

17.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
2009-0070	Claim	Claim Report
Nicholas Yets communication regarding vehicle damage allegedly sustained at 1722 S. 73 St. on January 9, 2009.		
Introduced: 2/3/2009		Controlling Body: Administration & Finance Committee

COMMITTEE RECOMMENDATION

RF

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

**STANDING COMMITTEES OF THE
CITY OF WEST ALLIS COMMON COUNCIL**

ADMINISTRATION & FINANCE

Chair: Kurt E. Kopplin
Vice-Chair: Vincent Vitale
Thomas G. Lajsic
Richard F. Narlock
Rosalie L. Reinke

PUBLIC WORKS

Chair: Gary T. Barczak
Vice-Chair: Martin J. Weigel
Michael J. Czaplewski
Daniel J. Roadt
James W. Sengstock

SAFETY & DEVELOPMENT

Chair: Thomas G. Lajsic
Vice-Chair: Richard F. Narlock
Kurt E. Kopplin
Rosalie L. Reinke
Vincent Vitale

LICENSE & HEALTH

Chair: Michael J. Czaplewski
Vice-Chair: James W. Sengstock
Gary T. Barczak
Daniel J. Roadt
Martin J. Weigel

ADVISORY

Chair: Rosalie L. Reinke
Vice-Chair: Daniel J. Roadt
Kurt E. Kopplin
Richard F. Narlock
Vincent Vitale



OFFICE OF THE CITY ATTORNEY

Scott E. Post
City Attorney

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

March 9, 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:

Nicholas Yets— Amount \$1,024.21

This is a claim for property damages to the claimant's vehicle on January 9th, 2009, when it was struck, while unoccupied and legally parked, by a City of West Allis police officer while backing up a squad car in front 1722 South 73rd Street in the City of West Allis, WI. As a result of the accident, the driver's side door and front fender of the claimant's vehicle was damaged. The claimant obtained estimates for repair and filed a claim against the City on January 21st, 2009.

This claim was investigated by Deputy Chief of Police, Jerry Ponzi, who found that the police officer was negligent by failing to keep a proper look out while backing up the police vehicle. Based on the available information, the City Attorney's Office concurred with Deputy Chief Ponzi's conclusions regarding negligence in this case. The estimates for repair provided by the claimant were reasonable given the nature of the damages. Pursuant to settlement guidelines, the City Attorney's Office paid 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 NICHOLAS YETS, for and in consideration of One Thousand Twenty-four and 21/100 Dollars (\$1,024.21) 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 January 9th, 2009, when a West Allis Police Officer, while backing up her squad car, struck a legally parked unoccupied vehicle owned by Nicholas Yets in front of 1722 South 73rd Street, West Allis, WI, causing damage to the driver's door and front fender of Mr. Yets' 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.

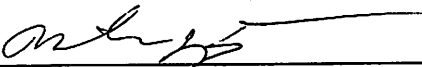
I agree that this is a complete release of property damage only and it is understood and agreed that it doesn't constitute a release for any bodily injury resultant from this accident as there were no bodily injuries as a result of this accident.

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.

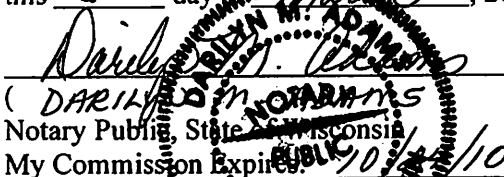
I HAVE READ THE FOREGOING RELEASE AND FULLY UNDERSTAND IT. I FURTHER UNDERSTAND THAT I HAVE THE OPPORTUNITY TO DISCUSS AND NEGOTIATE THE TERMS OF THIS RELEASE WITH THE WEST ALLIS CITY ATTORNEY AND SPECIFICALLY WAIVE SUCH OPPORTUNITY.

Signed and sealed this 6th day of March, 2009.



Nicholas Yets

Subscribed and sworn to before me this 6th day of March, 2009.


