

38.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2008-0124 Claim Claim Report

Corey Brozovich communication regarding vehicle damage allegedly sustained at 2123 S. 102nd Street on February 21, 2008.

Introduced: 3/4/2008

Controlling Body: Administration & Finance Committee

COMMITTEE RECOMMENDATION

PDF

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>MAR 31 2008</u>	_____	_____	Barczak	✓			
	_____	_____	Czaplewski	✓			
	_____	_____	Dobrowski				
	_____	_____	Kopplin				
	_____	_____	Lajsic	✓			
	_____	_____	Narlock				
	_____	_____ ✓	Reinke	✓			
	_____	_____	Sengstock				
	_____	_____	Vitale				
	_____ ✓	_____	Weigel	✓			
		TOTAL		<u>5</u>			

SIGNATURE OF COMMITTEE MEMBER

[Handwritten Signature]

Chair

Vice-Chair

Member

COMMON COUNCIL ACTION **PLACE ON FILE**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>MAR 31 2008</u>	_____ ✓	_____	Barczak	✓			
	_____	_____	Czaplewski	✓			
	_____	_____	Dobrowski	✓			
	_____	_____	Kopplin	✓			
	_____	_____	Lajsic	✓			
	_____	_____	Narlock	✓			
	_____	_____	Reinke	✓			
	_____	_____	Sengstock	✓			
	_____	_____ ✓	Vitale	✓			
	_____	_____	Weigel	✓			
		TOTAL		<u>10</u>			



OFFICE OF THE CITY ATTORNEY

March 19, 2008

Common Council
City of West Allis

Scott E. Post
City Attorney

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

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 (6)(a) 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 placed on file:

Corey Brozovich– Amount \$3,435.66

This is a claim for property damage to the claimant's vehicle on February 21st, 2008, when it was struck by a City of West Allis snowplow while parked and unoccupied in front of 2123 South 102nd Street, West Allis, WI. On said date, a City crew was operating a front-end loader with a large snow blower attached to the front of the loader for the purpose of removing piled up snow from the curb area on 102nd Street. A City dump truck was driving directly in front of the front-end loader so the blowing snow would fill directly into the dump truck. The operator of the dump truck saw the claimant's parked vehicle and drove around it, however, he was not able to warn the operator of the front-end loader in time that there was an obstruction ahead. Thus, the front-end loader ran into the claimant's vehicle causing moderate damage to the rear portion of the car. The claimant obtained estimates for repair from two (2) reputable auto repair facilities and filed a claim against the City on February 27th, 2008.

Our investigation into this claim indicated that the City employee was at fault for the accident by failing to keep a proper look out, especially given the fact that a second City employee saw the obstruction but failed to warn the operator of the front-end loader. The estimates submitted by the claimant were reasonable given the facts and circumstances surrounding this case. 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, this claim should be placed on file.

Respectfully submitted,


Jeffrey J. Warchol
Assistant City Attorney

JJW:da

PROPERTY DAMAGE ONLY RELEASE

KNOW ALL MEN BY THESE PRESENTS that JANET BROZOVICH and COREY BROZOVICH, for and in consideration of Three-thousand Four-hundred Thirty-five and 66/100 Dollars (\$3,435.66) 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 that certain accident on or about February 21st, 2008, when a West Allis city snow plow, while snow plowing down 102nd Street during snow plowing operations, struck a vehicle owned by Janet Brozovich, which was unoccupied and parked in front of 2123 South 102nd Street in the City of West Allis, Wisconsin, resulting in property damage to Ms. Brozovich's vehicle.

We 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.

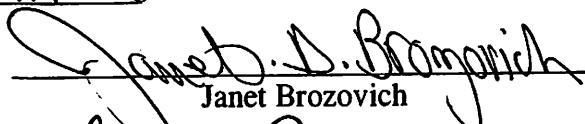
We agree that this is a complete release of property damage only and it is understood and agreed that it doesn't constitute a release for any bodily injury resultant from this accident as there were no bodily injuries as a result of this accident.

We 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.

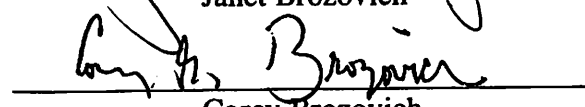
This Release contains the ENTIRE AGREEMENT between the parties hereto, and the terms of this Release are contractual and not a mere recital.

WE HAVE READ THE FOREGOING RELEASE AND FULLY UNDERSTAND IT. WE FURTHER UNDERSTAND THAT WE 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 14 day of MARCH, 2008.

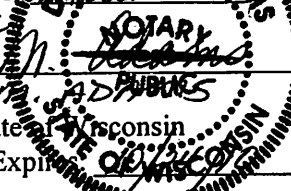
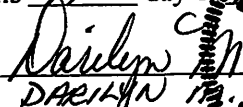


Janet Brozovich



Corey Brozovich

Subscribed and sworn to before me
this 14 day of March, 2008.

Darilyn M. Adams
Notary Public, State of Wisconsin
My Commission Expires 03/31/2011
JJW: da
L/Jeff/Claims/Releases/PD Only-J Brozovich



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

February 28 2008

Corey Brozovich
2109 S. 102 St.
West Allis, WI 53227

Dear Mr. Brozovich:

This letter acknowledges receipt of your communication regarding vehicle damage allegedly sustained at 2123 S. 102nd Street on February 21, 2008.

The original document will be submitted to the Common Council at its meeting of March 4, 2008.

