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City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
2009-0002	Claim	Claim Report
Barbara M. Loeffler communication regarding vehicle damage allegedly sustained at S 68 St. and W. Lincoln Ave. on December 12, 2008.		
Introduced: 1/6/2009		Controlling Body: Administration & Finance Committee

COMMITTEE RECOMMENDATION

POF

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
FEB 17 2009			Barczak				
			Czaplewski				
			Kopplin	✓			
			Lajsic	✓			
		X	Narlock	✓			
			Reinke	✓			
			Roadt				
			Sengstock				
			Vitale	✓			
			Weigel				
		TOTAL		5			

SIGNATURE OF COMMITTEE MEMBER

Kurt Kopplin
 Chair Vice-Chair Member

COMMON COUNCIL ACTION

PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
FEB 17 2009			Barczak	✓			
			Czaplewski	✓			
			Kopplin	✓			
			Lajsic	✓			
			Narlock	✓			
			Reinke	✓			
			Roadt	✓			
			Sengstock	✓			
			Vitale	✓			
			Weigel	✓			
		TOTAL		10			



OFFICE OF THE CITY ATTORNEY

Scott E. Post
City Attorney

Sheryl L. Kuhary
Jeffrey J. Warchol
Jenna R. Merten
Assistant City Attorneys

February 2, 2009

Common Council
City of West Allis

RE: City Attorney's Report of Claim

Dear Council Members:

The enclosed claim has been referred to this office in accordance with Section 3.05 (8) of the Revised Municipal Code. This office has examined the facts of the claim and the applicable law. Our Opinion regarding liability is as follows:

It is the recommendation of this office that the following claim be paid and placed on file:

Barbara M. Loeffler– Amount \$974.90

This is a claim for property damage to the claimant's vehicle on December 12th, 2008, when a City of West Allis snowplow struck the claimant's vehicle while attempting to pass the claimant at or near the intersection of South 68th Street and West Lincoln Avenue in the City of West Allis, WI. At the time of the incident, the claimant was heading northeast on Beloit Road with the snowplow behind her. Upon a green signal at 68th Street and West Lincoln Avenue, the claimant proceeded forward, moved to the right and came to a stop to allow a pedestrian to legally cross the roadway when the snowplow sideswiped the claimant attempting to continue northeast on Beloit Road. The claimant obtained two estimates for repair and filed a claim against the City on December 19th, 2008.

Our investigation into this claim indicated that the operator of the City snowplow was primarily negligent for failing to have his vehicle under control when he attempted to pass the claimant. If there wasn't sufficient room to get by the claimant's vehicle due to built up snow from weather conditions, etc., the operator of the snowplow should have waited for the claimant to make her maneuver so that the snowplow operator's lane would be clear. The estimates provided by the claimant were reasonable given the nature of the damage and were provided by reputable auto repair facilities in the area. Based upon settlement guidelines, the City Attorney's Office paid the claim in the amount stated above and obtained a Release of All Claims signed by the claimant.

Based upon the above, it is the recommendation of the City Attorney's Office to place this claim on file.

Respectfully submitted,


Jeffrey J. Warchol
Assistant City Attorney

JJW:da

RELEASE OF ALL CLAIMS

FOR AND IN CONSIDERATION of the payment to me at this time of the sum of Nine Hundred Seventy-four and 90/100 Dollars (\$974.90), the receipt of which is hereby acknowledged, I, being of lawful age do hereby release, acquit, and forever discharge The City of West Allis, Wisconsin, A Municipal Corporation, Its Departments, Commissions, Officials, Agents and Employees, his, her, its or their successors and assigns and all other persons, firms or corporations who are or might be liable from any and all claims, demands, damages, costs, actions and causes of action of whatever kind or nature which I may now have or may hereafter have, on account of, or in any way growing out of, any and all known and unknown bodily injuries, personal injuries and property damage, whether developed or undeveloped, resulting or to result from an incident that occurred on or about December 12th, 2008, at the intersection of South 68th Street and West Lincoln Avenue, West Allis, Wisconsin, when Barbara Loeffler's vehicle was struck by a City of West Allis snowplow while attempting to pass Ms. Loeffler causing damage to the left rear door area. I hereby declare and represent that the injuries sustained are not permanent and in making this Release and Agreement it is understood and agreed that I rely wholly upon my own judgment, belief, and knowledge of the nature, extent and duration of said injuries, and that I have not been influenced to any extent whatever in making this Release by any representations or statements regarding said injuries, or regarding any other matters, made by the persons, firms or corporations who are hereby released, or by any person or persons representing him or them, or by any physician or surgeon by him or them employed.

