage, names and contact information for witnesses to the incident, and any other information relevant to the circumstances.

Show Plow got to close and ripped front end off. Neighbors heard it and sister called police for report.

includes a Scan Disk being sent to Attorney's office.

Signed: [Signature] Date: 3-12-19

CLAIM

NOTE: You are not required to make a claim at this time. As long as you have filed the above Notice of Claim you may file a claim with the City of West Allis at any time consistent with the applicable statute of limitations. However, no action will be taken by the City of West Allis to formally accept or deny your claim until the following information is provided:

The undersigned hereby makes a claim against the City of West Allis of arising out of the circumstances described above. The amount sought is: \$ 2315.23 (Please attach an itemized statement of damages sought including at least 2 estimates for repairs.)

Signed: [Signature] Date: 3-12-19
Address: 7070 W Saturnia Dr Apt 72

681559

APY'S Car's

ESTIMATE (VALID FOR 30 DAYS)

DATE 1/23/19	<input type="checkbox"/> SERVICE <input type="checkbox"/> INSTALL	<input type="checkbox"/> WILL CALL <input type="checkbox"/> DELIVER	PHONE
NAME Joshua Rodriguez	MAKE Nissan		MODEL Sentra
ADDRESS 935 S 111th St West allis WI 53214	SERIAL		
ITEM TO BE SERVICED		NATURE OF SERVICE REQUEST	

QTY.	PART #	DESCRIPTION OF PARTS OR MATERIALS	PRICE	AMOUNT
1	62022ZT517	Front Bumper	\$419.78	
1	62070ZT50A	Front Grill	\$204.50	
1	63842ZT50A	fender liner	\$91.84	
		Paint and Minor Body work	\$1,000.00	
		Installation Labor	\$600.00	
LABOR PERFORMED			TOTAL MATERIALS	\$1,624.28
Quote for Repairs			TAX	\$90.95
			TOTAL LABOR	\$600.00
			TOTAL AMOUNT	\$2,315.23

DATE WANTED	DEPOSIT Half \$1157.60	RECEIVED BY
ESTIMATES ARE FOR LABOR ONLY, MATERIAL ADDITIONAL. WE WILL NOT BE RESPONSIBLE FOR LOSS OR DAMAGE CAUSED BY FIRE, THEFT, TESTING, OR ANY OTHER CAUSES BEYOND OUR CONTROL.		
AUTHORIZED BY:		Repair Order ORIGINAL

adams 5084

09-11

TERMS - NET CASH
NO GOODS HOLD OVER 30 DAYS

1SL04SFB6J
19-002384

WISCONSIN MOTOR VEHICLE
CRASH REPORT

WEST ALLIS POLICE DEPARTMENT
11301 WEST LINCOLN AVENUE
WEST ALLIS, WI 53227
(414) 302-8000

1SL04SFB6J

Document Number Override		Primary Crash Document #		Agency Crash Number		Investigating Officer/Deputy OFFICER A. ZINGALE	
Crash Date 01/19/2019		Crash Time 11:02 AM		Date Arrived 01/19/2019		Time Arrived 11:08 AM	
Date Notified 01/19/2019		Time Notified 11:03 AM		Total Units 02		Total Injured 00	Total Killed 00
<input type="checkbox"/> On Emergency	<input type="checkbox"/> Hit and Run	<input type="checkbox"/> Lane Closure	<input type="checkbox"/> Work Zone	<input type="checkbox"/> Trailer or Towed	<input type="checkbox"/> Reporting Threshold		
<input type="checkbox"/> Government Property	<input type="checkbox"/> Active School Zone		School Bus Related NO	Tags SUPPLEMENTAL			
<input checked="" type="checkbox"/> Reportable	Crash Type DT4000 (STANDARD CRASH)			<input type="checkbox"/> Amended	<input type="checkbox"/> Secondary Crash		

Description

Diagram		Reconstruction By
		Photos By OFFICER ZINGALE
		Additional Information PHOTOS, BODY CAMERA VIDEO

I, a sworn law enforcement officer, agree that I have not added any CJIS data in this report.

UNIT #2 WAS LEGALLY PARKED IN FRONT OF 935 S. 111 ST. UNIT #1 WAS TRAVELLING S/B PAST UNIT #2 WHEN ITS PLOW BLADE STRUCK UNIT #2.