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

Sunday, February 24, 2008

To the Common Council of West Allis, Wisconsin

To whom it may concern:

This letter will explain the events that occurred on the night of Wednesday, February 20th and the morning of Thursday, February 21st.

My assigned space in the parking lot behind my apartment was not fully plowed out due to a heavy accumulation of snow from a recent storm. I was forced to park on the street, across from my apartment. I had borrowed my mother's car that day intending to return it to her in the morning. I parked her car, after dark, Wednesday night, on the correct side of the street, displaying her West Allis monthly parking permit. There were numerous other cars parked there at the time with no signs forbidding parking. Since I am currently on leave from my job with a construction company, waiting to be called back to work when the weather warms up, I did not have to be at work at 6:30 or 7:00 A.M. and was in no hurry to return the car in the morning.

At 11:02 in the morning, I was in the kitchen of my apartment making coffee when my roommate and I both heard a loud horn blow outside. The noise was similar to a semi-truck's horn. Curious about what all of the noise was about, I opened the blinds in my bedroom and saw a city snowplow slightly ahead of my mother's car, and a city snow blowing machine about three feet directly behind her car, still moving forward. The noise from the horn must have been a warning signal for the snow blower driver to stop. He claimed he never heard the horn. Then, the worst thing that could happen, happened! The snow blowing machine continued forward and demolished the rear-end of her car. Fortunately, there were no physical injuries to anyone in the incident.

I immediately ran outside and called the police. The snowplow driver pulled over and got out of his vehicle to wait for the police with me. The snow blower driver backed up his vehicle and turned off the engine. A police officer arrived on the scene and began to make out a police report as to what had happened. As he interviewed each of the city workers, a man from across the street, ^{EARLY} Greg Helminski, appeared and said he had seen the whole incident from his apartment window. The officer wrote down everything Mr. Helminski had witnessed. While at the scene, I heard someone mention that the no-parking signs were put up sometime on Thursday morning!

My roommate came outside and let me use his cell phone to take pictures of the damage to my mother's car. I asked the snow blower driver what he thought might have happened if an adult or a child had been standing behind the car. He said the parents should have been watching the child! When everything was said and done, I never heard an apology from either of the city workers. Each of them just laughed, climbed back into their vehicles and proceeded to go back to work.

Respectfully yours,

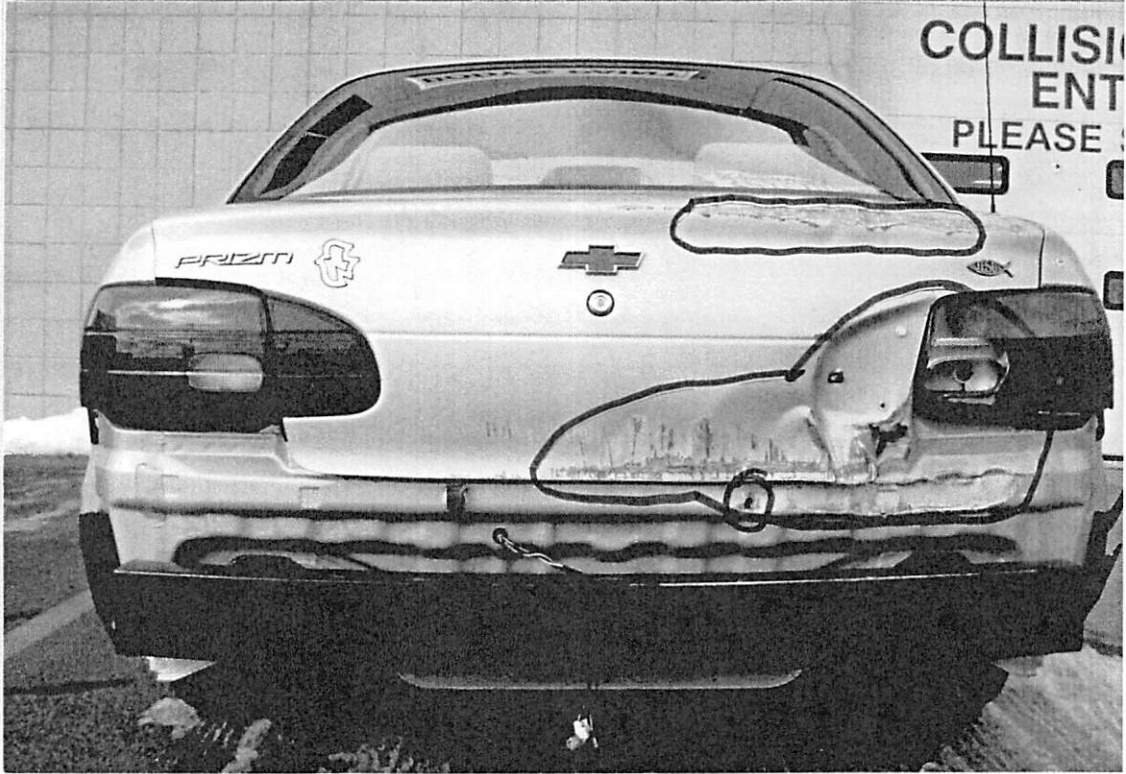
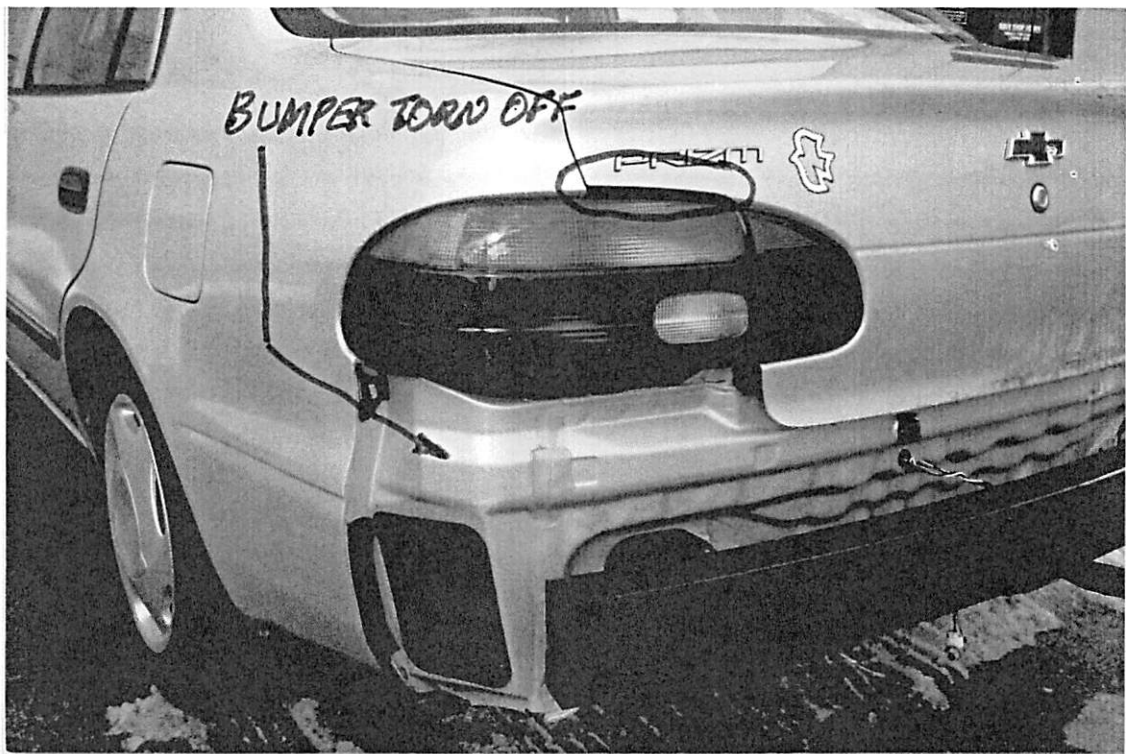