It is further understood and agreed that this settlement is the compromise of doubtful and disputed claims and that the payment of said amount is not to be construed as an admission of liability upon the part of said persons, firms, or corporations released; liability being by it, him or them expressly denied.

It is further understood and agreed that this Release and payment pursuant thereto is not be construed as a waiver by or estoppel of any party released to prosecute a claim or action for any damages sustained.

This Release contains the ENTIRE AGREEMENT between the parties hereto, and the terms of this Release are contractual and not a mere recital.

I HAVE READ THE FOREGOING RELEASE AND FULLY UNDERSTAND IT. I FURTHER UNDERSTAND THAT I HAVE THE OPPORTUNITY TO DISCUSS AND NEGOTIATE THE TERMS OF THIS RELEASE WITH THE WEST ALLIS CITY ATTORNEY AND SPECIFICALLY WAIVE SUCH OPPORTUNITY.

Signed and sealed this 19 day of Jan., 2009.

Barbara M. Loeffler 1/19/09
Barbara M. Loeffler

Subscribed and sworn to before me
this 19th day of January, 2009.

Kristina Palmer
(Kristina Palmer)
Notary Public, State of Wisconsin
My Commission Expires 12/31/12
JJW:da
L:\jeff\claims\releases\Barbara Loeffler



CITY CLERK/TREASURER'S OFFICE
414/302-8200 or 414/302-8207 (Fax)
www.ci.west-allis.wi.us
Paul M. Ziehler
City Admin. Officer, Clerk/Treasurer
Monica Schultz
Assistant City Clerk
Rosemary West
Treasurer's Office Supervisor

December 19, 2008

Barbara M. Loeffler
2169 S. 64 St.
West Allis, WI 53219-1430

Dear Ms. Loeffler:

This letter acknowledges receipt of your communication regarding vehicle damage allegedly sustained at S. 68 St. and W. Lincoln Ave. on December 12, 2008.

The original document will be submitted to the Common Council at its meeting of January 6, 2009.

It is not anticipated that a decision regarding this matter will be made on this date. Generally, all communications are directed to the City Attorney's office for investigation. Common Council action regarding your communication will not be taken until the City Attorney's investigation is completed. Any questions you may have regarding this matter should be directed to their attention.

Sincerely,

Monica Schultz
Assistant City Clerk

/amn

cc: City Attorney

STATEMENT
Motor Vehicle Collision
December 12, 2008

On Friday, December 12, 2008, at approximately 12:15 PM, I was traveling North East on West Beloit Road in the curb side lane. Previous to vehicle movement I had stopped, pending an arterial Red, at the intersection of South 68th Street and West Lincoln Avenue. I subsequently noticed a yellow truck, also stopped, in the center lane a car length behind me.

Upon the Green signal light, and in the same lane, I proceeded across West Lincoln Avenue. As I approached the pedestrian cross walk, I slowed down due to a pedestrian walking in the roadway. The truck at this point, was behind me in the center passing lane. As I slowed down, the truck now physically close, passed me and continued traveling North East on West Beloit Road. When said truck was parallel my vehicle, I felt an impact that nudged my vehicle to the right.

