

A.  
27.



# City of West Allis Matter Summary

7525 W. Greenfield Ave.  
West Allis, WI 53214

File Number	Title	Status
2009-0431	Claim	Claim Report
Donald Wiedmann communication regarding vehicle damage allegedly sustained at South 105 and West Walker Streets on June 5, 2009.		
Introduced: 7/7/2009		Controlling Body: Administration & Finance Committee

**PLACE ON FILE**

### COMMITTEE RECOMMENDATION

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
SEP 01 2009			Barczak				
			Czaplewski				
			Kopplin	✓			
			Lajsic	✓			
	X		Narlock	✓			
			Reinke	✓			
			Roadt				
			Sengstock				
		X	Vitale	✓			
			Weigel				
			TOTAL	5			

### SIGNATURE OF COMMITTEE MEMBER

*[Signature]*  
 Chair \_\_\_\_\_ Vice-Chair \_\_\_\_\_ Member \_\_\_\_\_

### COMMON COUNCIL ACTION

**PLACE ON FILE**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
SEP 01 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

August 10, 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:**

**Donald Wiedmann – Amount \$1,918.12**

This is a claim for property damage to the claimant's vehicle on June 5<sup>th</sup>, 2009, when it was struck by a garbage truck operated by a City employee in the 1000 Block of South 105<sup>th</sup> Street, West Allis, WI. As a result of the accident, the claimant's passenger side rear door and bumper were damaged. The claimant obtained two estimates for repair and submitted a claim against the City on June 17<sup>th</sup>, 2009.

Our investigation of this claim indicated that the City employee was primarily at fault for failing to keep a proper look out and have his vehicle under control while moving his vehicle in a forward manner. The claimant tried to carefully maneuver around the refuse truck, which was stopped in the middle of the road to collect garbage when the truck pulled forward striking the claimant's vehicle. An independent witness standing in his yard verified the facts to have occurred as discovered in our investigation and stated by the claimant in his claim. Pursuant to settlement guidelines, the City Attorney's Office settled this claim in the amount stated above and obtained a Property Damage Only Release 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

**PROPERTY DAMAGE ONLY RELEASE**

KNOW ALL MEN BY THESE PRESENTS that DONALD WIEDMANN, for and in consideration of One Thousand Nine Hundred Eighteen and 12/100 Dollars (\$1,918.12 ) the receipt whereof is hereby acknowledged, do hereby forever release, acquit and 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 others directly or indirectly liable, from any and all claims and demands, actions and causes of action, damages, both known and unknown, including future developments thereof, costs, loss of service and compensation on account of, or in any way growing out of, any and all known and unknown property damage resulting or to result from an accident on or about June 5<sup>th</sup>, 2009, in the 1000 block of South 105<sup>th</sup> Street, when a City garbage truck, after being stopped in the middle of the street, began to move forward and did not see the vehicle being driven by Donald Wiedmann slowing attempting to pass it on the truck's left side resulting in contact between the garbage truck and Mr. Wiedmann's vehicle, causing damage to the passenger side rear door and bumper of Mr. Wiedmann's vehicle.

I agree that this settlement is in full compromise of a doubtful and disputed claim both as to the question of liability and damages and that the payment is not to be construed as an admission of liability.

I agree that this is a complete release of property damage only and it is understood and agreed that it doesn't constitute a release for any bodily injury resultant from this accident as there were no bodily injuries as a result of this accident.

I further agree that this release and payment pursuant thereto is not to be construed as a waiver by or an estoppel of any party released to prosecute a claim or action against the undersigned 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.

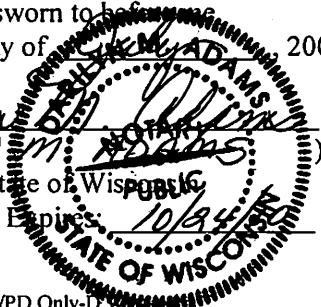
**I HAVE READ THE FOREGOING RELEASE AND FULLY UNDERSTAND IT. I FURTHER UNDERSTAND THAT I HAVE THE OPPORTUNITY TO DISCUSS AND NEGOTIATE THE TERMS OF THIS RELEASE WITH THE WEST ALLIS CITY ATTORNEY AND SPECIFICALLY WAIVE SUCH OPPORTUNITY.**

Signed and sealed this 31 day of July, 2009.

