

24.



# City of West Allis Matter Summary

7525 W. Greenfield Ave.  
West Allis, WI 53214

File Number	Title	Status
2008-0666	Claim	Claim Report
Mainline Sewer and Water, Inc. communication regarding vehicle damage allegedly sustained on W. McGeoch Ave. at W. Oconto Pl. on September 22, 2008.		
Introduced: 10/21/2008		Controlling Body: Administration & Finance Committee

### COMMITTEE RECOMMENDATION

*POF*

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

### SIGNATURE OF COMMITTEE MEMBER

*Just 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 4, 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:**

**Terri Ratayczak-Mainline Sewer & Water Inc.- Amount \$1,759.04**

This is a claim for property damage to the claimant's vehicle on September 22<sup>nd</sup>, 2008, when it was struck by a West Allis Fire Department Ladder Truck, which was attempting to enter the City Yards at McGeoch Avenue in the City of West Allis, WI. The claimant's vehicle had been legally parked in the street in such a manner as to block off public traffic from entering a construction site that claimant's company was working on when the operator of the fire ladder truck struck the side of claimant's vehicle causing damage to the side mirror and door area while attempting to turn into the City yards. The manner in which the claimant's vehicle was positioned in the construction site zone was usual and customary given the circumstances of the work being performed in the construction zone. There were no physical injuries as the claimant's vehicle was unoccupied at the time of the incident. The claimant obtained estimates from two auto repair facilities and filed a claim against the City on October 10<sup>th</sup>, 2008.

Our investigation into this matter indicated that the operator of the fire ladder truck was primarily negligent for failing to maintain control of his vehicle while attempting the turn into the City yards. The estimates for repairs matched up to the nature of the damages submitted in this case. 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, 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 MAINLINE SEWER & WATER INC., for and in consideration of One Thousand Seven Hundred Fifty-nine and 04/100 Dollars (\$1,759.04) 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 September 22<sup>nd</sup>, 2008, when a West Allis Fire Department's Ladder truck, while in a construction site and attempting to gain access to the City yards on West McGeoch Avenue in the City of West Allis, Wisconsin, struck the passenger's side of the Mainline Sewer & Water Inc.'s vehicle, which was legally parked, resulting in property damage to the Mainline Sewer & Water Inc.'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.

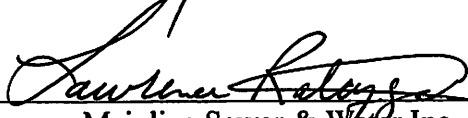
I agree that this is a complete release of property damage only and it is understood and agreed that it doesn't constitute a release for any bodily injury resultant from this accident as there were no bodily injuries as a result of this accident.

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.

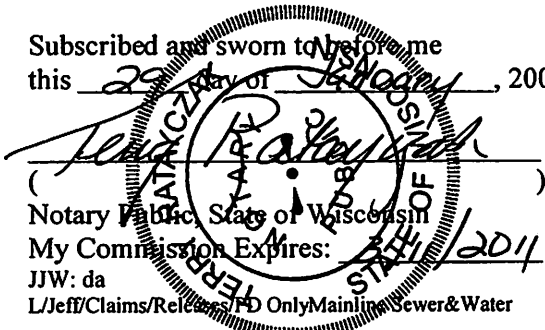
This Release contains the ENTIRE AGREEMENT between the parties hereto, and the terms of this Release are contractual and not a mere recital.

**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 29 day of January, 2009.

  
Mainline Sewer & Water Inc.  
(Authorized Personnel)

Subscribed and sworn to before me this 29 day of January, 2009.

  
Notary Public, State of Wisconsin  
My Commission Expires: 11/2011  
JJW: da  
L/Jeff/Claims/Release/Property Damage Only Mainline Sewer & Water

**RECEIVED**  
FEB 2 2009  
WEST ALLIS  
CITY ATTORNEY





**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*

October 13, 2008

Ms. Terri Ratayczak  
Mainline Sewer & Water, Inc.  
11430 W. Bluemound Road  
Suite 16  
Wauwatosa, WI 53226

Dear Ms. Ratayczak:

This letter acknowledges receipt of your communication regarding vehicle damage allegedly sustained on W. McGeoch Ave. at W. Oconto Place on September 22, 2008.

