

on 2/18 Agenda.

**DONALD P. LOMAX  
P.O. BOX 232  
WALES, WI 53183**

**414-254-4057**

January 21, 2016

Mr. Fred Abadi  
Director Public Relations  
City of Waukesha  
130 Delafield Street  
Waukesha, WI 53186

Reference: Our Property at 909 Blackstone, Waukesha

Dear Mr. Abadi:

Last week we received invoice #32160022 from the city in the amount of \$504.00 for snow plowing on January 13, 2016 at the above address.

Our snow plowing service, DB Seasonal Services, plowed our parking lot and surrounding sidewalks on Arcadian and Blackstone shortly after the related snow storm of 12-28 / 12-29-2015 as they have been doing regularly for many years. About a week and a half later I learned from your "Gabe" that the sidewalks were covered with snow and ice and that we would be charged for cleaning by the city. I visited the site myself and discovered the sidewalks covered with icy slush up to 8" thick from plow residue deposited from the wing of the city snow plow. The street was perfectly clean of snow and ice right to the curb, the result of cleaning by your city contractor.

I purchased and spread 100 lbs. of ice melt on the sidewalks in preparation for DB Seasonal Services to remove the ice which they did on Friday, January 8<sup>th</sup>. (see enclosed letter from DB detailing their clean up work)

Prior to that time, I spoke with your Katie Jelacic and she allowed us until the end of the week to clean the sidewalk, given that the temperature remained in the single digits and the ice melt needed some time to work before we would be able to literally chop away the ice. We did the clean up, as promised, by Friday afternoon the 8<sup>th</sup>.

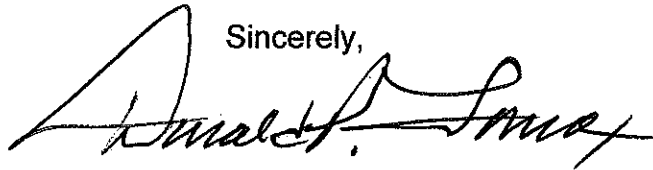
I think we can all agree that this was an unusually severe storm that resulted in a tremendous amount of ice that was impossible to remove if not done immediately, which we did, not knowing that more would be re-deposited on our property by the city trucks. We have always faithfully removed snow and ice from our property and have never had a problem with the city before this storm.

In summary, we made an honest, successful attempt to clean the mess made by your contractor and then got slapped with a ridiculous \$504.00 charge which was contrary to our agreement with Ms. Jelacic.

We request that the city remove the charge against our property and confirm same in writing.

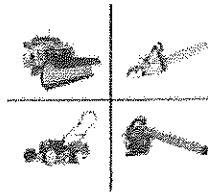
Please feel free to call me with any questions you may have regarding this matter. Thank you in advance for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald P. Lomax". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Donald P. Lomax

Enclosure



**DB Seasonal Services**

Dear Phil,

I am writing to u in reference to the storm of 12/28-29/15. It was a lengthy storm that dropped quite a bit of snow on us which was unexpected. Your lot and sidewalks were cleared for the last time after the snow had stopped about a week and a half later I was contacted by Don about some snow on the walks along Arcadian Ave. I drove over and noticed a city truck had gone through with their wing and pushed the snow along the edge of the sidewalk back onto the sidewalk creating a large pile of snow all the way along Arcadian Ave. Due to the cold temps and precipitation all this snow froze and there was no way a snowblower or shovel would be able to remove it. I called Don and we discussed with the warm temps expected along with rain the next couple days I would lay salt and hope that it melts enough then i would bring out a loader on friday the 8th around 5pm. We laid the salt as well as Don himself and He was in contact with the city telling them we were taking care of this problem. I showed up Friday approximately 5pm to notice there had been a loader there recently that pushed some of the snow off the walks but left large messes in the lot entrances nor did they clear the entrances of the walks to the cross streets. We cleared all of this and salted the walks to treat any ice left under the snow. Im not sure why this was done, In all the years i have been plowing this property nothing like this has ever happened before. I am guessing maybe a new driver that used bad judgement this time. I know its common practice to push snow as far off the road as possible after a storm but in this area that is not possible unless u come back with a loader and move it from sidewalk when done.

Sincerely h

Dave Badertscher

DB Seasonal Services.