Donald Wiedmann  
Donald Wiedmann

Subscribed and sworn to before me  
this 31<sup>st</sup> day of July, 2009.

Darlyn M. Adams  
( DARLYN M. ADAMS )  
Notary Public, State of Wisconsin  
My Commission Expires 10/24/2011





CITY CLERK/TREASURER'S OFFICE  
414/302-8200 or 414/302-8207 (Fax)  
[www.ci.west-allis.wi.us](http://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*

June 18, 2009

Mr. Donald E. Wiedmann  
1213 S. 90 Street  
West Allis, WI 53214

Dear Mr. Wiedmann:

This letter acknowledges receipt of your communication regarding vehicle damage allegedly sustained at South 105 and West Walker Streets on June 5, 2009.

The original document will be submitted to the Common Council at its meeting of July 7, 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

/jl

cc: City Attorney



Clas 09 00 226 514 -

Down adjuster ~~Colleen~~ Colleen REILLY Inv Phone

WEST ALLIS POLICE DEPARTMENT  
DRIVER EXCHANGE AND INFORMATION SHEET

1-888-244-6163

EX 640 55

DATE: 6 / 15 / 09 TIME: ABOUT 9:20 - 9:30

LOCATION: \_\_\_\_\_

NAME: DONALD E. WIEDMANN

ADDRESS: 1213 S. 90 ST

CITY: WEST ALLIS ZIP: 53214

PHONE: (453) 1582

INSURANCE COMPANY NAME: \_\_\_\_\_

June 22, 2009

my Report of my accident on 6-05-09.

as the report indicated I was proceeding south and approaching the Garbage truck. I slowed down to 1-2 miles per hour and cautiously drove between a Parked Vehicle on my left and the Garbage truck on my right. I was not as close to the Garbage truck as indicated on the Police Photo. I saw his front end turning left but it was too late to prevent the contact. There was a Vehicle about 50-80 feet in front of the Garbage truck so he had to turn left to clear the Vehicle.

The driver told my wife it was his fault and apologized to her. He also told me

HE  
he was sorry and we then shook hands.  
I was upset but not angry as these  
unfortunate happenings occur daily.

Sincerely

Donald E. Waldmann  
Mary Waldmann  
126 S 90 St  
53014

RECEIVED  
JUN 17 2009  
CITY OF WEST ALLIS  
CLERK/TREASURER



POLICE # 09024602

ACCIDENT # A09060502

<input checked="" type="checkbox"/> Reportable Accident		<input type="checkbox"/> On Emergency		<input type="checkbox"/> Amended		DOT Document Number BRRVBM3		Document Override Number	
Agency Accident Number A09060502				Police Number 09024602					
4 - Accident Date 06/05/2009		5 - Time of Accident (Military Time) 0910		6 - Total Units 02		7 - Total Injured 00		8 - Total Killed 00	
2 - County MILWAUKEE - 40		3 - Municipality WEST ALLIS - 60, CITY				11 - Accident Location NON-INTERSECTION			
14 - On Hwy No.	14 - On Street Name 105TH ST S			14 - Bus/Frnt/Rmp		15 - Est. Dist 375	F/Mi F	15 - Hwy. Dir NORTH	
16 - Fr/At Hwy No.	16 - From/At Street Name WALKER ST W			16 - Business/Frontage/Ramp					
17 - Structure Type HOUSE #	17 - Structure Number 1011		12 - Latitude			13 - Longitude			
80 - First Harmful Event MOTOR VEHICLE IN TRANSPORT				93 - Manner of Collision SIDESWIPE, SAME DIRECTION					
112 - Access Control NO CONTROL		113 - Road Curvature STRAIGHT		113 - Road Terrain LEVEL/FLAT		Surface Type CONCRETE - 1			
115 - Traffic Way NOT-PHYSICALLY-DIVIDED-(2-WAY TRAFFIC)									
117 - Relation To Roadway ON-ROADWAY									
114 - Light Condition DAYLIGHT			116 - Road Surface Condition DRY			118 - Weather CLEAR			
<input type="checkbox"/> Hit and Run	<input type="checkbox"/> Government Property		<input type="checkbox"/> Fire	<input checked="" type="checkbox"/> Photos Taken		<input type="checkbox"/> Trailer or Towed.			
<input checked="" type="checkbox"/> Truck, Bus, or Hazardous Materials			<input type="checkbox"/> Load Spillage		<input type="checkbox"/> Construction Zone		<input checked="" type="checkbox"/> Names Exchanged		
101 <input checked="" type="checkbox"/> Supplemental Reports		102 <input checked="" type="checkbox"/> Witness Statements			103 <input type="checkbox"/> Measurements Taken		79 - E M S Number		