1SL04SFB6J
19-002384

WISCONSIN MOTOR VEHICLE
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WEST ALLIS POLICE DEPARTMENT
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WEST ALLIS, WI 53227
(414) 302-8000

Location

ON 935 S 111TH ST 326 FT S OF W WALKER ST (HOUSE/BUILDING 935) IN THE CITY OF WEST ALLIS IN MILWAUKEE COUNTY	Latitude 43.021131324	Longitude -88.051020739
	X Coordinate 414362.0625	Y Coordinate 4763697.5
	Structure Type HOUSE/BUILDING	

Crash Scene

First Harmful Event PARKED MOTOR VEHICLE	First Harmful Event Location ON ROADWAY	
Manner of Collision NO COLLISION W/VEHICLE IN TRANSPORT	Light Condition DAYLIGHT	
Road Surface Condition(s) SNOW	Roadway Factor(s) ROAD SURFACE CONDITION (WET, ICY, SNOW, SLUSH, ETC)	
Environment Factor(s) NONE		
Weather Condition(s) SNOW		
Animal Type	Relation To Trafficway TRAFFICWAY - ON ROAD	
Crash Classification - Location PUBLIC PROPERTY	Crash Classification - Jurisdiction NO SPECIAL JURISDICTION	
Tribal Land	Access Control NO CONTROL	Special Study
Within Interchange Area NO	Junction Location NON-JUNCTION	Intersection Type NOT AN INTERSECTION

Unit Summary

UNIT 01	Unit Status IN TRANSIT	Vehicle Operating As Classification B CLASS		Unit Type TRUCK		
	Vehicle Type STRAIGHT TRUCK (INSERT TRUCK)			Operating As Endorsements		
	Total Occs 1	Train/Bus # Recorded	Total # Citations Issued 0	Total Trailers 0	Total HazMat Types 0	
	Insurance? YES	Direction Of Travel SOUTHBOUND	<input type="checkbox"/> Pre Crash Tire Mark	Speed Limit 25	Total Lanes 2	
	Most Harmful Event: Collision With PARKED MOTOR VEHICLE		Special Function NO SPECIAL FUNCTION		Emergency Motor Vehicle Use NOT APPLICABLE	
	Traffic Way TWO-WAY, NOT DIVIDED		Traffic Control NO CONTROL		Traffic Control Inoperative/Missing NO	
	Surface Type CONCRETE		Road Curvature STRAIGHT		Road Grade LEVEL	
	Truck Bus or HazMat TRUCK OR TRUCK COMBINATION > 10,000LBS GVWR/GCWR					

UNIT VEHICLE 01	Vehicle				
	License Plate Number [REDACTED]	Plate Type MUN - MUNICIPAL	St WI	Country of Issuance UNITED STATES	
	Vehicle Identification Number [REDACTED]	Make PETERBILT MOTORS CO	Year 2007	Model UNKNOWN	
	Color WHI - WHITE	Body Style GG - GARBAGE OR REFUSE		Bus Use NOT A BUS	
	Initial Contact Point 12--FRONT	Vehicle Damage			
	Extent Of Damage NO DAMAGE	NO DAMAGE			