Corey Brozovich
2109 S. 102nd Street. West Allis, Wisconsin 53227
(414) 807 8341

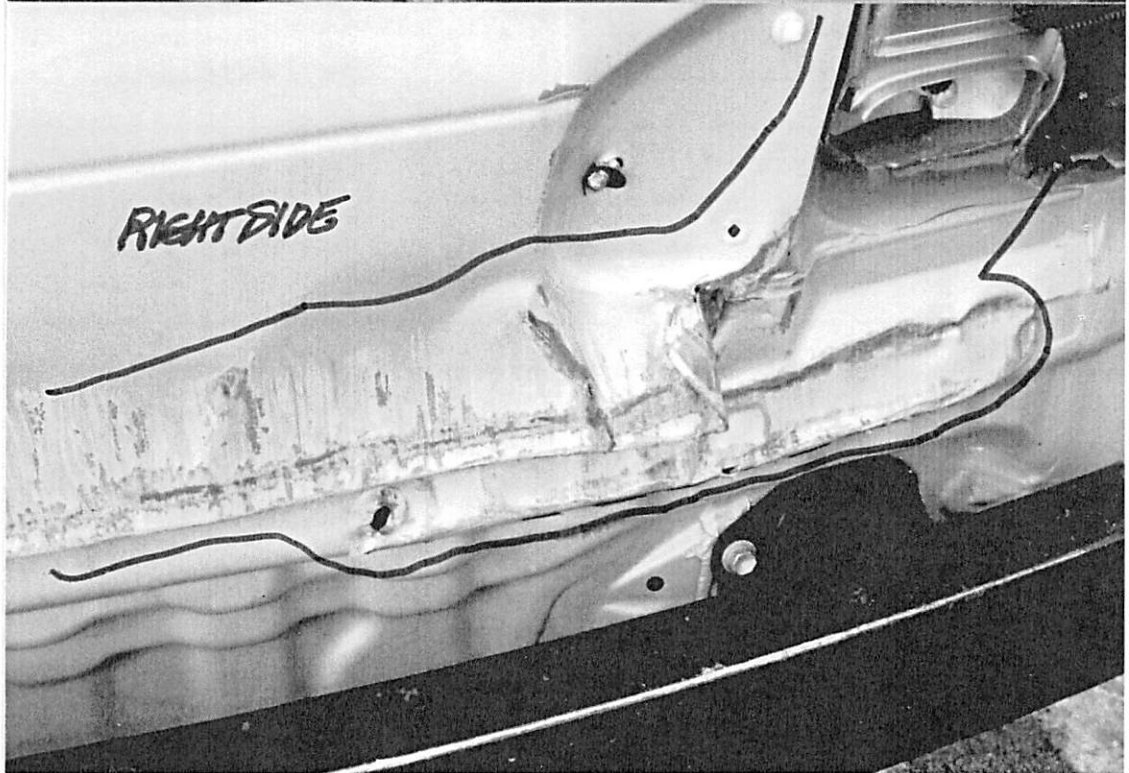
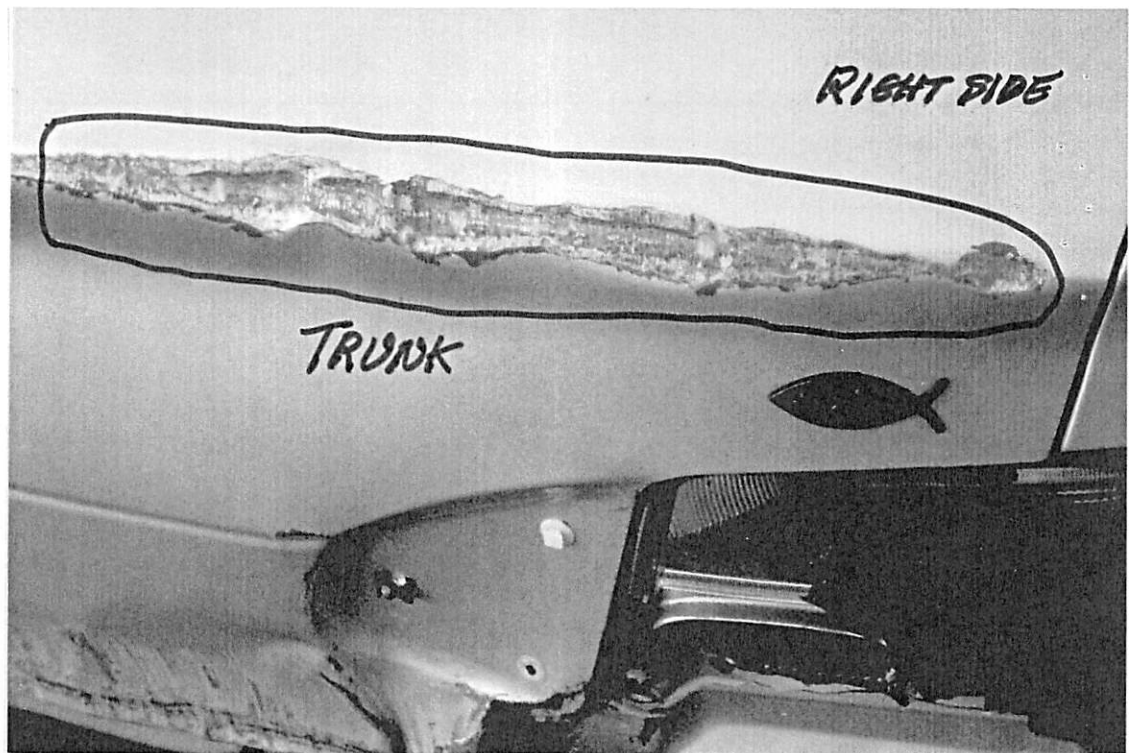
RECEIVED