Operator/Pedestrian

Unit Status		81 - Most Harmful Event: Collision With MOTOR VEHICLE IN TRANSPORT			23 - Dir Of Travel SOUTH		24 - Speed Limit 25	
36 - Operating as Classified B CLASS		37 - Endorsements			35 <input checked="" type="checkbox"/> Operating Commercial Motor Vehicle			
29 - Driver's License Number B4527705425506			30 - State WI	31 - Expiration Year 2015	34 - On Duty Accident			
25 - Operator/Pedestrian Last Name BELLING				25 - First Name ROBERT		25 - Middle Initial J.	25 - Suffix	
32 - Date Of Birth 07/15/1954		33 - Sex MALE						
26 - Address Street & Number 3186 S 112 ST						26 - PO Box		
27 - City WEST ALLIS			27 - State WI	27 - Zip Code 53227		28 - Telephone Number (414) 321-6797 EXT.		
39 - Seat Position FRONT-SEAT-RIGHT-SIDE-(TRAIN ENGINEER)				40 - Safety Equipment NONE-USED-VEHICLE-DRIVER/OCCUPANT				
38 - Injury Severity N - NO APPARENT INJURY		41 - Airbag NOT APPLICABLE		42 - Ejected NOT-EJECTED		44 <input type="checkbox"/> Medical Transport		
43 - Trapped/Extricated NOT-TRAPPED		92 - Pedestrian Location		92 - Pedestrian Action				
119 - What Driver Was Doing GOING-STRAIGHT			120 - Traffic Control NO-CONTROL			62 - No. of Citations Issued 0		
64 - 1st Statute No.	64 - 2nd Statute No.	64 - 3rd Statute No.		64 - 4th Statute No.		64 - 5th Statute No.		
122 - Driver Factors NOT-APPLICABLE								
88 - Driver or Pedestrian Cond APPEARED NORMAL			89 - Substance Presence NEITHER-ALCOHOL-NOR-DRUGS-PRESENT					
90 - Alcohol Test TEST NOT GIVEN			90 - Alcohol Content		91 - Drug Test TEST-NOT-GIVEN			

OPERATOR/PEDESTRIAN 01

X  
/

MJS



91 - Drugs Reported
124 - Highway Factors VISIBILITY-OBSCURED

**Vehicle**

<b>VEHICLE 01</b>	21 - Unit Type <b>TRUCK</b>	Vehicle Type <b>STRAIGHT-TRUCK-(INSERT TRUCK)</b>				22 - Total Occupants <b>1</b>
	56 - License Plate Number <b>55825</b>	57 - Plate Type <b>MUN</b>	58 - State <b>WI</b>	59 - Exp Year <b>2010</b>	55 - Vehicle Identification Number <b>1NPZHD8X1YD712541</b>	
	50 - Year <b>2000</b>	51 - Make <b>PTRB</b>	52 - Model	53 - Body Style <b>TK</b>	54 - Color <b>YEL</b>	100 - Skidmarks to Impact (Ft) <b>0</b>
	94 - Vehicle Damage <b>FRONT DRIVER SIDE</b>					
	95 - Extent Of Damage <b>NONE</b>	96 <input type="checkbox"/> Vehicle Towed Due To Damage		97 - Vehicle Removed By <b>OPERATOR</b>		
	123 - Vehicle Factors <b>NOT-APPLICABLE</b>					

**Vehicle Owner**

<b>VEH OWNER 01</b>	45 <input type="checkbox"/> Vehicle Owner Same As Operator						
	46 - Vehicle Owner Last Name			46 - First Name		46 - Middle Initial	46 - Suffix
	46 - Company Name <b>CITY OF WEST ALLIS</b>						
	47 - Address Street & Number <b>7525 W GREENFIELD AVE</b>			47 - PO Box			
	48 - City <b>WEST ALLIS</b>		48 - State <b>WI</b>	48 - Zip Code <b>53214</b>		49 - Telephone Number <b>(414) 302-8200 EXT.</b>	