The original document will be submitted to the Common Council at its meeting of October 21, 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

/jl

cc: City Attorney



Clerk Treasurer  
City of West Allis  
7525 W. Greenfield Ave.  
West Allis, WI 53214

RECEIVED

OCT 10 2008

CITY OF WEST ALLIS  
CLERK/TREASURER

October 9, 2008

RE: Fire Truck Accident on McGeoch Ave.

This is to inform you of an accident between a city fire truck and one of our company vehicles that occurred on September 22, 2008 around 2 p.m.. The fire truck was not in route to an emergency call, but in the construction site to access the city yard.

Mainline Sewer & Water Inc. performed the installation of water and sewer utilities along the city yard on McGeoch Ave. The site had been under construction for many months prior to this incident.

Our employee had legally parked our company vehicle along McGeoch Ave. When the fire truck made the turn into the city yard, the back end of the fire truck struck the passenger side of our vehicle. There were no employees in our vehicle at the time.

I've enclosed a copy of the police report, a statement from our employee, and an estimate for the repair of our vehicle.

Please advise us as to how we can resolve this issue and repair our vehicle. If there is additional information you would need, feel free to contact me at our office.

Thank-you

A handwritten signature in black ink that reads "Terri Ratayczak". The signature is written in a cursive style with a large, flowing "T" and "R".

Terri Ratayczak  
Corporate Secretary  
(414) 257-1814

POLICE # 08043955

ACCIDENT # A08092203

<input type="checkbox"/> Reportable Accident		<input type="checkbox"/> On Emergency		<input type="checkbox"/> Amended		DOT Document Number BRRFRZ2		Document Override Number	
Agency Accident Number A08092203				Police Number 08043955					
4 - Accident Date 09/22/2008		5 - Time of Accident (Military Time) 1405		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 INTERSECTION			
14 - On Hwy No.	14 - On Street Name MCGEOCH AVE W			14 - Bus/Fmt/Rmp		15 - Est. Dist	Ft/Mi	15 - Hwy. Dir	
16 - Fr/At Hwy No.	16 - From/At Street Name OCONTO PL W			16 - Business/Frontage/Ramp					
17 - Structure Type		17 - Structure Number		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 SLAG, GRAVEL, OR STONE - 4			
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 checked="" 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 checked="" 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 D CLASS		37 - Endorsements		35 <input type="checkbox"/> Operating Commercial Motor Vehicle			
29 - Driver's License Number K6267405142907		30 - State WI	31 - Expiration Year 2010	34 - On Duty/Accident FIRE FIGHTER			
25 - Operator/Pedestrian Last Name KRUEGER		25 - First Name RICHARD		25 - Middle Initial		25 - Suffix	
32 - Date Of Birth 11/29/1951		33 - Sex MALE					
26 - Address Street & Number 3190 S 114 ST						26 - PO Box	
27 - City WEST ALLIS		27 - State WI	27 - Zip Code 53227		28 - Telephone Number (414) 546-0862 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 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 MAKING-RIGHT-TURN			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

CS

91 - Drugs Reported
124 - Highway Factors CONSTRUCTION-ZONE

**Vehicle**

<b>VEHICLE 01</b>	21 - Unit Type TRUCK		Vehicle Type STRAIGHT-TRUCK-(INSERT TRUCK)			22 - Total Occupants 1	
	56 - License Plate Number 64269		57 - Plate Type MUN	58 - State WI	59 - Exp Year	55 - Vehicle Identification Number 4P1CT02W53A003259	
	50 - Year 2003	51 - Make PRCA	52 - Model LADDER	53 - Body Style FT	54 - Color RED	100 - Skidmarks to Impact (Ft) 0	
	94 - Vehicle Damage REAR DRIVER SIDE						
	95 - Extent Of Damage MINOR		96 <input type="checkbox"/> Vehicle Towed Due To Damage		97 - Vehicle Removed By OPERATOR		
123 - Vehicle Factors NOT-APPLICABLE							

**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 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**

<b>INS 01</b>	63 - Liability Insurance Company CITIES-&-VILLAGES-MUTUAL-INS-CO		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**

<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 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			