Since the truck did not stop, I followed it to the City Yards on McGeoch Avenue and reported the incident at the Yard office. Pictures of the damage to my vehicle were taken and the West Allis Police department was notified.

Documentation (not to scale) and two separate vehicle repair estimates are attached. It is noted that these are **Visual Estimates**, and that **Unseen Damage** is Possible. Due to inclement weather a huge amount of repair work is being encountered by repair shops, and a long waiting time is anticipated. Since Metropolitan Cadillac was able to do the work immediately they were assigned as such.


Barbara M Loeffler
2169 So. 64th Street
West Allis WI 53219-1430
(414) 541-6676
12/17/2008

METROPOLITAN CADILLAC, INC.
 10221 WEST ARTHUR AVENUE
 WEST ALLIS, WI 53227
 PHONE: (414) 327-1400 FAX: (414) 546-5490

CD LOG NO 9180-1 DATE 12/12/08

SHOP: METROPOLITAN CADILLAC INSP DATE: 12/12/08
 CITY STATE: , WI CONTACT: DAN "BUD" TAORMINA
 OWNER: LOEFFLER, BARBARA HOME PHONE: (414) 541-6676
 ADDRESS: 2169 S 64TH ST.
 CITY STATE: WEST ALLIS, WI
 ZIP: 53219

POINT OF IMPACT: 7

LIC#: 711 DVW STATE: WI VIN: 1G6KD54Y4WU780163
 BODY COLOR: BEIGE MILEAGE: 63,628
 CONDITION: ACCTNG CTL#:
 PROD. DATE: 03/98 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

ESTIMATE FOR VISIBLE DAMAGE ONLY...ADDL DAMAGE POSSIBLE

1998 CADILLAC DE VILLE STD 4DOOR SEDAN 8CYL 4.6 NORTHSTAR
 CODE: T5333A/B OPTNS Y/24

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES

TWO-STAGE - INTERIOR SURFACES

OP	GDE	MC	DESCRIPTION	MFG. PART NO.	PRICE	AJ%	B%	HOURS	R
I	0287		DOOR SHELL, REAR	LT REPAIR				6.5	1
			INCLUDES TIME TO ADJUST						
L	0287	13	DOOR SHELL, REAR	LT REFINISH				3.4	4
				2.3 SURFACE					
				0.6 TWO STAGE SETUP					
				0.5 TWO STAGE					
RI	0339		MLDG, REAR DOOR SCAL	LT R&I ASSEMBLY				1.6	1
RI	0329		MLDG, REAR DOOR BELT	LT R&I ASSEMBLY				0.2	1
RI	0521		MLDG, REAR DOOR LOWE	LT R&I ASSEMBLY				0.4	1

RI0305	01	HANDLE,RR DOOR OUTE LT R&I ASSEMBLY			0.6	1
SBM06		PINSTRIPES-PAINTED	SUBLET REPAIR	95.00*		4*
I M14		CORROSION PROTECTION	REPAIR	*	0.3*4*	
ECM17		COVER CAR EXTERIOR	ECONOMY PART	10.00*		4*
SBM60		HAZARD. WSTE. REM.	SUBLET REPAIR	3.00*		1*
N		MASK JAMBS	ADDNL LABOR OPERA			0.4*1*

11 ITEMS

MC MESSAGE(S)
 01 CALL DEALER FOR EXACT PART NUMBER / PRICE
 13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

OTHER PARTS						10.00
PAINT MATERIAL						118.40
PARTS & MATERIAL TOTAL						128.40
TAX ON PARTS & MATERIAL @				5.600%		7.19
LABOR	RATE	REPLACE HRS	REPAIR HRS			
1-SHEET METAL	52.00	2.8	6.9			504.40
2-MECH/ELEC	90.00					
3-FRAME	52.00					
4-REFINISH	52.00	3.4	0.3			192.40
5-PAINT MATERIAL	32.00					
LABOR TOTAL						696.80
TAX ON LABOR		@		5.600%		39.02
SUBLET REPAIRS						98.00
TAX ON SUBLET		@		5.600%		5.49
TOWING						
STORAGE						
GROSS TOTAL						974.90
NET TOTAL						974.90

SHOPLINK U1486 ES CD LOG 9180-1 DATE 12/12/08 01:42:58PM R6.37 CD 11/08
 PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53227
 HOST LOG
 (C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

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

 THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE REPLACEMENT PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THE REPLACEMENT PARTS RATHER THAN BY THE MANUFACTURER OF YOUR MOTOR VEHICLE.