**Insurance**

<b>INS 01</b>	63 - Liability Insurance Company <b>CITIES-&amp;-VILLAGES-MUTUAL-INS-CO</b>				60 <input checked="" type="checkbox"/> Policy Holder Same As Owner	
	61 - Policy Holder Last Name			61 - Policy Holder First Name		
	61 - Policy Holder Company <b>CITY OF WEST ALLIS</b>					

**School Bus**

<b>BUS 01</b>	Bus Travelling to/from <input type="radio"/> To <input type="radio"/> From	School Name	Body Make	Seating Capacity
	School District Contracted With			

**Operator/Pedestrian**

Unit Status		81 - Most Harmful Event: Collision With <b>MOTOR VEHICLE IN TRANSPORT</b>		23 - Dir Of Travel <b>SOUTH</b>	24 - Speed Limit <b>25</b>	
36 - Operating as Classified <b>D CLASS</b>		37 - Endorsements		35 <input type="checkbox"/> Operating Commercial Motor Vehicle		
29 - Driver's License Number <b>W3551852109400</b>		30 - State <b>WI</b>	31 - Expiration Year <b>2016</b>	34 - On Duty Accident		
25 - Operator/Pedestrian Last Name <b>WIEDMANN</b>			25 - First Name <b>DONALD</b>		25 - Middle Initial <b>E</b>	25 - Suffix
32 - Date Of Birth <b>03/14/1921</b>		33 - Sex <b>MALE</b>				

OPERATOR/PEDESTRIAN 02	26 - Address Street & Number 1213 S 90 ST				26 - PO Box	
	27 - City WEST ALLIS		27 - State WI	27 - Zip Code 53214		28 - Telephone Number (414) 453-1582 EXT.
	39 - Seat Position FRONT-SEAT-LEFT-SIDE-(MC/BIKE DRIVER, TRAIN CONDUCTOR)			40 - Safety Equipment SHOULDER-BELT-AND-LAP-BELT-USED		
	38 - Injury Severity N - NO APPARENT INJURY		41 - Airbag NON-DEPLOYED	42 - Ejected NOT-EJECTED		44 <input type="checkbox"/> Medical Transport
	43 - Trapped/Extricated NOT-TRAPPED		92 - Pedestrian Location		92 - Pedestrian Action	
	119 - What Driver Was Doing GOING-STRAIGHT		120 - Traffic Control NO-CONTROL		62 - No. of Citations Issued 0	
	64 - 1st Statute No.	64 - 2nd Statute No.	64 - 3rd Statute No.	64 - 4th Statute No.		64 - 5th Statute No.
	122 - Driver Factors NOT-APPLICABLE					
	88 - Driver or Pedestrian Cond APPEARED NORMAL		89 - Substance Presence NEITHER-ALCOHOL-NOR-DRUGS-PRESENT			
	90 - Alcohol Test TEST NOT GIVEN		90 - Alcohol Content		91 - Drug Test TEST-NOT-GIVEN	
	91 - Drugs Reported					
	124 - Highway Factors NOT-APPLICABLE					

Vehicle

VEHICLE 02	21 - Unit Type AUTOMOBILE			Vehicle Type PASSENGER-CAR			22 - Total Occupants 2	
	56 - License Plate Number 348GAW		57 - Plate Type AUT	58 - State WI	59 - Exp Year 2009	55 - Vehicle Identification Number 1FAFP52S9WG162233		
	50 - Year 1998	51 - Make FORD	52 - Model TAURUS	53 - Body Style 4D		54 - Color GRN	100 - Skidmarks to Impact (Ft) 0	
	94 - Vehicle Damage MIDDLE PASSENGER SIDE, REAR PASSENGER SIDE							
	95 - Extent Of Damage MODERATE		96 <input type="checkbox"/> Vehicle Towed Due To Damage			97 - Vehicle Removed By OPERATOR		
	123 - Vehicle Factors NOT-APPLICABLE							

Vehicle Owner

VEH OWNER 02	45 <input checked="" type="checkbox"/> Vehicle Owner Same As Operator					
	46 - Vehicle Owner Last Name WIEDMANN		46 - First Name DONALD		46 - Middle Initial E	46 - Suffix
	46 - Company Name					
	47 - Address Street & Number 1213 S 90 ST			47 - PO Box		
	48 - City WEST ALLIS		48 - State WI	48 - Zip Code 53214		49 - Telephone Number (414) 453-1582 EXT.