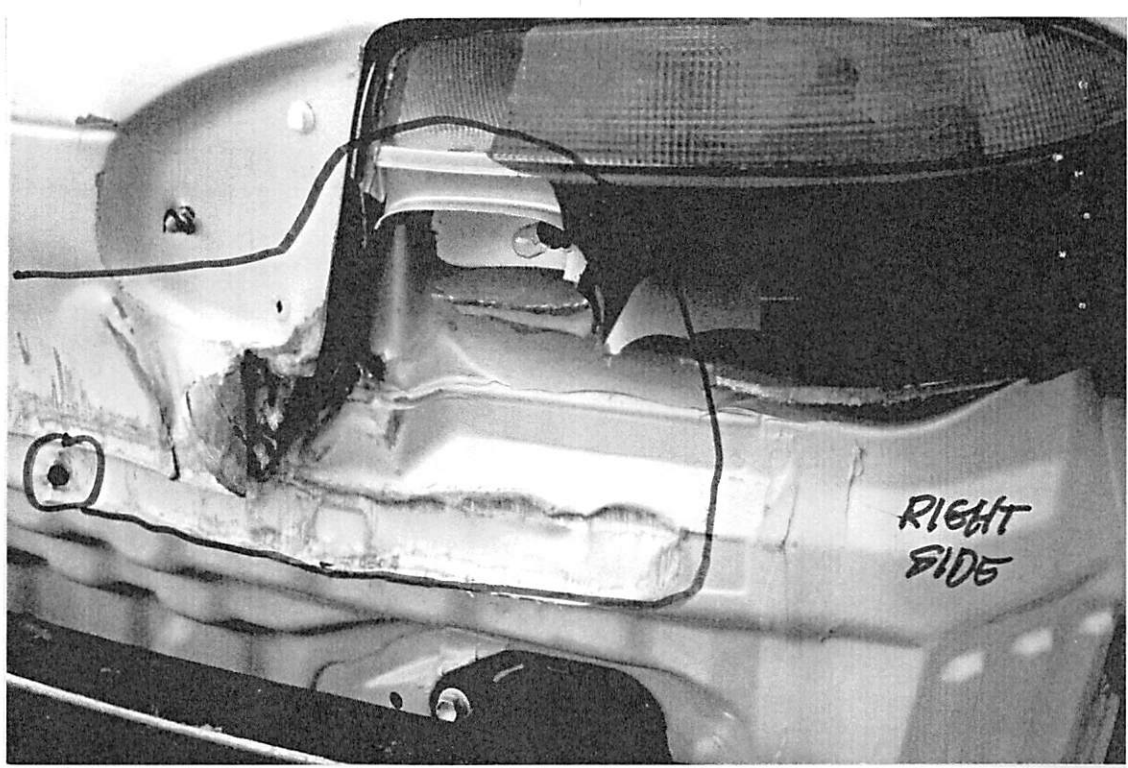
FEB 27 2008

CITY OF WEST ALLIS
CLERK/TREASURER









Copies Made

POLICE # 08008031

ACCIDENT # A08022102

<input type="checkbox"/> Reportable Accident		<input type="checkbox"/> On Emergency		<input type="checkbox"/> Amended		DOT Document Number BRRGHLT		Document Override Number	
Agency Accident Number A08022102				Police Number 08008031					
4 - Accident Date 02/21/2008		5 - Time of Accident (Military Time) 1109		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 102ND ST S			14 - Bus/Frnt/Rmp	15 - Est. Dist 75	Ft/Mi F	15 - Hwy. Dir NORTH		
16 - Fr/At Hwy No.	16 - From/At Street Name GRANT CT			16 - Business/Frontage/Ramp					
17 - Structure Type HOUSE #	17 - Structure Number 2123		12 - Latitude			13 - Longitude -			
80 - First Harmful Event PARKED MOTOR VEHICLE				93 - Manner of Collision NO COLLISION WITH MOTOR VEHICLE IN TRANSPORT					
112 - Access Control NO CONTROL		113 - Road Curvature STRAIGHT		113 - Road Terrain LEVEL/FLAT		Surface Type CONCRETE			
115 - Traffic Way NOT-PHYSICALLY-DIVIDED-(2-WAY TRAFFIC)									
117 - Relation To Roadway ON-ROADWAY									
114 - Light Condition DAYLIGHT			116 - Road Surface Condition SNOW/SLUSH			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 type="checkbox"/> Truck Or Bus			<input type="checkbox"/> Load Spillage		<input type="checkbox"/> Construction Zone		<input checked="" type="checkbox"/> Names Exchanged		
101 <input type="checkbox"/> Supplemental Reports		102 <input 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 PARKED MOTOR VEHICLE		23 - Dir Of Travel NORTH		24 - Speed Limit 25	
36 - Operating as Classified O CLASS		37 - Endorsements		35 <input type="checkbox"/> Operating Commercial Motor Vehicle			
29 - Driver's License Number B4002905802706		30 - State WI	31 - Expiration Year 2015	34 - On Duty Accident WINTER-HWY-MAINTENANCE			
25 - Operator/Pedestrian Last Name BYAL			25 - First Name GLENN		25 - Middle Initial J	25 - Suffix	
32 - Date Of Birth 01/27/1958		33 - Sex MALE					
26 - Address Street & Number 2173 S 85 ST						26 - PO Box	
27 - City WEST ALLIS		27 - State WI	27 - Zip Code 53227		28 - Telephone Number (414) 543-2755 EXT.		
39 - Seat Position FRONT-SEAT-MIDDLE			40 - Safety Equipment SHOULDER-BELT-AND-LAP-BELT-USED				
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 INATTENTIVE-DRIVING							
88 - Driver or Pedestrian Factors 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

CS

050206

91 - Drugs Reported
124 - Highway Factors VISIBILITY-OBSCURED

Vehicle

VEHICLE 01	21 - Unit Type EQUIPMENT	Vehicle Type SNOW-PLOW				22 - Total Occupants 1