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 CONSTRUCTION-ZONE					

Vehicle

VEHICLE 02

21 - Unit Type TRUCK		Vehicle Type STRAIGHT-TRUCK-(INSERT TRUCK)			22 - Total Occupants 0	
56 - License Plate Number DG36569		57 - Plate Type HTK	58 - State WI	59 - Exp Year 2008	55 - Vehicle Identification Number 1GBJC34F1VF038082	
50 - Year 1997	51 - Make GMC	52 - Model C3500	53 - Body Style TK	54 - Color WHI	100 - Skidmarks to Impact (Ft) 0	
94 - Vehicle Damage MIDDLE PASSENGER SIDE						
95 - Extent Of Damage MINOR		96 <input type="checkbox"/> Vehicle Towed Due To Damage		97 - Vehicle Removed By EMPLOYEE		
123 - Vehicle Factors NOT-APPLICABLE						

Vehicle Owner

VEH OWNER 02

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 MAINLINE SEWER-WATER INC					
47 - Address Street & Number 11430 W BLUEMOUND RD #16			47 - PO Box		
48 - City WAUWATOSA		48 - State WI	48 - Zip Code 53226	49 - Telephone Number (414) 257-1814 EXT.	

Insurance



<b>INS 02</b>	63 - Liability Insurance Company <b>NOT-REQUIRED</b>		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**

<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			

**Diagram and Narrative**

105 - PHOTOS BY  
FIRE DEPT

**Drawings Not to Scale  
Measurements Are Approximate**

**DIAGRAM AND NARRATIVE**

UNIT #1 A FIRE LADDER TRUCK WAS N/B ON MCGEOCH ATTEMPTING TO MAKE A RIGHT TURN INTO THE WEST ALLIS CITY YARDS LOT AND WHEN IT TURNED THE LEFT REAR OF THE TRUCK SWUNG WIDE AND STRUCK THE PASSENGER SIDE MIRROR OF UNIT #2. THE ROAD IS UNDER CONSTRUCTION AND IS NARROW. UNIT #2 A CONSTRUCTION VEHICLE WAS PARKED IN THE ROADWAY. THERE WERE 2 PASSENGERS ON UNIT #1 THERE NAMES ARE NOT INCLUDED IN THIS REPORT.

**Officer Information**

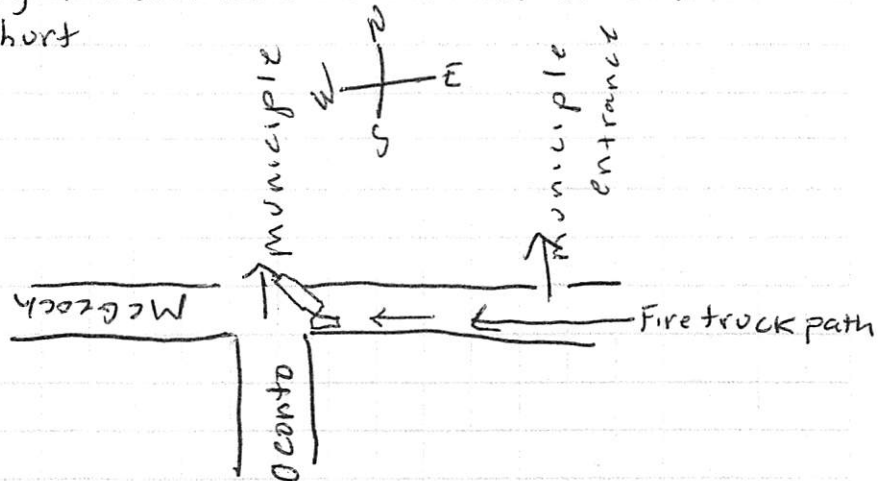
<b>OFFICER INFORMATION</b>	125 - Officer Last Name <b>SOPA</b>	125 - First Name <b>MARK</b>	125 - Middle Initial	131 - Officer ID <b>1225</b>
	129 - Law Enforcement Agency No. <b>4116</b>	130 - Law Enforcement Agency Name <b>WEST ALLIS POLICE DEPARTMENT</b>		
	126 - Law Enforcement Agency Address Street & 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>09/22/2008</b>	133 - Time Notified (Military Time) <b>1418</b>	134 - Time Arrived (Military Time) <b>1424</b>	135 - Date Of Report <b>09/23/2008</b>
	Agency Accident Number <b>A08092203</b>	Police Number <b>08043955</b>	19 - Special Study	
	18 - Agency Space			