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CRASH REPORT

WEST ALLIS POLICE DEPARTMENT
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WEST ALLIS, WI 53227
(414) 302-8000

UNIT VEHICLE	Towed Due To Damage NOT TOWED		Vehicle Removed By OPERATOR	
	What Driver Was Doing GOING STRAIGHT		Vehicle Factors	
	Driver Prior Action Other		NOT APPLICABLE	
	Driver Actions FAILURE TO CONTROL			
01 01	Owner Name WEST ALLIS CITY (414) 302-8800		Owner Address 6300 W MCGEOCHN AVE WEST ALLIS, WI 53227 , US	
	Sequence Of Events			
01 02 03 04	Event PARKED MOTOR VEHICLE			
	Event			
	Event			
	Event			
UNIT	Policy Holder			
	Insurance Company CITIES-&-VILLAGES-MUTUAL-INS-CO		Government WEST ALLIS CITY	
UNIT INDIVIDUAL	Individual			
	Driver CHAD MICHAEL CLEVELAND (262) 573-3246		Citations Issued 0	Sex MALE
	Address 6300 W MCGEOCH AVE WEST ALLIS, WI 53219 , US		Date of Birth [REDACTED]	Race WHITE
			Driver License Number [REDACTED] STATE: WISCONSIN COUNTRY: UNITED STATES	
01 001	Safety Equipment		Safety Equipment	
	On Duty Crash WINTER-HWY-MAINTENANC		SHOULDER & LAP BELT	
	Seat Position 1--FRONT SEAT-LEFT SIDE (DRIVER/MOTORCY		Helmet Compliance	
	Helmet Use		Tint Compliance	
	Eye Protection		Airbag NOT APPLICABLE	
Injury		Injury Severity NO APPARENT INJURY		
Ejected NOT EJECTED		Ejection Path NOT EJECTED/NOT APPLICABLE		Trapped/Extricated NOT TRAPPED
Medical Transport NOT TRANSPORTED		EMS Agency Identifier		EMS Run #
Hospital		Date of Death		Time of Death
Distracted By		Distracted By Source UNKNOWN		
Distracted By Action UNKNOWN				

WISCONSIN MOTOR VEHICLE
CRASH REPORT

UNIT	INDIVIDUAL	Non Motorist		Striking Unit #	Location				
		Prior Action							
		Action							
		Action Other				To/From School			
01	001	Drug & Alcohol		Suspected Alcohol Use NO	Suspected Drug Use NO				
		Alcohol Test Given TEST NOT GIVEN	Alcohol Test Type	Alcohol Test Results					
		Drug Test Given TEST NOT GIVEN	Drug Test Type	Drug Test Results					
		Drug Type							
		Individual Condition NOT OBSERVED							
		Carrier							
01	01	<input checked="" type="checkbox"/> Use Vehicle Owner Same as Carrier			Source DRIVER				
		Name			Address				
		GVWR 10,001-26,000 LBS			Vehicle Configuration SINGLE UNIT TRUCK (3 OR MORE AXLES)		Cargo Body Type GARBAGE/REFUSE		
		US DOT #			Carrier Type		Permitted Load NOT APPLICABLE		
UNIT	TRUCK	BUS	<input type="checkbox"/> OS/OW Load		WI Permit Number	<input type="checkbox"/> Permitted Vehicle On Permitted Route	<input type="checkbox"/> Escort Vehicle Required By Permit	<input type="checkbox"/> Escort Vehicle Present	
			Measured Height		Measured Length		Measured Width		Measured Weight

Unit Summary

UNIT	02	Unit Status LEGALLY PARKED		Vehicle Operating As Classification D CLASS		Unit Type AUTOMOBILE							
		Vehicle Type PASSENGER CAR				Operating As Endorsements							
		Total Occs 0		Train/Bus # Recorded		Total # Citations Issued 0		Total Trailers 0		Total HazMat Types 0			
		Insurance? NOT APPLICABLE		Direction Of Travel SOUTHBOUND		<input type="checkbox"/> Pre Crash Tire Mark		Speed Limit 25		Total Lanes 2			
		Most Harmful Event: Collision With PARKED MOTOR VEHICLE				Special Function NO SPECIAL FUNCTION				Emergency Motor Vehicle Use NOT APPLICABLE			
		Traffic Way TWO-WAY, NOT DIVIDED				Traffic Control NO CONTROL				Traffic Control Inoperative/Missing NO			
		Surface Type CONCRETE				Road Curvature STRAIGHT				Road Grade LEVEL			

1SL04SFB6J

19-002384

WISCONSIN MOTOR VEHICLE CRASH REPORT

WEST ALLIS POLICE DEPARTMENT
11301 WEST LINCOLN AVENUE
WEST ALLIS, WI 53227
(414) 302-8000

Truck Bus or HazMat NO				
Vehicle				
02 UNIT VEHICLE 02	License Plate Number	Plate Type AUT - AUTOMOBILE	St WI	Country of Issuance UNITED STATES
	Vehicle Identification Number	Make NISSAN	Year 2010	Model SEN
	Color SIL - SILVER (ALUMINUM)	Body Style SD - SEDAN	Bus Use NOT A BUS	
	Initial Contact Point 11--LEFT FRONT CORNER	Vehicle Damage		
	Extent Of Damage FUNCTIONAL DAMAGE	11--LEFT FRONT CORNER, 12--FRONT		
	Towed Due To Damage NOT TOWED	Vehicle Removed By OWNER		
	What Driver Was Doing LEGALLY PARKED	Vehicle Factors		
	Driver Prior Action Other	NOT APPLICABLE		
	Driver Actions NO CONTRIBUTING ACTION			
	Owner Name JOSHUA T RODRIGUEZ (414) 391-1432	Owner Address 7070 W SOUTHRIDGE DR #2 GREENFIELD, WI 53220 , US		
Sequence Of Events				
01	Event MOTOR VEH IN TRANSPORT			
02	Event			
03	Event			
04	Event			