HEISER CHEVROLET
 COLLISION REPAIR AND REFINISHING
 10200 W. ARTHUR AVENUE
 WEST ALLIS, WI 53227
 OFFICE: 414-327-2300 FAX: 414-546-7877

CD LOG NO 7809-1 DATE 12/12/08

SHOP: HEISER CHEVROLET BODY SHOP	INSP DATE: 12/12/08
ADDRESS: 10200 WEST ARTHUR AVENUE	CONTACT: QUINN MIHALSKI
TAX ID# 39-1655466	PHONE 1: (414) 328-2453
CITY STATE: WEST ALLIS, WI	PHONE 2: (414) 327-2300 EXT 123
ZIP: 53227-	FAX: (414) 546-7877

OWNER: LOEFFLER, BARBARA	HOME PHONE: (414) 541-6676
ADDRESS: 2169 S 64TH ST	
CITY STATE: WEST ALLIS, WI	
ZIP: 53219	

POINT OF IMPACT: 0

LIC#: 711DVW	STATE: WI	VIN: 1G6KD54Y4WU780163	
BODY COLOR: GOLD		MILEAGE: 63,628	
CONDITION: GOOD		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

VISUAL ESTIMATE , UNSEEN DAMAGE POSSIBLE.

1998 CADILLAC DE VILLE STD 4DOOR SEDAN 8CYL 4.6 NORTHSTAR
 CODE: T5333A/B OPTNS Y/24

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES

TWO-STAGE - INTERIOR SURFACES

OP GDE	MC DESCRIPTION	MFG.PART NO.	PRICE	AJ% B%	HOURS R

I 0287	DOOR SHELL, REAR	LT REPAIR			6.5*1
L 0287 13	DOOR SHELL, REAR	LT REFINISH			3.4 4
		2.3 SURFACE			
		0.6 TWO STAGE SETUP			
		0.5 TWO STAGE			
RI0339	MLDG, REAR DOOR SCAL	LT R&I ASSEMBLY			1.6 1
RI0329	MLDG, REAR DOOR BELT	LT R&I ASSEMBLY			0.2 1
RI0521	MLDG, REAR DOOR LOWE	LT R&I ASSEMBLY			0.4 1
RI0307 01	PNL, INNER DOOR TRIM	LT R&I ASSEMBLY			INC 1

RI0305.01	HANDLE,RR DOOR OUTE LT	R&I ASSEMBLY		0.6	1
SBM06	PINSTRIPES-PAINTED	SUBLET REPAIR	95.00*		*4*
N M14	CORROSION PROTECTION	ADDNL LABOR OPERA	10.00*	0.3	*1*
N M17	COVER CAR EXTERIOR	ADDNL LABOR OPERA	5.00*		*4*
N	MASK JAMBS	ADDNL LABOR OPERA		0.4	*4*