Insurance

<b>INS 02</b>	63 - Liability Insurance Company <b>AIG-CENTENNIAL-INSURANCE-CO</b>		60 <input checked="" type="checkbox"/> <b>Policy Holder Same As Owner</b>
	61 - Policy Holder Last Name <b>WIEDMANN</b>	61 - Policy Holder First Name <b>DONALD</b>	
	61 - Policy Holder Company		

**School Bus**

<b>BUS 02</b>	Bus Travelling to/from <input type="radio"/> To <input type="radio"/> From	School Name	Body Make	Seating Capacity
	School District Contracted With			

**Occupant**

<b>OCCUPANT 01</b>	<input checked="" type="checkbox"/> <b>Address Same As Operator</b>			
	65 - Unit No <b>02</b>	66 - Occupant Last Name <b>WIEDMANN</b>	66 - First Name <b>MARY</b>	66 - Middle Initial <b>R</b>
	68 - Address Street & Number <b>1213 S 90 ST</b>		68 - PO Box	
	68 - City <b>WEST ALLIS</b>	68 - State <b>WI</b>	68 - Zip Code <b>53214</b>	
	67 - Date of Birth <b>09/01/1926</b>	69 - Sex <b>FEMALE</b>		
	71 - Seat Position <b>FRONT-SEAT-RIGHT-SIDE-(TRAIN ENGINEER)</b>		72 - Safety Equipment <b>SHOULDER-BELT-AND-LAP-BELT-USED</b>	
	70 - Injury Severity <b>N - NO APPARENT INJURY</b>	73 - Airbag <b>NON-DEPLOYED</b>	75 - Ejected <b>NOT-EJECTED</b>	77 <input type="checkbox"/> <b>Medical Transport</b>
	76 - Trapped/Extricated <b>NOT-TRAPPED</b>	78 - Agency Space		

**Diagram and Narrative**

<b>DIAGRAM AND NARRATIVE</b>	105 - PHOTOS BY
	<p style="text-align: right;">Drawings Not to Scale Measurements Are Approximate</p>
UNIT 1 WAS STOPPED IN THE STREET. UNIT 2 WAS SLOWLY PASSING STOPPED UNIT 1 ON THE LEFT. UNIT 1 BEGAN TO GO FORWARD AND UNIT 2 SCRAPED UP AGAINST UNIT 1.	

**Witness**



<b>WITNESS 01</b>	107 - Witness Last Name <b>BUCHMANN</b>	107 - First Name <b>KENNETH</b>	107 - Middle Initial <b>A</b>
	108 - Address Street & Number <b>8582 S 36 ST</b>		108 - PO Box
	109 - Date of Birth <b>04/02/1946</b>	110 - City <b>FRANKLIN</b>	111 - Telephone Number <b>(414) 828-3045 EXT.</b>
		State <b>WI</b>	110 - Zip Code <b>53132</b>

**Officer Information**

<b>OFFICER INFORMATION</b>	125 - Officer Last Name <b>FARRELL</b>	125 - First Name <b>MICHAEL</b>	125 - Middle Initial	131 - Officer ID <b>0158</b>
	129 - Law Enforcement Agency No. <b>4116</b>	130 - Law Enforcement Agency Name <b>WEST ALLIS POLICE DEPARTMENT</b>		
	126 - Law Enforcement Agency Address Street & Number <b>11301 WEST LINCOLN AVENUE</b>			
	127 - City <b>WEST ALLIS</b>	127 - State <b>WI</b>	127 - Zip Code <b>53227</b>	128 - Telephone Number <b>(414) 302-8000 EXT.</b>
	132 - Date Notified <b>06/05/2009</b>	133 - Time Notified (Military Time) <b>0914</b>	134 - Time Arrived (Military Time) <b>0919</b>	135 - Date Of Report <b>06/05/2009</b>
	Agency Accident Number <b>A09060502</b>	Police Number <b>09024602</b>	19 - Special Study	
	18 - Agency Space			