(Darilyn M. Adams)
Notary Public, State of Wisconsin
My Commission Expires 10/10



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

January 28, 2009

Mr. Nicholas Yets
1545 S. Coachlight Dr., Apt. #20
New Berlin, WI 53151

Dear Mr. Yets:

This letter acknowledges receipt of your communication regarding vehicle damage allegedly sustained at 1722 S. 73 St. on January 9, 2009.

The original document will be submitted to the Common Council at its meeting of February 3, 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



990109133 Photo0288_0004

Walgreens <4> 01/21/09



990109133 Photo0287_0003


Walgreens <3> 01/21/09



990109133 Photo0289_0005

walgreens <5> 01/21/09





398189133 Photo0290_0007

Walereens <7> 01/21/09

To whom it may concern,

RECEIVED

JAN 21 2009

CITY OF WEST ALLIS
CLERK/TREASURER

My vehicle was involved in an accident with a police car on January 9th 2009 at about 2:30 am. The police car backed up into the drivers side door of my parked vehicle. The car was parked at my brothers place when the accident happened on 73rd street just south of National Avenue. The police officer was backing out of an alley at the time and backed into the car. There is a large dent in the door and the window will not go down all the way. I believe the police took some pictures and I did to but haven't developed them yet. An accident report was made and I obtained a copy. The report # is A09010901. Also my car is a 1993 buick LeSabre, License plate # 304LWE.

-Nicholas Yets



1545 S. Coachlight Dr. Apt #20

New Berlin WI 53151

CC: AHy

Phone - (414) 469-9391

BRS287B

copies made

PK2007

POLICE # 09001122

ACCIDENT # A09010901

<input type="checkbox"/> Reportable Accident Agency Accident Number: A09010901		<input type="checkbox"/> On Emergency Amended: <input type="checkbox"/> BRS287B DOT Document Number: BRS287B Document Override Number:	
4 - Accident Date: 01/09/2009 5 - Time of Accident (Military Time): 0232 6 - Total Units: 02 7 - Total Injured: 00 8 - Total Killed: 00		11 - Accident Location: NON-INTERSECTION	
2 - County: MILWAUKEE - 40 3 - Municipality: WEST ALLIS - 60, CITY		14 - On Hwy No.: 73 ST S 14 - Bus/Frm/Rmp: 100 15 - Hwy Dir: SOUTH 15 - Est. Dist: F	
16 - From/Al Hwy No.: NATIONAL AVE W 16 - From/Al Street Name:		12 - Latitude: - 13 - Longitude:	
17 - Structure Type: HOUSE # 1722 17 - Structure Number:		80 - First Harmful Event: NO COLLISION WITH MOTOR VEHICLE IN TRANSPORT 93 - Manner of Collision:	
112 - Access Control: NO CONTROL 113 - Road Curvature: STRAIGHT 113 - Road Terrain: LEVEL/FLAT Surface Type: BLACKTOP (BITUMINOUS) - 2		115 - Traffic Way: NOT-PHYSICALLY-DIVIDED-(2-WAY TRAFFIC) 117 - Relation To Roadway: ON-ROADWAY	
114 - Light Condition: DARK-LIGHTED 116 - Road Surface Condition: WET 118 - Weather: CLOUDY		9 - Hit and Run: <input type="checkbox"/> 9 - Government Property: <input type="checkbox"/> 9 - Photos Taken: <input checked="" type="checkbox"/> 9 - Trailer or Towed: <input type="checkbox"/>	
9 - Truck, Bus, or Hazardous Materials: <input type="checkbox"/> 9 - Load Spillage: <input type="checkbox"/> 9 - Construction Zone: <input type="checkbox"/> 9 - Names Exchanged: <input checked="" type="checkbox"/>		101 - Supplemental Reports: <input checked="" type="checkbox"/> 102 - Witness Statements: <input type="checkbox"/> 103 - Measurements Taken: <input type="checkbox"/> 79 - E M S Number:	