	56 - License Plate Number	57 - Plate Type	58 - State	59 - Exp Year	55 - Vehicle Identification Number L90DV64567	
	50 - Year	51 - Make VOLV	52 - Model L90D	53 - Body Style LOADER	54 - Color YEL	100 - Skidmarks to Impact (Ft) 0
	94 - Vehicle Damage FRONT					
	95 - Extent Of Damage NONE	96 <input type="checkbox"/> Vehicle Towed Due To Damage			97 - Vehicle Removed By OPERATOR	
	123 - Vehicle Factors NOT-APPLICABLE					

Vehicle Owner

VEH OWNER 01	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 CITY OF WEST ALLIS						
	47 - Address Street & Number 7525 W GREENFIELD AVE				47 - PO Box		
	48 - City WEST ALLIS			48 - State WI	48 - Zip Code 53214	49 - Telephone Number (414) 302-8200 EXT.	

Insurance

INS 01	63 - Liability Insurance Company GOVERNMENT					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 01	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 L - LEGALLY PARKED		81 - Most Harmful Event: Collision With MOTOR VEHICLE IN TRANSPORT		23 - Dir Of Travel	24 - Speed Limit 25
36 - Operating as Classified D CLASS	37 - Endorsements			35 <input type="checkbox"/> Operating Commercial Motor Vehicle	
29 - Driver's License Number		30 - State	31 - Expiration Year	34 - On Duty Accident	
25 - Operator/Pedestrian Last Name			25 - First Name	25 - Middle Initial	25 - Suffix
32 - Date Of Birth		33 - Sex			

050206

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 OTHER					
	88 - Driver or Pedestrian Factors		89 - Substance Presence			
	90 - Alcohol Test		90 - Alcohol Content		91 - Drug Test	
	91 - Drugs Reported					
	124 - Highway Factors NOT-APPLICABLE					

Vehicle

VEHICLE 02	21 - Unit Type AUTOMOBILE			Vehicle Type PASSENGER-CAR			22 - Total Occupants 0
	56 - License Plate Number 241HRL		57 - Plate Type AUT	58 - State WI	59 - Exp Year 2008	55 - Vehicle Identification Number 1Y1SK52831Z442105	
	50 - Year 2001	51 - Make CHEV	52 - Model PRISM	53 - Body Style 4 DOOR	54 - Color SIL	100 - Skidmarks to Impact (Ft) 0	
	94 - Vehicle Damage REAR						
	95 - Extent Of Damage MODERATE		96 <input type="checkbox"/> Vehicle Towed Due To Damage		97 - Vehicle Removed By SON OF OWNER		
123 - Vehicle Factors NOT-APPLICABLE							

Vehicle Owner

VEH OWNER 02	45 <input type="checkbox"/> Vehicle Owner Same As Operator					
	46 - Vehicle Owner Last Name BROZOVICH		46 - First Name JANET		46 - Middle Initial D	46 - Suffix
	46 - Company Name					
	47 - Address Street & Number 9108 W MANITOBA AVE				47 - PO Box	
	48 - City WEST ALLIS		48 - State WI	48 - Zip Code 53227		49 - Telephone Number (414) 604-1621 EXT.