**Truck and Bus**

TRUCK/BUS	136 A truck or truck combination > 10,000 lbs <input checked="" type="checkbox"/> GVWR/GCWR		136 Any vehicle displaying a hazardous materials <input type="checkbox"/> placard			
	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			

9/22/08 2:00pm

My NAME is RONALD MARX DOB 8-3-64  
I work for mainline Sewer + water  
I was working in west allis in front  
of the city munipicle Garage on McGroch  
Ave. I was Legally parked in construction  
Zone The vehicle that was hit was A 1997  
Gmc Pickup Vin# 1BGJ34F1VF038082.  
A firetruck cougth my passenger mirror  
Bending the door so it would not close. Noone  
was hurt



Some damage to fire truck (rear railing  
tore off

<p><b>MILWAUKEE SOUTH</b> (414) 541-1327 • 1-800-242-1255</p> <p><b>MILWAUKEE NORTH</b> (414) 357-7111 • 1-800-533-7113</p> <p><b>MILWAUKEE DOWNTOWN</b> (414) 342-0573 • 1-877-355-2145</p> <p><b>KENOSHA</b> (262) 652-6890 • 1-800-638-3448</p> <p><b>MADISON</b> (608) 249-6476 • 1-800-521-2331</p> <p><b>OSHKOSH</b> (920) 231-3501 • 1-800-451-4551</p>	<p><b>LCS LINCOLN CONTRACTORS SUPPLY, INC.</b> <small>WISCONSIN Company Since 1958</small></p> <p><b>INDUSTRY ALLIANCE</b></p> <p><b>FABCO RENTS</b> <b>CAT Rental STORE</b></p>	<p><b>WAUSAU</b> (715) 359-6111 • 1-800-537-3778</p> <p><b>GREEN BAY</b> (920) 432-8697 • 1-800-242-5626</p> <p><b>WAUKESHA</b> (262) 544-9747 • 1-877-370-6326</p> <p><b>RACINE</b> (262) 886-1682 • 1-877-373-7857</p> <p><b>APPLETON</b> (920) 757-1901 • 1-877-373-7815</p> <p><b>EAU CLAIRE</b> (715) 874-4100 • 1-877-371-9635</p>
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*att Henry*

GLENS AUTO BODY INC.  
 200 WEST ST. PAUL AVENUE  
 WAUKESHA, WI 53188-5105  
 PHONE (262) 547-0404 FAX (262) 547-5979 ID # 39-1144372  
 WISCONSIN'S FINEST COLLISION CENTER

CD LOG NO 7544-1 DATE 10/02/08

SHOP: GLEN'S AUTO BODY, INC.  
 ADDRESS: 200 W. ST. PAUL AVENUE.  
 CITY STATE: WAUKESHA, WI  
 ZIP: 53188-5105

INSP DATE: 10/02/08  
 CONTACT: EILEEN HABERMAN  
 PHONE 1: (262) 547-0404  
 FAX: (262) 547-5979

OWNER: SEWER & WATER, MAINLINE  
 ADDRESS: 11340 W BLUEMOUND RD  
 CITY STATE: WAUWATOSA, WI  
 ZIP: 53226

WORK PHONE: (414) 257-1814

POINT OF IMPACT: 0

LIC#: DG36569  
 BODY COLOR: WHITE  
 CONDITION:

STATE: WI

VIN: 1GBJC34F1BF038082  
 MILEAGE: 148,000  
 ACCTNG CTL#:

\*=USER-ENTERED VALUE  
 EC=REPLACE ECONOMY  
 UM=REMAN/REBUILT PRT  
 OE=REPLACE PXN OE SRPLS  
 TE=PARTL REPL PRICE  
 I=REPAIR  
 TT=TWO-TONE  
 N=ADDITIONAL LABOR  
 AA=APPEAR ALLOWANCE

E=REPLACE OEM  
 UE=REPLACE OE SURPLUS  
 EU=REPLACE SALVAGE  
 PC=PXN RECONDITIONED  
 ET=PARTL REPL LABOR  
 L=REFINISH  
 CG=CHIPGUARD  
 RI=R&I ASSEMBLY  
 RP=RELATED PRIOR