GENERAL INFORMATION

Unit Status		81 - Most Harmful Event: Collision With PARKED MOTOR VEHICLE		23 - Dir Of Travel: EAST		24 - Speed Limit: 25	
36 - Operating as Classified		37 - Endorsements		35 - <input type="checkbox"/> Operating Commercial Motor Vehicle		D CLASS	
29 - Driver's License Number: K4001067766907		30 - State: WI		31 - Expiration Year: 2016		34 - On Duty Accident: POLICE	
25 - Operator/Pedestrian Last Name: KIELLEY				25 - First Name: CARRIE		25 - Middle Initial: F	
32 - Date Of Birth: 05/09/1977		33 - Sex: FEMALE		26 - Address Street & Number: 11301 W LINCOLN AVE			
27 - City: WEST ALLIS		27 - State: WI		27 - Zip Code: 53227		28 - Telephone Number: (414) 302-8000 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: BACKING-MANEUVER		120 - Traffic Control: NO-CONTROL		62 - No. of Citations Issued: 0			
64 - 1st Stature No.		64 - 2nd Stature No.		64 - 3rd Stature No.		64 - 4th Stature No.	
64 - 5th Stature No.		122 - Driver Factors: UNSAFE-BACKING					
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

MJS

OPERATOR/PEDESTRIAN 02

26 - Address Street & Number				26 - PO Box	
27 - City		27 - State	27 - Zip Code		28 - Telephone Number
39 - Seat Position BLANK				40 - Safety Equipment NOT-APPLICABLE-NONMOTORIST	
38 - Injury Severity		41 - Airbag NOT APPLICABLE	42 - Ejected NOT-APPLICABLE		44 <input type="checkbox"/> Medical Transport
43 - Trapped/Extricated NOT-APPLICABLE		92 - Pedestrian Location		92 - Pedestrian Action	
119 - What Driver Was Doing LEGALLY-PARKED			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			89 - Substance Presence		
90 - Alcohol Test		90 - Alcohol Content		91 - Drug Test	
91 - Drugs Reported					
124 - Highway Factors SNOW,-ICE,-OR-WET					

Vehicle

21 - Unit Type AUTOMOBILE				Vehicle Type PASSENGER-CAR		22 - Total Occupants 0
56 - License Plate Number 304LWE		57 - Plate Type AUT	58 - State WI	59 - Exp Year 2009	55 - Vehicle Identification Number 1G4HR53L2PH434813	
50 - Year 1993	51 - Make BUIC	52 - Model LESABRE	53 - Body Style 4D		54 - Color WHI	100 - Skidmarks to Impact (Ft) 0
94 - Vehicle Damage MIDDLE DRIVER SIDE						
95 - Extent Of Damage MODERATE		96 <input type="checkbox"/> Vehicle Towed Due To Damage			97 - Vehicle Removed By OWNER	
123 - Vehicle Factors NOT-APPLICABLE						

Vehicle Owner

45 <input type="checkbox"/> Vehicle Owner Same As Operator				
46 - Vehicle Owner Last Name YETS		46 - First Name NICHOLAS	46 - Middle Initial D	46 - Suffix
46 - Company Name				
47 - Address Street & Number 1545 S COACHLIGHT DR #20			47 - PO Box	
48 - City NEW BERLIN		48 - State WI	48 - Zip Code 53151	49 - Telephone Number (414) 469-9391 EXT.

Insurance

PK2007

INS 02	63 - Liability Insurance Company NOT-REQUIRED		60 <input type="checkbox"/> Policy Holder Same As Owner
	61 - Policy Holder Last Name	61 - Policy Holder First Name	
	61 - Policy Holder Company		

