

February 18, 2016

Dr Fred Abadi
Director of Public Works
City of Waukesha
201 Delafield St.
Waukesha WI 53188

Dear Dr Abadi,

I am writing to dispute the City of Waukesha invoice dated 1/18/16, # 32160026 which I received for snow removal from the sidewalks adjacent to my property. Upon investigation with the engineering department, our snow removal contractor and WISN weatherman Mark Baden, I have determined that the snow for which the complaint was filed was cleared by us and our contractor prior to the notice to Jakes to clear the sidewalks. The snow Jakes cleared was snow that fell the day that he cleared the walk. The following are the details from my investigation.

Regarding the complaint and services billed.

- 1) On 1/5/16 a complaint was filed with the city regarding snow on the sidewalk. Id # SR-010516-2
- 2) On 1/7/16 a notice was filed but neither mailed, delivered, posted or called for lack of mailing address and phone number (now currently on file with the engineering department). per conversation with the engineering department notice is a courtesy.
- 3) Also per conversation with the engineering department, someone with the city did check the property. I do not know when and who did this.
- 4) On 1/11/16 Jakes, a city contractor was notified to clear the property sidewalks.
- 5) Jakes Cleared the sidewalks in the afternoon of 1/11/16. Jakes also provided before and after pictures.
- 6) Service Call Form details the matter closed on 1/12/16

Actions and dates taken by the owners and their snow removal contractor

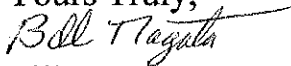
- 1) On Friday, 1/8/16 I received a call from Art Olsen, our snow removal contractor that he had cleared 70% of the snow on the Delafield side of the property to the cement and that he had cleared on pass with a snowblower on the Moreland side but by that time the cement was covered by slush. He also related that he would not be able to finish the rest that evening and that he would not get to the rest until Sunday. We told him that it was okay and that we would come down on Saturday the 9th to complete the snow removal.
- 2) On Saturday 1/9/16 my brother and I finished clearing 100% of the snow from grass to grass on both the Delafield and Moreland sides of the property.
- 3) On the evening of 1/9/16 additional snow fell and was cleared by Art Olsen on Sunday the 10th
- 4) On 1/11/16 more snow fell this was not cleared by our snow removal service. It was cleared by Jakes on the afternoon of the 11th.

Based upon the timeline and the facts gathered, it is my argument that the snow fall relating to the filed complaint was cleared by the owners/owners contractor on 1/9/16 and that the snow cleared by the city contractor was from a subsequent snow for which there was no complaint. The snow that fell on the 1/11/16 was fresh and less than 12 hours on the ground. As proof of my argument I have included an email from Mark Baden, WISN weather detailing when and how much snow fell and my photo interpretation of the before pictures of the sidewalk provided by Jakes, the city contractor.

The weather report for 1/11/16 was for 1.6 inches and the before pictures shows very little snow on the sidewalks based on the tracks in the snow. Also the sides of the sidewalk show piles where the snow from the previous shoveling were placed.

If you have any other questions please call me at 708-997-0798. I wait to hear from you or the department regarding your decision.

Yours Truly,


Bill Nagata



Baden, Mark J (MBADEN@hearst.com) Add to contacts 2/17/16

To: stevenagata@hotmail.com, WISN WISNWEATHER

Steve,

In Milwaukee, there was 1.5" on the 9th and 1.6" on the 11th.

I hope this helps.

Sincerely,
Mark Baden

From: stevenagata@hotmail.com <stevenagata@hotmail.com>
Sent: Tuesday, February 16, 2016 11:47 AM
To: WISN WISNWEATHER
Subject: Weather

PAGE 1 QUESTIONS:

1. Department:
Weather

2. Email Address:
stevenagata@hotmail.com

3. Message:

Hello, My name is Steve Nagata and I need to find out if there was any measurable snow on the days of January 9, 10, and/or 11 of this year. It is very, very important. If you can help i would be so grateful.

Sincerely,

Steve Nagata