Insurance

050206

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			

Diagram and Narrative

DIAGRAM AND NARRATIVE	105 - PHOTOS BY DAVE WEPKING
	<p>The diagram illustrates the accident scene on S. 102 St. A north arrow is located on the left side. The address 2123 is marked on the left side of the street. Two vehicles are shown: Vehicle 1, a front-end loader with a snow blower, and Vehicle 2, a dump truck. Arrows point from the labels 'Vehicle 1' and 'Vehicle 2' to their respective positions in the diagram.</p>
<p>UNIT #1 A FRONT END LOADER WITH A LARGE SNOW BLOWER ATTACHED TO THE FRONT WAS CLEARING SNOW FROM 102 ST AND BLOWING IT INTO A DUMP TRUCK AND STRUCK PARKED UNIT #2. UNIT #2 WAS PARKED IN AN EMERGENCY NO PARKING ZONE. DRIVER OF UNIT #1 CLAIMS HIS VIEW WAS OBSTRUCTED BY THE BLOWING SNOW. THE DRIVER OF THE DUMP TRUCK, RANDY WEISHAR STATED HE SOUNDED THE HORN JUST BEFORE THE CRASH TO WARN THE OWNER OF THE CAR TO MOVE IT.</p> <p>I SPOKE WITH WITNESS GARY A HELMINSKI OF 10130 W GRANT CT #7 WEST ALLIS, WI 53227, H# 688-1288. HE WAS WATCHING OUT OF HIS WINDOW AS THE SNOW WAS BEING CLEARED AND HEARD THE DUMP TRUCK SOUND ITS HORN AND OBSERVED THE FRONT LOADER HIT THE PARKED CAR.</p>	

Witness

WITNESS 01	107 - Witness Last Name HELMINSKI	107 - First Name GARY	107 - Middle Initial A
	108 - Address Street & Number 10130 W GRANT CT #7	108 - PO Box	109 - Date of Birth 12/30/1960
	110 - City WEST ALLIS	State WI	110 - Zip Code 53227

Officer Information

125 - Officer Last Name		MARK		125 - Middle Initial		131 - Officer ID	
129 - Law Enforcement Agency No.		WEST ALLIS POLICE DEPARTMENT					
127 - City		WEST ALLIS					
127 - State		WI		127 - Zip Code		128 - Telephone Number	
127 - State		WI		127 - Zip Code		(414) 302-8000 EXT.	
126 - Law Enforcement Agency Address Street & Number		11301 WEST LINCOLN AVENUE					
129 - Law Enforcement Agency Name		WEST ALLIS POLICE DEPARTMENT					
130 - Law Enforcement Agency No.		4116					
132 - Date Notified		02/21/2008		133 - Time Notified (Military Time)		1110	
134 - Time Arrived (Military Time)		1118		135 - Date Of Report		02/21/2008	
133 - Time Notified (Military Time)		1110		134 - Time Arrived (Military Time)		1118	
132 - Date Notified		02/21/2008		133 - Time Notified (Military Time)		1110	
131 - Agency Number		A08022102		132 - Police Number		08008031	
130 - Agency Space							

OFFICER INFORMATION



HOLL MOTORS

5961 S. 108TH PLACE • HALES CORNERS, WI 53130

FAX: (414) 529-7533

(414) 529-7848

BOB GRIESE

ASSISTANT BODY SHOP MANAGER

DIRECT LINE: 209-1351

OVER 90 YEARS OF QUALITY SERVICE & RELIABILITY

HOLZ MOTORS, INC. BODY SHOP

5961 S.108TH PLACE

HALES CORNERS, WI 53130

DIRECT LINE: (414) 529-7848 & (414) 425-2400 FAX: (414) 529-7533

FEDERAL I.D. #39-0792093

CD LOG NO 8229-1 DATE 02/22/08

SHOP: INSP DATE: 02/22/08
 CONTACT: BOB GRIESE
 OWNER: BROZOBICH, JANET HOME PHONE: (414) 604-1621
 ADDRESS: 9108 W MANATOBA ST
 CITY STATE: WEST ALLIS, WI
 ZIP: 53227

POINT OF IMPACT: 9

LIC#: 241HRL STATE: WI VIN: 1Y1SK52831Z442105
 BODY COLOR: BEIGE *Grey* MILEAGE: 59,987
 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

2001 CHEVROLET PRIZM LSI 4DOOR SEDAN 4CYL GASOLINE 1.8
 CODE: U1634B/D OPTNS F/240CDEGQJN

OPTIONS:
 TWO-STAGE - EXTERIOR SURFACES TWO-STAGE - INTERIOR SURFACES
 ELEC REMOTE CONTROL MIRRORS POWER DOOR LOCKS
 POWER WINDOWS REMOTE KEYLESS ENTRY SYSTEM
 HEATED BACK GLASS TILT STEERING WHEEL
 AIR CONDITIONING CRUISE CONTROL