School Bus

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

Occupant

OCCUPANT 01	<input checked="" type="checkbox"/> Address Same As Operator			
	65 - Unit No 01	66 - Occupant Last Name BEYER	66 - First Name BRIAN	66 - Middle Initial P
	68 - Address Street & Number 11301 W LINCOLN AVE		68 - PO Box	
	68 - City WEST ALLIS	68 - State WI	68 - Zip Code 53227	
	67 - Date of Birth 08/22/1975	69 - Sex MALE		
	71 - Seat Position FRONT-SEAT-RIGHT-SIDE-(TRAIN ENGINEER)		72 - Safety Equipment SHOULDER-BELT-AND-LAP-BELT-USED	
	70 - Injury Severity N - NO APPARENT INJURY	73 - Airbag NON-DEPLOYED	75 - Ejected NOT-EJECTED	<input type="checkbox"/> 77 Medical Transport
	76 - Trapped/Extricated NOT-TRAPPED	78 - Agency Space		

Diagram and Narrative

DIAGRAM AND NARRATIVE	105 - PHOTOS BY SGT. CLINT CORWIN
	<p style="text-align: right;">Drawings Not to Scale Measurements Are Approximate</p>
UNIT #1 WAS REVERSING E/B OUT OF THE ALLEY ONTO S. 73 ST. AND STRUCK UNIT #2 WHICH WAS LEGALLY PARKED IN FRONT OF 1722 S. 73 ST.	

Officer Information

PK2007

OFFICER INFORMATION	125 - Officer Last Name GOLD	125 - First Name TIMOTHY	125 - Middle Initial	131 - Officer ID 9589
	129 - Law Enforcement Agency No. 4116	130 - Law Enforcement Agency Name WEST ALLIS POLICE DEPARTMENT		
	126 - Law Enforcement Agency Address Street & Number 11301 WEST LINCOLN AVENUE			
	127 - City WEST ALLIS	127 - State WI	127 - Zip Code 53227	128 - Telephone Number (414) 302-8000 EXT.
	132 - Date Notified 01/09/2009	133 - Time Notified (Military Time) 0233	134 - Time Arrived (Military Time) 0238	135 - Date Of Report 01/09/2009
	Agency Accident Number A09010901	Police Number 09001122	19 - Special Study	
	18 - Agency Space			



Accident Investigation

Event #: 09-001122
Date of Accident: 01/09/09 Time of Accident: 0233hrs
Location: 1722 S. 73 St
Investigating Officer(s): 316-Officer Tim Gold Assisting Officer(s): 306-Sgt. Clint Corwin
Traffic Investigator: N/A

Investigation

PHOTOGRAPHS

Sgt. Corwin reports...

On 01/09/09 at approximately 0240hrs, I took several photographs in regards to a property damage only motor vehicle accident involving a City of West Allis patrol squad and a legally parked vehicle. The accident occurred in front of 1722 S. 73 St.

I took the photographs with a department issued Canon Power Shot A520 Digital Camera SGT 8. Below is the photo log:

- 1) Address near accident location, 1722.
- 2) Overview of Unit #2, (legally parked vehicle), and Unit #1, (Squad #49.) Squad was moved after impact. Picture taken facing north. Damage to Unit #2, sustained large dent on driver's door.
- 3) Similar photograph to #2 described above.
- 4) Overview of the damage on Unit #2 driver's door, taken facing north.
- 5) Overview of the damage on Unit #2 driver's door, taken facing south.
- 6) Same as photograph #4 described above.
- 7) City of West Allis night parking sticker, ('09 2nd quarter #0117), displayed on Unit #2 left passenger window.
- 8) Overview of the rear of Squad #49, WI municipal license plate #A722.
- 9) Overview of the minor damage to the right rear portion of Squad #49, consisting of scratches.
- 10) Close up of photograph #9 described above.
- 11) Overview of the location of Unit #2, taken facing southeast.
- 12) Same as photograph #11 described above.
- 13) Overview of the location of Unit #2, taken facing south.
- 14) Same as photograph #13 described above, closer view.
- 15) WAPD Photography Data Sheet.

The first 14 photographs (1 – 14) were taken near 1722 S. 73 St. The last photograph (15) was taken at the West Allis Police Department.