**Truck and Bus**

<b>TRUCK/BUS</b>	136 A truck or truck combination > 10,000 lbs <input checked="" type="checkbox"/> GVWR/GCWR		136 Any vehicle displaying a hazardous materials placard <input type="checkbox"/>			
	136 <input type="checkbox"/> A vehicle designed to carry 9 or more people, including the driver					
	136 <input type="checkbox"/> Fatal Injury	136 <input type="checkbox"/> Medical Transport	136 <input type="checkbox"/> Towed			
	Unit Number					
	137 - Hazardous Materials Class Numbers					
	137 - Hazardous Materials "UN" Nos.		Hazardous Material Placard Displayed <input type="checkbox"/>		Hazardous Cargo Was Released <input type="checkbox"/>	
	137 - Name Of Hazardous Materials in this Load			137 - Name Of Hazardous Materials Released		
	138 Interstate Carrier <input type="checkbox"/>	140 - US DOT No.	140 - ICC MC No.	LC No.	IC No.	141 - Source
	139 - Carrier Name					
	142 - Carrier Address			City	State	Zip Code
	143 - GVWR (Lbs)	144 - Total No. of Axles	145 - Vehicle Configuration		147 - Cargo Body Type	
	146 - First Event			146 - Second Event		
146 - Third Event			146 - Fourth Event			



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**Accident Investigation**

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Event #: **09024602**  
Date of Accident: **06/05/09** Time of Accident: **0910**  
Location: **1000 Block S. 105 St.**  
Investigating Officer(s): **MF0158** Assisting Officer(s): **None**  
  
Traffic Investigator: **MF0158 TI Michael Farrell**

**Investigation**

Officer Farrell reporting...

**Driver Statements:**

Unit 1...Robert Belling said he was stopped in the street as they were picking up garbage. He was operating the truck from the right side. He began to pull forward and did not see unit 2 passing him on the left and they made contact.

Unit 2...Donald Wiedmann said he was S/B on 105<sup>th</sup> Street. The garbage truck was stopped in the middle of the street. Donald tried to pass the truck at about 1 MPH when the truck suddenly began to go and they made contact.

**Witness Statements:**

Kenneth Buchmann was outside by his truck getting some tools when he saw the accident. He confirms that the garbage truck was stopped and the car was passing it very slowly when the truck pulled forward and they made contact.

WEST ALLIS AUTO BODY  
 8808 W. NATIONAL AVE.  
 WEST ALLIS, WISC 53227  
 PHONE: 414-327-4140 FAX: 414-327-0033

CD LOG NO 3610-1 DATE 06/10/09

SHOP:  
 CITY STATE: , WI

INSP DATE: 06/10/09  
 CONTACT: GLENN

OWNER: WIEDMANN, DONALD E.  
 ADDRESS: 1213 S 90TH ST  
 CITY STATE: WEST ALLIS, WI  
 ZIP: 53214

HOME PHONE: (414)453-1582

POINT OF IMPACT: 11

DAYS TO REPAIR: 5

LIC#:  
 BODY COLOR: DARK GREEN  
 CONDITION: GOOD

STATE:

VIN:  
 MILEAGE:  
 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

1998 FORD TAURUS SE 4DOOR SEDAN 6CYL GASOLINE 3.0  
 CODE: P3523F/C OPTNS B/24DO

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES  
 POWER DOOR LOCKS

TWO-STAGE - INTERIOR SURFACES  
 CRUISE CONTROL

OP	GDE	MC	DESCRIPTION	MFG.PART NO.	PRICE	AJ%	B%	HOURS	R
I	0288		DOOR SHELL, REAR	RT REPAIR				9.0	*1
L	0288		DOOR SHELL, REAR	RT REFINISH				2.4	4
RI	0339		MLDG, REAR DOOR BELT	RT R&I ASSEMBLY				0.2	1
I	0260		MLDG, REAR DOOR SIDE	RT REPAIR				0.2	*1
RI	0260	01	MLDG, REAR DOOR SIDE	RT R&I ASSEMBLY				0.3	1
L	0260	13	MLDG, REAR DOOR SIDE	RT REFINISH				1.1	4
RI	0306	#	HANDLE, RR DOOR OUTE	RT R&I ASSEMBLY				0.6	1
			# = 01, 02						
I	0390		PANEL, QUARTER	RT REPAIR				12.0	*1
L	0390		PANEL, QUARTER	RT REFINISH				2.5	4



1998 FORD TAURUS SE 4DOOR SEDAN  
CD LOG NO 3610-1

L 0397	DOOR, FUEL FILLER	RT REFINISH		0.4	4
RI0534	TAILLAMP ASSEMBLY	RT R&I ASSEMBLY		0.7	1
N 0566	REAR BUMPER COVER R&I	ADDNL LABOR OPERA		1.4	1
ECM14	CORROSION PROTECTION	ECONOMY PART	5.00*		4*
ECM17	COVER CAR EXTERIOR	ECONOMY PART	5.00*		*4*