OP	GDE	MC	DESCRIPTION	MFG.PART NO.	PRICE	AJ%	B%	HOURS	R
E	0571		BRKT,MUFFLER	94858495 GM PART	96.75			0.8	2
E	0592		MUFFLER ASSEMBLY	94859378 GM PART	351.61			INC	2
BR	0389	13	PANEL,QUARTER	LT BLEND REFINISH				2.1	4
BR	0390		PANEL,QUARTER	RT BLEND REFINISH				1.3	4
EU	0479		DECK LID ASSEMBLY	SALVAGE PART	200.00*	+25		0.7	1
L	0479		LID,REAR DECK	REFINISH				3.5	4
E	0421		N/PLATE,DECK LID	94853954 GM PART	49.01			0.2	1
E	0492		EMBLEM,DECK LID	94857973 GM PART	7.96			0.2	1
RI	0487		LOCK,DECK LID	R&I ASSEMBLY				0.2	1

RI 0483	CYL,DECK LID LOCK	R&I ASSEMBLY		INC 1
E 0509	PANEL,REAR BODY	94857130 GM PART	333.45	8.1 1
L 0509	PANEL,REAR BODY	REFINISH		2.4 4
RI 0551	REFLECTOR,TAILLAMP LT	R&I ASSEMBLY		0.2 1
RI 0552	REFLECTOR,TAILLAMP RT	R&I ASSEMBLY		0.2 1
EU 0534	TAILLAMP ASSEMBLY RT	SALVAGE PART	60.00*	INC 1
	USED PART SMARTPARTS DAN QUOTE 698786			
UC 0566	COVER,REAR BUMPER	RECONDITIONED PAR	245.00*	0.5 1
L 0566	COVER,REAR BUMPER	REFINISH		2.9 4
E 1124	RET,REAR BUMPER COVER	MULTI-PART GM PAR	.95	1
E 0574	SUPT,RR BUMPER COVE LT	94857175 GM PART	11.66	INC 1
E 0575	SUPT,RR BUMPER COVE RT	94857174 GM PART	11.66	INC 1
E 0567	ABSORBER,REAR BUMPER	94857170 GM PART	83.02	INC 1
EC M14	CORROSION PROTECTION	ECONOMY PART		0.3*4
N M18	SET-UP & MEASURE	ADDNL LABOR OPERA		1.5*3
N M19	REALIGN CONTROL POINTS	ADDNL LABOR OPERA		2.0*3
	<i>PULL REAR BODY TO LEFT</i>			
24 ITEMS				

*Hilites need to be done.
 Other Estimate didn't have this...*

MC MESSAGE(S)
 13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS	946.07
OTHER PARTS	505.00
LINE ITEM MARKUP	50.00+
PAINT MATERIAL	375.00
PARTS & MATERIAL TOTAL	1,876.07
TAX ON PARTS & MATERIAL @	5.600% 105.06

LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	50.00	10.3		515.00
2-MECH/ELEC	78.00	0.8		62.40
3-FRAME	50.00		3.5	175.00
4-REFINISH	50.00	12.5		625.00
5-PAINT MATERIAL	30.00			

LABOR TOTAL	1,377.40
TAX ON LABOR @	5.600% 77.13
SUBLET REPAIRS	
TOWING	
STORAGE	

GROSS TOTAL

3,435.66

NET TOTAL

3,435.66

SHOPLINK U3508 ES CD LOG 8229-1 DATE 02/22/08 03:30:15PM R6.37 CD 12/07

PXN: Y/00/00/00/00/00 CUM 00/00/00/00/00 GEOCODE 53130

HOST LOG

(C) 1998 - 2007 AUDATEX NORTH AMERICA, INC.

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

Lower

3,435.66

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.

"AFTERMARKET OR REPLACEMENT" PARTS ARE IDENTIFIED ON THE ESTIMATE BY THE WORDS "QUALITY REPLACEMENT PART" "PXN" "OR "ECONOMY PART".YOUR CLAIM REPRESENTATIVE CAN EXPLAIN FURTHER.

"NOTICE: WHEN SELECTING A REPAIR FACILITY, THE VEHICLE OWNER SHOULD CONSIDER THAT THE REPAIRS TO THIS VEHICLE MAY REQUIRE SPECIFIC WELDING EQUIPMENT AND THE RESTORATION OF CORRISION RESISTANT COATINGS AS RECOMMENDED BY THE MANUFACTURER. FAILURE TO HAVE THE VEHICLE PROPERLY REPAIRED COULD RESULT IN A SAFETY HAZARD.



**Heiser
Chevrolet**

QUINN MIHALSKI

Body Shop Manager

qmihalski@heiser.com

10200 W. Arthur Avenue

West Allis, WI 53227

M-F 7:30-5:00

Main (414) 327-2300

Fax (414) 546-7877

Direct (414) 328-2453

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 7054-1 DATE 02/22/08

SHOP: HEISER CHEVROLET BODY SHOP	INSP DATE: 02/22/08
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: BROZOVICH, JANET	HOME PHONE: (414) 604-1621
ADDRESS: 9108 W MANITOBA ST	
CITY STATE: WEST ALLIS, WI	
ZIP: 53227	

POINT OF IMPACT: 0

LIC#: 241HRL	STATE: WI	VIN: 1Y1SK52831Z442105
BODY COLOR: GREY		MILEAGE: 60,000
CONDITION: GOOD		ACCTNG CTL#:

PROD.DATE: 03/01	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

VISUAL ESTIMATE , UNSEEN DAMAGE POSSIBLE.
 VEHICLE HAS OTHER UNRELATED DAMAGE.
 SALVAGE/AFTERMARKET PARTS MAY BE AVAILABLE, DID NOT CHECK AT TIME OF ESTIMATE

2001 CHEVROLET PRIZM STD 4DOOR SEDAN 4CYL GASOLINE 1.8
 CODE: U1634A/D OPTNS F/24J

OPTIONS:
 TWO-STAGE - EXTERIOR SURFACES TWO-STAGE - INTERIOR SURFACES
 AIR CONDITIONING

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

E	0592		MUFFLER ASSEMBLY	94859378 GM PART	351.61			0.8	2
E	0479		LID, REAR DECK	94857663 GM PART	449.27			1.3	1
L	0479	13	LID, REAR DECK	REFINISH				4.8	4
2.5 SURFACE									

			1.0 EDGE			
			0.6 TWO STAGE SETUP			
			0.7 TWO STAGE			
E	0421	N/PLATE, DECK LID	94853954 GM PART	49.01		0.2 1
RI	0492	EMBLEM, DECK LID	R&I ASSEMBLY			0.2 1
RI	0483	CYL, DECK LID LOCK	R&I ASSEMBLY			INC 1
I	0509	PANEL, REAR BODY	REPAIR			6.0*1
L	0509	PANEL, REAR BODY	REFINISH			1.8 4
			1.5 SURFACE			
			0.3 TWO STAGE			
RI	0551	REFLECTOR, TAILLAMP	LT R&I ASSEMBLY			INC 1
E	0552	REFLECTOR, TAILLAMP	RT 94857177 GM PART	95.80		INC 1
E	0533	TAILLAMP ASSEMBLY	LT 94857201 GM PART	119.58		0.5 1
E	0534	TAILLAMP ASSEMBLY	RT 94857196 GM PART	129.01		0.5 1
EP	0566	COVER, REAR BUMPER	ECONOMY PART	241.00		0.5 1
L	0566	COVER, REAR BUMPER	REFINISH			2.9 4
			2.4 SURFACE			
			0.5 TWO STAGE			
E	1124	RET, REAR BUMPER COVER	MULTI-PART GM PAR	.95		1
E	0574	SUPT, RR BUMPER COVE	LT 94857175 GM PART	11.66		INC 1
E	0575	SUPT, RR BUMPER COVE	RT 94857174 GM PART	11.66		INC 1
E	0567	ABSORBER, REAR BUMPER	94857170 GM PART	83.02		INC 1
E	0572	BRKT, REAR BUMPER MT	LT 94857163 GM PART	57.46		1.6 1
E	0573	BRKT, REAR BUMPER MT	RT 94857162 GM PART	54.19		0.2 1
E	0320	BRKT, RR ABS MOUNTING	94857168 GM PART	19.28		INC 1
N	M03	FLEX ADDITIVE	ADDNL LABOR OPERA	3.00*		*4*
N	M17	COVER CAR EXTERIOR	ADDNL LABOR OPERA	5.00*		*4*
N	M60	HAZARD. WSTE. REM.	ADDNL LABOR OPERA	3.00*		*1

24 ITEMS

MC MESSAGE(S)
 13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

FINAL CALCULATIONS & ENTRIES

GROSS PARTS					1,432.50
OTHER PARTS					252.00
PAINT MATERIAL					304.00
PARTS & MATERIAL TOTAL					1,988.50
TAX ON PARTS & MATERIAL @				5.600%	111.36
LABOR	RATE	REPLACE	HRS	REPAIR	HRS
1-SHEET METAL	52.00		5.0	6.0	572.00
2-MECH/ELEC	95.00		0.8		76.00
3-FRAME	52.00				
4-REFINISH	52.00		9.5		494.00
5-PAINT MATERIAL	32.00				
LABOR TOTAL					1,142.00
TAX ON LABOR		@		5.600%	63.95
SUBLET REPAIRS					
TOWING					
STORAGE					

2001 CHEVROLET PRIZM STD 4DOOR SEDAN
CD LOG NO 7054-1

GROSS TOTAL

3,305.81

NET TOTAL

3,305.81

SHOPLINK U4369 ES CD LOG 7054-1 DATE 02/22/08 02:59:02PM R6.37 CD 01/08

PXN: Y/01/01/01/00/00 CUM 01/01/01/00/00 GEOCODE 53227

HOST LOG

(C) 1998 - 2007 AUDATEX NORTH AMERICA, INC.

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



City of West Allis

Referral Notice

Common Council

7525 W. Greenfield Ave.
West Allis, WI 53214

To: City Attorney
From: Common Council
Date: Tuesday, March 4, 2008

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.

2008-0124 Corey Brozovich communication regarding vehicle damage allegedly sustained at 2123 S. 102nd Street on February 21, 2008.

Due Date:
Instructions:

RECEIVED
MAR 5 2008
WEST ALLIS
CITY ATTORNEY

RECEIVED
MAR 5 2008
WEST ALLIS
CITY ATTORNEY

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



OFFICE OF THE CITY ATTORNEY

Scott E. Post
City Attorney

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

March 19, 2008

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 (6)(a) 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 placed on file:

Erin McGinley (\$777.85)
Corey Brozovich (\$3,435.66)

The following claims/lawsuits have been denied:

Sarah J. Lerand (\$549.89)
Paul Martens (\$2,120.00)
Juro J. Gajdosik (Assessment Removal)

Respectfully submitted,



Jeffrey J. Warchol
Assistant City Attorney

JJW:da
Enclosures

cc: Thomas E. Mann, CVMIC