Allis Auto Body COLLISION & REFINISHING SPECIALISTS

6821 W. Burnham Street, West Allis, WI 53219

Phone 541-0581

Fax 541-0832

ESTIMATE OF REPAIR

NAME Douglas HHS DATE 1-27-09
 STREET 1731 S. 73rd St PHONE 262-424-3708
 CITY West Allis STATE WI ZIP 53214
 INSURED BY _____ ADJUSTER _____ PHONE _____

MAKE - MODEL - YEAR	LICENSE NO.	COLOR	SERIAL NO.	MILEAGE
93 BUICK LESABRE		WHITE		

REPAIR	REPLACE	PARTS NECESSARY AND ESTIMATE OF LABOR REQUIRED	PARTS & MATERIAL	LABOR	REFINISH
	✓	left front power door	350.00	40	35
		blind left fender + rear door		20	20
		paint + materials	125.00		
		tape stripe	20.00	4	
		car cover	5.00		
			6.4 hrs 5.5 hrs		
		RECEIVED			
		JAN 28 2009			
		CITY OF WEST ALLIS CLERK/TREASURER			
		SUBLET			
SUBTOTAL			500.00	320.00	275.00

The above report is based on our inspection and does not cover additional parts or labor which may be required after the work has been opened up. Occasionally after the work has been started, damaged or broken parts are discovered which are not evident on the first inspection. Because of this, above prices cannot be guaranteed. This estimate is for immediate acceptance only. I hereby grant you and/or your employees permission to operate the car, truck or vehicle described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above car, truck or vehicle to secure the amount of repairs thereto.

AUTHORIZATION FOR REPAIRS - You are hereby authorized to make the above specified repairs.

Signed: _____ Date: _____

TOTAL 1095.00

SALES TAX

GRAND TOTAL

GREENFIELD PONTIAC BUICK
 3615 S 108TH ST
 MILWAUKEE, WI 53228
 414-545-7000

*** PRELIMINARY ESTIMATE ***

01/27/2009 03:07 PM

Owner

Owner: NICK YETS
 Address: 1545 S COACHLIGHT DR
 City State Zip: New Berlin, WI 53151
 Cell: (414)469-9391
 FAX:

Inspection

Inspection Date: 01/27/2009 03:08 PM
 Primary Impact: Left Side
 Inspection Type:
 Secondary Impact:
 Appraiser Name: Jay Gesell
 Address: 3615 S. 108th St
 City State Zip: Greenfield, WI 53226
 Email: bodyshop@greenfieldgmpartscenter.com
 Appraiser License # :
 Work/Day: (414)290-7181
 FAX: (414)290-7180
 FAX:

Repairer

Repairer: John Paul's Greenfield
 Address: 3615 S. 108th St
 City State Zip: Greenfield, WI 53226
 Email: bodyshop@greenfieldgmpartscenter.com
 Contact: Jay Gesell
 Work/Day: (414)290-7181
 Work/Day: (414)545-7000
 FAX: (414)290-7180

Vehicle

1993 Buick Le Sabre Limited 4 DR Sedan
 6cyl Gasoline 3.8
 4 Speed Automatic

Lic.Plate: 304LWE
 Lic Expire:
 Veh Insp# :
 Condition:
 Ext. Color: WHITE
 Ext. Refinish: Two-Stage
 Ext. Paint Code: 40/8554
 Lic State: WI
 VIN: 1G4HR53L2PH434813
 Mileage Type: Actual
 Code: S4323B
 Int. Color:
 Int. Refinish:
 Int. Trim Code:

Options

AM/FM Stereo	Air Conditioning	Airbag Restraint
Alarm System	Anti-lock Brakes	Power Brakes
Power Door Locks	Power Steering	Power Windows
Rear Window Defroster	Tilt Steering Wheel	Tinted Glass
Velour/Cloth Seats		