11 ITEMS

MC MESSAGE(S)
 01 CALL DEALER FOR EXACT PART NUMBER / PRICE
 13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

OTHER PARTS		15.00
PAINT MATERIAL		121.60
PARTS & MATERIAL TOTAL		136.60
TAX ON PARTS & MATERIAL @	5.600%	7.65

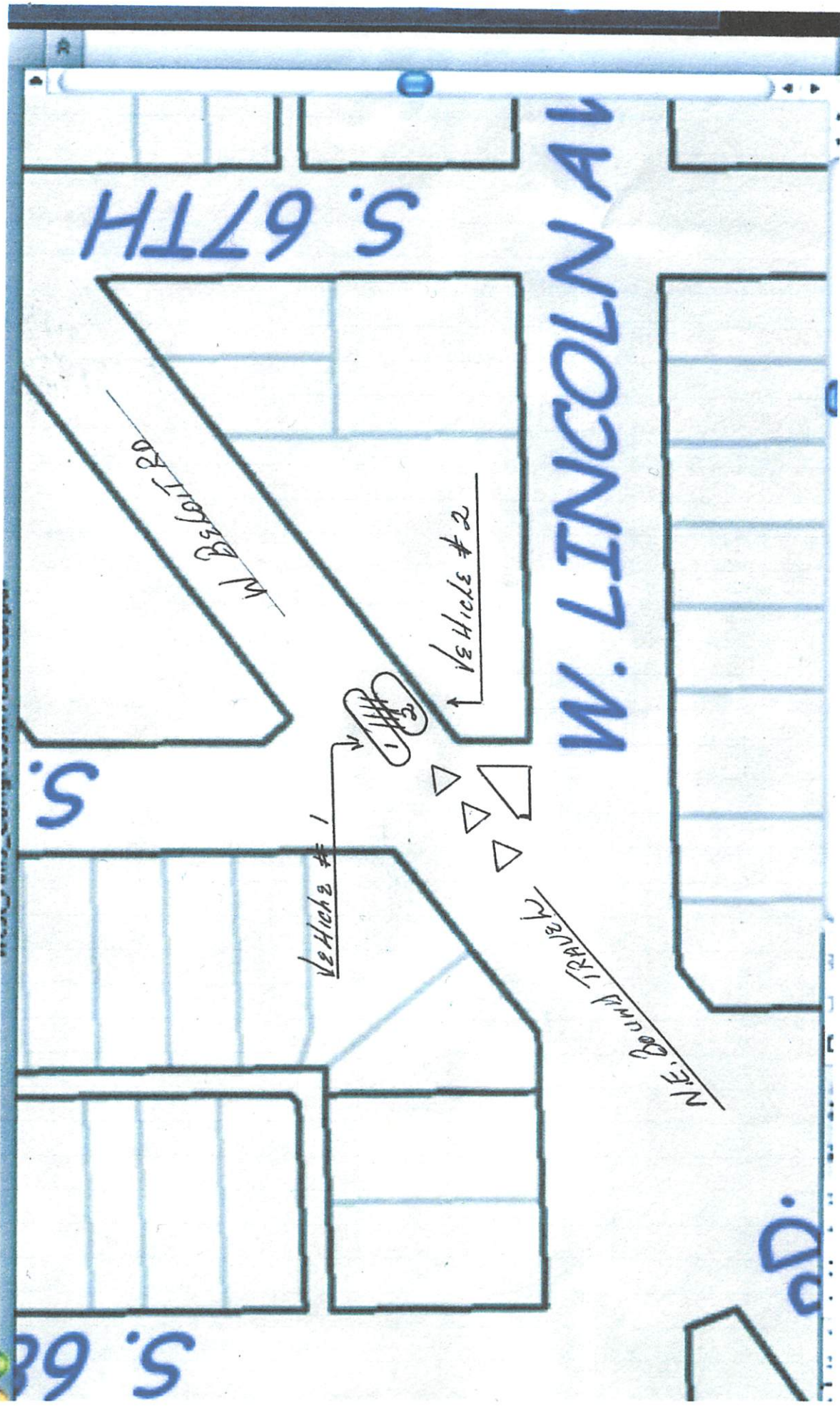
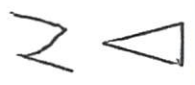
LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	52.00	2.8	6.8	499.20
2-MECH/ELEC	95.00			
3-FRAME	52.00			
4-REFINISH	52.00	3.4	0.4	197.60
5-PAINT MATERIAL	32.00			
LABOR TOTAL				696.80
TAX ON LABOR		@	5.600%	39.02
SUBLET REPAIRS				95.00
TAX ON SUBLET		@	5.600%	5.32
TOWING				
STORAGE				