NG=REPLACE NAGS  
 UC=RECONDITIONED PRT  
 EP=REPLACE PXN  
 PM=PXN REMAN/REBUILT  
 IT=PARTIAL REPAIR  
 BR=BLEND REFINISH  
 SB=SUBLET  
 P=CHECK  
 UP=UNRELATED PRIOR

1997 GMC C3500 SL 2DOOR STANDARD CAB 8CYL GASOLINE 5.7  
 CODE: U8028B/B OPTNS R/24

OPTIONS:

TWO-STAGE - EXTERIOR SURFACES

TWO-STAGE - INTERIOR SURFACES

OP	GDE	MC	DESCRIPTION	MFG. PART NO.	PRICE	AJ%	B%	HOURS	R
EU0208			DOOR ASSEMBLY, FRONT	RT SALVAGE PART	300.00*			2.8	1
L 0208	13		DOOR SHELL, FRONT	RT REFINISH				5.2	4
E 0258			N/PLATE, FRONT DOOR	RT 15114049 GM PART	41.16			0.2	1
E 0094	#		MIRROR, OUTER STAND	RT 15635462 GM PART	266.61			0.3	1
			# = 01, 02						
E 0151			BAR, MIRROR MOUNTING	RT 15635750 GM PART	92.80			0.2	1
E 0159			BAR, MIRROR MOUNTING	RT 15634954 GM PART	43.39			0.3	1*
E 0322			BAR, MIRROR MOUNTING	RT 12547148 GM PART	85.28			0.3	1*
E 0324			BAR, MIRROR MOUNTING	RT 15634956 GM PART	46.64			0.3	1*
N			OSHA-EPA MGMT	ADDNL LABOR OPERA	3.00*				1*
N			LIQUID SPRAY MASK	ADDNL LABOR OPERA	*			0.3	4

1997 GMC C3500 SL 2DOOR STANDARD CAB  
-CD LOG NO 7544-1

N	TRANSFER HARDWARE	ADDNL LABOR OPERA	1.0*1*
I	CLEAN-UP TIME USED	PAR REPAIR	1.0*1*

12 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

GROSS PARTS		575.88
OTHER PARTS		303.00
PAINT MATERIAL		176.00
PARTS & MATERIAL TOTAL		1,054.88
TAX ON PARTS & MATERIAL @	5.100%	53.80

LABOR	RATE	REPLACE HRS	REPAIR HRS	
1-SHEET METAL	52.00	4.4	2.0	332.80
2-MECH/ELEC	75.00			
3-FRAME	65.00			
4-REFINISH	52.00	5.2	0.3	286.00
5-PAINT MATERIAL	32.00			
LABOR TOTAL				618.80
TAX ON LABOR		@	5.100%	31.56
SUBLET REPAIRS				
TOWING				
STORAGE				

GROSS TOTAL 1,759.04

NET TOTAL 1,759.04

SHOPLINK U0008 ES CD LOG 7544-1 DATE 10/02/08 09:31:49AM R6.37 CD 09/08  
HOST LOG  
(C) 1998 - 2008 AUDATEX NORTH AMERICA, INC.

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

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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.

NOTICE

"MOTOR" VEHICLE REPAIR TRADE PRACTICES ARE REGULATED BY WISCONSIN ADMINISTRATIVE CODE AG. 132, ADMINISTERED BY THE TRADE DIVISION. WISCONSIN DEPARTMENT OF AGRICULTURE, 801 WEST BADGER ROAD, MADISON, WI 53713  
"AFTERMARKET" OR REPLACEMENT PARTS ARE IDENTIFIED ON THE ESTIMATE BY THE WORDS "QUALITY REPLACEMENT PARTS", "PXN", OR "ECONOMY PART". YOUR CLAIM REPRESENTS



1997 GMC C3500 SL 2DOOR STANDARD CAB  
CD LOG NO 7544-1

TATIVE CAN EXPLAIN FURTHER.



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

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**To:** City Attorney  
**From:** Common Council  
**Date:** Monday, October 13, 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.

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**2008-0666** Mainline Sewer and Water, Inc. communication regarding vehicle damage allegedly sustained at W. McGeoch Ave. at W. Oconto Pl. on September 22, 2008.

**Due Date:**  
**Instructions:**

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