14 ITEMS

MC MESSAGE(S)

01 CALL DEALER FOR EXACT PART NUMBER / PRICE  
02 PART NO. DISCONTINUED, CALL DEALER FOR EXACT PART NO  
13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

OTHER PARTS		10.00
PAINT MATERIAL		332.80
PARTS & MATERIAL TOTAL		342.80
TAX ON PARTS & MATERIAL @	5.600%	19.20

LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	52.00	1.8	22.6	1,268.80
2-MECH/ELEC	65.00			
3-FRAME	52.00			
4-REFINISH	32.00	6.4		204.80
5-PAINT MATERIAL	52.00			
LABOR TOTAL				1,473.60
TAX ON LABOR @			5.600%	82.52
SUBLET REPAIRS				
TOWING				
STORAGE				

GROSS TOTAL 1,918.12

NET TOTAL 1,918.12

SHOPLINK U5370 ES CD LOG 3610-1 DATE 06/10/09 12:47:05AM R6.37 CD 05/09

PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53227

HOST LOG

(C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

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

- 
1. ALL PARTS PRICES SUBJECT TO CHANGE.
  2. ALL WORK GUARANTEED FOR ONE YEAR FROM THE DATE OF COMPLETED REPAIRS
  3. PAYMENT IF FULL (INCLUDING DEDUCTIBLE) IS REQUIRED BEFORE THE VEHICLE WILL BE RELEASED.
  4. IF INSURANCE COMPANY ESTIMATES YOUR VEHICLE, WE HAVE TO FOLLOW INSURANCE CO. ESTIMATE, HIGHER OR LOWER. OUR ESTIMATE BECOMES NULL & VOID.
  5. PLEASE PROCEED WITH REPAIRS, BUT CALL ME BEFORE CONTINUING, IF THE PRICE WILL EXCEED THIS ESTIMATE. I HAVE READ AND UNDERSTAND THE ABOVE

1998 FORD TAURUS SE 4DOOR SEDAN  
CD LOG NO 3610-1

STATEMENTS, AND I AUTHORIZE REPAIRS TO MY VEHICLE.

\*  
\*

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

## Estimate Totals

I. Labor Subtotals	Units	Rate	Add'l Labor Amount	Sublet Amount	Totals	II. Part Replacement Summary	Amount
Body	23.4	52.00	0.00	0.00	1,216.80 T	Taxable Parts	509.84
Refinish	12.3	52.00	0.00	0.00	639.60 T	Parts Adjustments	112.50
						Sales Tax @ 5.600%	34.85
					1,856.40	Total Replacement Parts Amount	657.19
					103.96		
Labor Summary	35.7				1,960.36		
III. Additional Costs					Amount	IV. Adjustments	Amount
Taxable Costs					396.60	Customer Responsibility	0.00
Sales Tax					22.21		
Total Additional Costs					418.81		
						I. Total Labor:	1,960.36
						II. Total Replacement Parts:	657.19
						III. Total Additional Costs:	418.81
						Gross Total:	3,036.36
						IV. Total Adjustments:	0.00
						Net Total:	3,036.36

**This is a preliminary estimate.**  
**Additional changes to the estimate may be required for the actual repair.**





OFFICE OF THE CITY ATTORNEY

Scott E. Post  
City Attorney

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

August 17, 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.

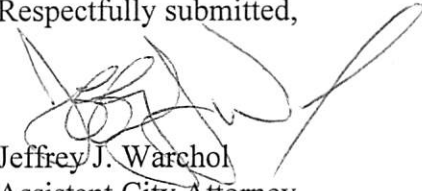
**The following claims/lawsuits have been paid and placed on file:**

Donald Wiedmann (\$1,918.12)

**The following claims/lawsuits have been denied:**

Lisa Yancey (\$Unknown Amount)  
American Family Insurance on Behalf of Lavern D. Plopper (\$4,866.07)  
Scott and Sandra Blaha (\$14,000.00)

Respectfully submitted,

  
Jeffrey J. Warchol  
Assistant City Attorney

JJW:da  
Enclosures

cc: Thomas E. Mann, CVMIC