West Allis Police Department**Supplementary Report**

Incident Report Number: 19-002384	Incident Location: 935 S 111 St, West Allis, WI, 53214	Incident Date: 01/19/2019
New Incident:	Original CFS Code - 1: 7701	New CFS Code - 1 : New CFS Code - 2:

NAMES**Contact-1**

Schneider, Timothy P W/M [REDACTED] of 8530 W HARRISON AVE;WA, WEST ALLIS,WI,53227
 DOB: [REDACTED]
 HT: 601 WT: 190 Hair: Blonde or Strawberry
 Eyes: Blue Complexion: Medium
 Other Phone:(414) 801-8530

Contact-2

Miller, Robert L W/M [REDACTED] of 936 S 111 St, West Allis,WI,53214
 DOB: [REDACTED]
 Cell Phone:(920) 609-5464

Complainant

Rodriguez, Margarita J W/F [REDACTED] of 935 S 111 St, West Allis,WI,53214
 DOB: [REDACTED]
 Cell Phone:(414) 460-7002 Cell Phone:(414) 722-1763

Contact-3

Lund, Christina A W/F [REDACTED] of 1001 S 111 St, West Allis,WI,53214
 DOB: [REDACTED]
 Cell Phone:(414) 299-9790

Contact-4

Huske, Linda M W/F [REDACTED] of 10205 BROOKSIDE DR, HALES CORNERS,WI,53130
 DOB: [REDACTED]
 HT: 504 WT: 205
 Work Phone:(414) 302-8835

NARRATIVE

My axon body camera was on and recording during this incident. It is marked (municipal other).

RESPONSE

Reporting Officer(s): Zingale, Anthony	Payroll Number : 1856	Report Date: 01/22/2019
Reviewed by: Sohre, Christopher	Payroll Number : 1841	Copy To: Page: 1 Of 4

West Allis Police Department**Continuation**

Incident Report Number

19-002384

Incident Location:

935 S 111 St, West Allis, WI, 53214

Incident Date:

01/19/2019

Officer Zingale reports...

On 01/19/19 at 1102 hrs. I was dispatched to a motor vehicle accident in front of 935 S. 111 St. in the city of West Allis, county of Milwaukee, state of WI. 53214. Dispatch advised that a silver Nissan was parked on the street and it was struck by a city snow plow truck. Upon arrival, I observed a silver Nissan Altima 4dr Wi. Reg. ABW-4414 parked in front of this address. The front bumper cover was partially detached and resting on the ground.

SUMMARIZED CONTACT/MARGARITA RODRIGUEZ

Margarita stated to me that the car is owned by her brother (Joshua's Rodriguez) and that she is the one who called police to report the accident on his behalf. Margarita states she was advised by the neighbor to the south of her residence that Joshua's vehicle had been struck by a city snow plow. Margarita said she did not witness the accident. Margarita states in checking with some of her friends who had been over, she states her friends left her home on at approximately 0400 hrs. this morning. Margarita states her friends told her that the car was not damaged at that time.

SUMMARIZED CONTACT/CHRISTINA LUND

Lund told me that she was inside her home on 01/19/19 at 1001 S. 111 St. when she heard the city plow cleaning the street out front. She states the plow made several passes past her home. Lund said on one of the passes, she heard the plow make a loud noise like it struck something. Lund admits she did not witness the accident nor did she check on the sound, but she eventually noticed that Joshua's car had been struck. Lund estimated the accident occurred around 0800-0900 hrs. Lund states she spoke to another neighbor, Robert Miller and she claims that he also heard the accident. Lund said they contacted the alderman about the problem and then notified police.

INVESTIGATION CONT.