GROSS TOTAL 980.39

NET TOTAL 980.39

SHOPLINK U4369 ES CD LOG 7809-1 DATE 12/12/08 02:01:36PM R6.37 CD 11/08
 PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53227
 HOST LOG
 (C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

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



12/12/2008 ATTACHMENT



Military Funeral Honors
 Jim Loeffler Post 0427
 2169 So 64th Street
 Milwaukee WI 53219-1439

MILWAUKEE WI 532

MILWAUKEE WI 532



Paul Ziehler, City Adm: Officer
 Clerk/Treasurer
 West Allis City Hall
 7525 W Greenfield Avenue
 West Allis WI 53214



For God and Country
Re: Motor Vehicle Incident

53214+4625



December 18, 2008

RECEIVED

DEC 8 12008

CITY OF WEST ALLIS
CLERK/TREASURER

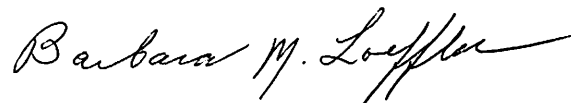
Paul Ziehler: City Administrative Officer:
Clerk/Treasurer
West Allis City Hall
7525 W Greenfield Avenue
West Allis WI 53214

Re: Sequel to letter Dated December 17, 2008
Motor Vehicle Incident: 12/12/08
Barbara M Loeffler

Be advised that the damage to my vehicle, a 1998/Cadillac/Deville/4DR Sedan, has been repaired by Metropolitan Motors Inc, 10221 W Arthur Avenue West Allis WI 53214. Note that this dealer had provided a written estimate and is the Dealer of my choice.

Per attached invoice No. CDCB 218158, I have paid-in-full the amount of \$974.90 (Nine Hundred seventy four & ninety cents) and the repaired vehicle has been released to me. Please re-imburse said amount.

Respectfully,



Barbara M Loeffler
2169 So. 64th Street
West Allis WI 53219-1430
(414) 541-6676
12/18/2008



METROPOLITAN MOTORS INC.

10221 W. Arthur Ave. • P.O. Box 27384
West Allis, Wisconsin 53227
(414) 327-1400
Fax (414) 546-5492
www.metropolitancadillacsaab.com



CUSTOMER NO. 20845		ADVISOR DANIEL TAORMINA	37616	TAG NO. 103	INVOICE DATE 12/17/08	INVOICE NO. CDCB218158	
JIM LOEFFLER 2169 S. 64TH STREET WEST ALLIS, WI 53219		LABOR RATE 50.00	LICENSE NO. 711-DVW	MILEAGE 63,637	COLOR GOLD/	STOCK NO.	
		YEAR / MAKE / MODEL 98/CADILLAC/DEVILLE/4DR SEDAN				DELIVERY DATE	DELIVERY MILES
		VEHICLE I.D. NO. 1 G 6 K D 5 4 Y 4 W U 7 8 0 1 6 3				SELLING DEALER NO.	PRODUCTION DATE
		F.T.E. NO.		P.O. NO.		R.O. DATE 12/15/08	
RESIDENCE PHONE 414-541-6676	BUSINESS PHONE	COMMENTS					

LABOR & PARTS		BODY PAINT OPERATION HOURS: TECH(S):30 48		791.80
J# 1 87CDZ	REPAIR REFINISH LEFT REAR DOOR DAMAGE			
JOB # 1 TOTAL LABOR & PARTS			791.80	
G.O.G. & SUPPLIES				
JOB # 1	1.0 PAINT MATERIALS	@ 131.400 /UNIT		131.40
TOTAL - GOG				131.40
ESTIMATE-----				
CUSTOMER HEREBY ACKNOWLEDGES RECEIVING				
ORIGINAL ESTIMATE OF \$974.90 (+TAX)				
TOTALS-----				