Damages

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ%	B%	Hours	R
1	EU	208		Door Assembly,Front RT	Replace Recycled	\$250.00*	+25.00		2.4	SM
				>> JIM @ B&M 1-262-542-2255 X2201						
2	L	208	13	Door Shell,Front RT	Refinish				4.6	RF
					2.5 Surface					
					1.0 Edge					
					0.6 Two-stage setup					

3	RI	268	Mldg,Front Door Lower LT	0.5 Two-stage R & I Assembly		0.4	SM
4	N	M15	Color Tint	Additional Labor		1.0*	RF
5	N	M60	Hazardous Waste Removal	Additional Labor	\$5.00*		SM
5 Items							

MC Message

13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

Estimate Total & Entries

Other Parts	\$255.00	
Paint Materials	\$190.40	
Line Item Markup	\$62.50	
Parts & Material Total		\$507.90
Tax on Parts & Material @ 5.600%		\$28.44

Labor	Rate	Replace Hrs	Repair Hrs	Total Hrs	
Sheet Metal (SM)	\$55.00	2.8		2.8	\$154.00
Mech/Elec (ME)	\$94.00				
Frame (FR)	\$65.00				
Refinish (RF)	\$55.00	4.6	1.0	5.6	\$308.00
Paint Materials	\$34.00				

Labor Total	8.4 Hours	\$462.00
Tax on Labor @ 5.600%		\$25.87
Gross Total		\$1,024.21
Net Total		\$1,024.21

Alternate Parts Y/00/00/00/00/00 CUM 00/00/00/00/00 Zip Code: 53228 Default

Audatex Estimating 5.0.623 ES 01/27/2009 03:12 PM REL 5.0.623 DT 01/01/2009
 Copyright (C) 2008 Audatex North America, Inc.

1.1 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S 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.

Op Codes

* = User-Entered Value	E = Replace OEM	NG = Replace NAGS
EC = Replace Economy	OE = Replace PXN OE Srpls	UE = Replace OE Surplus
ET = Partial Replace Labor	EP = Replace PXN	EU = Replace Recycled
TE = Partial Replace Price	PM = Replace PXN Reman/Reblt	UM = Replace Reman/Rebuilt
L = Refinish	PC = Replace PXN Reconditioned	UC = Replace Reconditioned
TT = Two-Tone	SB = Sublet Repair	N = Additional Labor
BR = Blend Refinish	I = Repair	IT = Partial Repair
CG = Chipguard	RI = R & I Assembly	P = Check
AA = Appearance Allowance	RP = Related Prior Damage	



This report contains proprietary information of Audatex and may not be disclosed to any third party (other than the insured, claimant and others on a need to know basis in order to effectuate the claims process) without Audatex's prior written consent.

Copyright (C) 2008 Audatex North America, Inc.
Audatex Estimating is a trademark of Audatex North America, Inc.

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

CD LOG NO 9329-1 DATE 01/27/09

SHOP: METROPOLITAN CADILLAC INSP DATE: 01/27/09
 CITY STATE: , WI CONTACT: DAN "BUD" TAORMINA
 OWNER: YETS, DOUG HOME PHONE: (262) 424-3708
 ADDRESS: 1731 S 73RD ST
 CITY STATE: WEST ALLIS, WI
 ZIP: 53214

POINT OF IMPACT: 6

LIC#: 304-LWE` STATE: WI VIN: 1G4HR53L2PH434813
 BODY COLOR: WHITE MILEAGE: 131,349
 CONDITION: 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

ESTIMATE FOR VISIBLE DAMAGE ONLY...ADDL DAMAGE POSSIBLE

1993 BUICK LE SABRE LIMITED 4DOOR SEDAN 6CYL GASOLINE 3.8
 CODE: S4323B/B OPTNS D/24DGEF

OPTIONS:
 TWO-STAGE - EXTERIOR SURFACES TWO-STAGE - INTERIOR SURFACES
 ELEC REMOTE CONTROL MIRRORS POWER DOOR LOCKS
 HEATED BACK GLASS ANTI-LOCK BRAKE SYSTEM