While waiting for a Streets/Sanitation Supervisor to show up, I drove the block to see if any residence had a camera on their property that may have captured the incident. I observed a ring door bell at 922 S. 111 St. facing the street. I made contact with the resident, Andrew Portis.

SUMMARIZED CONTACT/ANDREW PORTIS

Portis admits the camera does work, but he is not using the camera to record anything at this time. Portis said the camera went off too much due to the activity in front of his home, so he changed a setting to stop recording and giving him notifications.

Reporting Officer(s):

Zingale, Anthony

Payroll Number:

1856

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West Allis Police Department**Continuation**

Incident Report Number

Incident Location:

Incident Date:

19-002384

935 S 111 St, West Allis, WI, 53214

01/19/2019

SUMMARIZED CONTACT/ROBERT MILLER

Miller said he was home on 01/19/19 when the city plow was clearing the street. Miller reported he heard what sounded like a plow striking something. Miller said he did not witness the accident and he did not check to see what may have been hit. Miller said the plow had been by at approximately 0830 hrs. Miller also states he wife came home around 0930 hrs. and she did not observe anything either. Miller did say he is good friends with the alderman who lives near by. Miller confirmed that he and Lund notified the alderman about the concern.

INVESTIGATION CONT.

I took 8 photos of Joshua's vehicle. The first five photos are just overview photos documenting where Joshua's car was legally parked. Photo #6 shows the side of the Nissan where the city plow struck the car. Photo #7 depicts the impact point and it shows the front driver side tire was also struck causing the tire to break its seal to the rim, which in turn caused the tire to go flat. Photo #8 depicts the extent of the damage to the front bumper from the passenger side of the vehicle. The vehicle was not occupied at the time of he accident. I requested a city supervisor from DPW to respond to my location and I requested they bring the striking plow back to the accident location.

SUMMARIZED CONTACT/JOSHUA RODRIGUEZ

I spoke to Joshua by telephone. Joshua did wish to have an accident report placed on file. I describe the damage I observed to him on his vehicle. Joshua confirmed this damage was new.

SUMMARIZED CONTACT/TIMOTHY SCHNEIDER (STREETS AND SANITATION SUPERVISOR)

I explained to Schneider the type of accident report I was assigned to investigate. Schneider viewed the damage and he pointed out that there was yellow paint transfer at the point of impact on Joshua's vehicle which was consistent with a city plow striking Joshua's vehicle. Schneider also observed a fresh rub mark on the front tire. Upon further examination of the tire, you could see the tire was knocked off it's rim, which caused the tire to go flat.

The striking vehicle was a city garbage truck with a front end plow on it bearing Wi. municipal registration 70486. The plow blade number is 2346. Schneider and I compared the height of the blade in relation to the damage to Joshua's car. Schneider stated the blade appeared to be consistent with the damage to Joshua's vehicle and he reaffirmed that the city was most likely responsible for the accident. I advised Schneider that I agreed with that opinion.

Reporting Officer(s):

Zingale, Anthony

Payroll Number:

1856

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West Allis Police Department**Continuation**

Incident Report Number

19-002384

Incident Location:

935 S 111 St, West Allis, WI, 53214

Incident Date:

01/19/2019

Schneider and I looked at the city plow and there did not appear to be any damage to the city's vehicle. Schneider advised Chad Cleveland from Streets and Sanitation is the person who was operating the vehicle at the time of the crash. Schneider said their vehicles are equipped with GPS tracking and he said that Schneider unit had been down the street at the time the accident was believed to have taken place.

INVESTIGATION CONT

On 01/22/19 at approximately 0800 hrs. I met with Linda Huske from Streets and Sanitation (Safety and Training coordinator). She reported she was familiar with the accident and she provided me with Unit #816 vehicle activity report, which is the vehicle driven by Chad Cleveland. On this report, the vehicle activity indicates that Cleveland was on the street during snow plow operation at 0833 hrs. and 22 seconds and he drove past 935 S. 111 St where Joshua's car had been parked. The activity sheet is scanned into this report.

On 01/22/19, I made phone contact with Chad Cleveland. I explained my investigation to him. Cleveland told me that he was not aware he had struck anything while he was in the plow truck. Cleveland was not able to provide any further details about the accident.

Reporting Officer(s):

Zingale, Anthony

Payroll Number:

1856

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