**	CASH []	CHECK#.....	CHARGE []	INS []
**	MASTER/VISA []	AMEX []	OTHER METHOD.....	
**	GM CARD []			
**				
			TOTAL LABOR....	791.80
			TOTAL PARTS....	0.00
			TOTAL SUBLET...	0.00
			TOTAL G.O.G....	131.40
			TOTAL MISC CHG.	0.00
			TOTAL MISC DISC	0.00
			TOTAL TAX.....	51.70
			TOTAL INVOICE \$	974.90

ON BEHALF OF SERVICING DEALER, I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS ACCURATE UNLESS OTHERWISE SHOWN. SERVICES DESCRIBED WERE PERFORMED AT NO CHARGE TO OWNER. THERE WAS NO INDICATION FROM THE APPEARANCE OF THE VEHICLE OR OTHERWISE, THAT ANY PART REPAIRED OR REPLACED UNDER THIS CLAIM HAD BEEN CONNECTED IN ANY WAY WITH ANY ACCIDENT, NEGLIGENCE OR MISUSE. RECORDS SUPPORTING THIS CLAIM ARE AVAILABLE FOR (1) YEAR FROM THE DATE OF PAYMENT NOTIFICATION AT THE SERVICING DEALER FOR INSPECTION BY MANUFACTURER'S REPRESENTATIVE.

SIGNED DEALER GENERAL MANAGER OR AUTHORIZED PERSON (DATE)

THE DEALER IS NOT A PARTY TO ANY MANUFACTURER'S WARRANTY ON PARTS OR SERVICE CONTAINED HEREIN. THE DEALER HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE WITH RESPECT TO ANY PARTS, LABOR OR DIAGNOSTIC SERVICES FURNISHED UNDER THIS ORDER.

CUSTOMER SIGNATURE

Check 5518

PAID
DEC 17 2008

SERVICE HOURS:
MONDAY-THURSDAY
7:30 A.M. - 6:00 P.M.
FRIDAY
7:30 A.M. - 5:00 P.M.

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 EPAIN7514E C0002151 Q (07/03)

DEL



OFFICE OF THE CITY ATTORNEY

Scott E. Post
City Attorney

Sheryl L. Kuhary
Jeffrey J. Warchol
Jenna R. Merten
Assistant City Attorneys

February 4, 2009

Common Council
City of West Allis

RE: City Attorney's Report of Claims/Lawsuits

Dear Council Members:

The enclosed claims/lawsuits have been referred to this office in accordance with Section 3.05(8) of the Revised Municipal Code. This office has examined the facts of each claim/lawsuit and the applicable law. Our Opinion regarding liability is attached to each claim/lawsuit.

The following claims/lawsuits have been paid and placed on file:

Terri Ratayczak/Mainline Sewer & Water Inc. (\$1,759.04)
Barbara M. Loeffler (\$974.90)
Timothy Higgins (\$141.50)

The following claims/lawsuits have been denied:

Jennifer Grieve (\$638.88)
Thomas R. O'Grosky (\$318.67)

Respectfully submitted,

Jeffrey J. Warchol
Assistant City Attorney

JJW:da
Enclosures

cc: Thomas E. Mann, CVMIC



City of West Allis

Referral Notice

Common Council

7525 W. Greenfield Ave.
West Allis, WI 53214

To: City Attorney
From: Common Council
Date: Tuesday, January 6, 2009

The following items are being referred to you for your review and response. Special instructions may follow each item. Please contact the City Clerk if you cannot respond by the due date listed.

2009-0002 Barbara M. Loeffler communication regarding vehicle damage allegedly sustained at S. 68 St. and W. Lincoln Ave. on December 12, 2008.

Due Date:
Instructions:

If there are any questions concerning this notice, please direct them to the CITY CLERK.