OP	GDE	MC	DESCRIPTION	MFG.PART NO.	PRICE	AJ%	B%	HOURS	R
BR0103	13		FENDER, FRONT	LT BLEND REFINISH				2.1	4
				1.0 BLEND					
				0.6 TWO STAGE SETUP					
				0.5 TWO STAGE					
EU0207			DOOR ASSEMBLY, FRONT	LT SALVAGE PART	200.00*+20.00			2.4	1
L 0207			DOOR SHELL, FRONT	LT REFINISH				3.7	4
				2.1 SURFACE					
				1.0 EDGE					
				0.6 TWO STAGE					

RI0266	MLDG,FRONT DOOR SCAL/F R&I ASSEMBLY		0.2	1
RI0257	MLDG,FRONT DOOR SCAL/R R&I ASSEMBLY		0.9	1
RI0173	APPLIQUE,FRT DOOR F LT R&I ASSEMBLY		0.3	1
E 0268 02	MLDG,FRONT DOOR LOW LT 88891317 GM PART	156.30	0.4	1
RI0229	MIRROR,OUTER R/C LT R&I ASSEMBLY		INC	1
RI0227 02	HANDLE,FRONT DOOR O LT R&I ASSEMBLY		INC	1
BR0289	PNL,REAR DOOR OUTER LT BLEND REFINISH		1.3	4
	0.9 BLEND			
	0.4 TWO STAGE			
RI0457	MLDG,REAR DOOR SCALL/F R&I ASSEMBLY		0.2	1
RI0311	MLDG,REAR DOOR SCALL/R R&I ASSEMBLY		1.1	1
RI0405	APPLIQUE ASSY,REAR LT R&I ASSEMBLY		0.3	1
RI0305 02	HANDLE,RR DOOR OUTE LT R&I ASSEMBLY		0.6	1

14 ITEMS

MC MESSAGE(S)

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

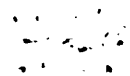
FINAL CALCULATIONS & ENTRIES

GROSS PARTS				156.30
OTHER PARTS				200.00
LINE ITEM MARKUP				40.00+
PAINT MATERIAL				227.20
PARTS & MATERIAL TOTAL				623.50
TAX ON PARTS & MATERIAL @			5.600%	34.92
LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	52.00	6.4		332.80
2-MECH/ELEC	90.00			
3-FRAME	52.00			
4-REFINISH	52.00	7.1		369.20
5-PAINT MATERIAL	32.00			
LABOR TOTAL				702.00
TAX ON LABOR		@	5.600%	39.31
SUBLET REPAIRS				
TOWING				
STORAGE				
GROSS TOTAL				1,399.73
NET TOTAL				1,399.73

SHOPLINK U1486 ES CD LOG 9329-1 DATE 01/27/09 02:39:46PM R6.37 CD 01/09
 PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53227
 HOST LOG
 (C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

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

1993 BUICK LE SABRE LIMITED 4DOOR SEDAN
CD LOG NO 9329-1



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.



OFFICE OF THE CITY ATTORNEY

Scott E. Post
City Attorney

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

March 9, 2009

Common Council
City of West Allis

RE: City Attorney's Report of Claims/Lawsuits

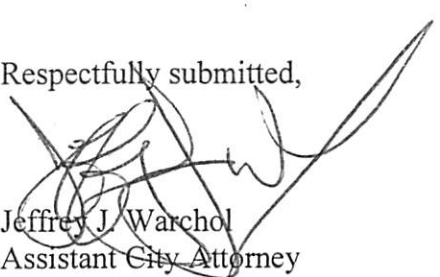
Dear Council Members:

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:

Advanced Waste Services, Inc. (\$68,444.59)
Lana Bainer (\$645.81)
We Energies/S. 70th & 71st Streets & W. Natl. Ave. (\$13,875.00)
Nicholas Yets (\$1,024.21)

Respectfully submitted,



Jeffrey J. Warchol
Assistant City Attorney

JJW:da
Enclosures

cc: Thomas E. Mann, CVMIC