

CITY OF WAUWATOSA
7725 W. North Avenue
Wauwatosa WI 53213

NOTICE OF CIRCUMSTANCES OF CLAIM

Name: Marsha E. Koehler

Address: [REDACTED]

Incident/Accident Information

Date: On or about March 19, 2024

Place: 1826 N. 73rd St, Wauwatosa

CIRCUMSTANCES OF CLAIM

On or about March 19, 2024, the water meter located in the basement of the residence at 1823 N. 73rd St in Wauwatosa and owned by Marsha E. Koehler (hereinafter "Mrs. Koehler") was replaced by an employee of the City of Wauwatosa (hereinafter "City"). Such replacement was done incorrectly and/or involved a faulty gasket, resulting in significant leaking of water from the meter into the home causing water damage to the carpet and adjacent baseboards and drywall in the basement of the home, destroying the affected materials and rendering them unsalvageable. When Mrs. Koehler discovered the water two days later, she contacted the City, who sent an employee to the home that day, the meter was repaired and the leaking stopped.

Please note that the City was first contacted by Mrs. Koehler on or about March 18, 2024 as she had discovered that the existing water meter (hereinafter "Original Meter") was leaking slightly. The City sent an employee to the home that day and replaced the Original Meter with a new water meter (hereinafter "Replacement Meter 1"). When Mrs. Koehler discovered the following day that Replacement Meter 1 was leaking slightly, she contacted the City, a City employee came to the home that day and informed her that Replacement Meter 1 had an electrical short and was inoperable, and a second replacement meter was installed (hereinafter: "Replacement Meter 2"). It was Replacement Meter 2 that leaked a significant amount of water and which caused the damage giving rise to this claim. The amounts of water leaking from Original Meter and Replacement Meter 1 were negligible and did not cause any damage.

Signed: Marsha E. Koehler

Date: 6/9/24

CLAIM

Mrs. Koehler seeks reimbursement from the City for her costs associated with removing and replacing the unsalvageable carpet and building materials in the amount of **\$13,160.91**, derived as follows:

Removal of carper, drying/cleaning of affected area: \$3402.94 (See attached Servpro Contract #1)
Additional cleaning, replacement of drywall, baseboards, and other related work: \$5962.62 (See attached Servpro Contract #2)

Purchase and installation of new carpeting: \$3795.35. (See attached Supercarpet invoice)

Grand total: \$13,160.91

The undersigned, Marsha E. Koehler, hereby makes a claim against the City arising out of the circumstances described above in the amount of **\$13,160.91**.

Signed: Marsha E. Koehler Date: 6/9/24

Marsha E. Koehler

Address: [REDACTED]

Kindly direct all questions and requests for information to Mrs. Koehler's attorney:

Attorney James R. Stanek
11737 W North Avenue
Wauwatosa WI 53226
(414) 257-1900
jstanek@blcattorney.com

Any payments should be made directly to Mrs. Koehler and not through her attorney.

June 9, 2024

City of Wauwatosa
7725 W North Avenue
Wauwatosa WI 53213

Re: Authorization to Discuss Claim With Attorney

I hereby authorize Attorney James R. Stanek to discuss with any employee or agent of the City of Wauwatosa any matters concerning or related to my claim arising out of the March 2024 replacement of the water meter in my home located at [REDACTED] in Wauwatosa.

Marsha E. Koehler
Marsha E. Koehler

Date 6/9/24



Servpro of Milwaukee North #11376 & NE Wauk. Cty #11378 & EC Wauk. Cty #11377

N92W15600 Megal Dr
Menomonee Falls, WI 53051
Phone: (262) 250-1101 Fax: (262) 250-1107
www.servpromilwaukeeeast.com
Tax ID# 86-1243282

Client: Dick Koehler
Property: [REDACTED]

Operator: ROB

Estimator: Servpro of Milwaukee North & NE Waukesha County
Business: N92W15600 Megal Dr
Menomonee Falls, WI 53051

Business: (262) 250-1101

Type of Estimate:

Date Entered: 3/25/2024

Date Assigned:

Price List: WIMW8X_MAR24

Labor Efficiency: Restoration/Service/Remodel

Estimate: KOEHLER-DICK

INITIAL CONTRACT W/ SERVPRO. REMOVAL OF CARPET,
DAYWORK & CLEANING
\$3402.94



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KOEHLER-DICK

Job

DESCRIPTION	QTY	UNIT PRICE	TOTAL
1. Equipment setup, take down, and monitoring (hourly charge)	4.50 HR @	67.57 =	304.07
Note: 3 Days of equipment setup, monitoring and breakdown. 1.5 hours each day			
2. Single axle dump truck - per load - including dump fees	1.00 EA @	331.52 =	331.52
3. Contents - move out then reset	1.00 EA @	82.73 =	82.73

Main Level

Den

Height: 8'

Missing Wall	4' 2" X 8'	Opens into Exterior
Missing Wall - Goes to Floor	3' 3" X 6' 8"	Opens into Exterior

DESCRIPTION	QTY	UNIT PRICE	TOTAL
4. Tear out trim	30.00 LF @	0.63 =	18.90
5. Tear out wet non-salvageable carpet, cut & bag for disp.	518.85 SF @	0.73 =	378.76
6. Tear out wet carpet pad and bag for disposal	518.85 SF @	0.69 =	358.01
7. Apply anti-microbial agent to the walls and ceiling	1,509.18 SF @	0.33 =	498.03
8. Clean floor	518.85 SF @	0.58 =	300.93
9. Dehumidifier (per 24 hr period)- up to 69 ppd- No monitor.	3.00 EA @	56.46 =	169.38
Note: 1 Dehumidifier for 3 days			
10. Air mover (per 24 hour period) - No monitoring	24.00 EA @	26.50 =	636.00
Note: 8 Air Movers for 3 days			

Work Shop

Height: 8'

DESCRIPTION	QTY	UNIT PRICE	TOTAL
11. Apply anti-microbial agent to the walls and ceiling	413.22 SF @	0.33 =	136.36
12. Clean floor	97.22 SF @	0.58 =	56.39

Stairs

Height: 15' 6"



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Missing Wall	3' X 15' 6 1/16"	Opens into Exterior	
Subroom: Stairs2 (1)			Height: 9' 11"
Missing Wall	3' X 9' 10 1/2"	Opens into STAIRS1	
Subroom: Stairs1 (2)			Height: 9' 11"
Missing Wall	3' X 9' 10 1/2"	Opens into STAIRS	
Missing Wall	3' X 9' 10 1/2"	Opens into STAIRS2	

DESCRIPTION	QTY	UNIT PRICE	TOTAL
13. Tear out wet carpet pad and bag for disposal	64.04 SF @	0.69 =	44.19
14. Tear out wet non-salvageable carpet, cut & bag for disp.	64.04 SF @	0.73 =	46.75
15. Clean floor	64.04 SF @	0.58 =	37.14

Grand Total Areas:

1,605.14 SF Walls	655.33 SF Ceiling	2,260.47 SF Walls and Ceiling
680.11 SF Floor	75.57 SY Flooring	192.26 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	192.17 LF Ceil. Perimeter
680.11 Floor Area	710.76 Total Area	1,306.33 Interior Wall Area
939.50 Exterior Wall Area	110.50 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



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Tax ID# 86-1243282

Client: Marsha & Richard Koehler
Property: 1826 N. 73rd Street
Wauwatosa, WI 53213

Operator: CLAY

Estimator: Servpro of Milwaukee North & NE Waukesha
County
Business: N92W15600 Megal Dr
Menomonee Falls, WI 53051

Business: (262) 250-1101

Type of Estimate: Water Damage

Date Entered: 3/28/2024

Date Assigned:

Price List: WIMW8X_APR24

Labor Efficiency: Restoration/Service/Remodel

Estimate: KOHLER-REBUILD

The contract price for this construction project has been calculated based on the current prices for the component building materials. However, the market for the building materials that are hereafter specified is considered to be volatile, and sudden price increases could occur. Servpro of Milwaukee North agrees to use it's best efforts to obtain the lowest possible prices from available building material suppliers, but should there be an increase in the prices of these specified materials that are purchased after execution of contract for use in this construction project, the Owner agrees Servpro of Milwaukee North may supplement their insurance company or to pay that cost increase to Servpro of Milwaukee North if this a non-insurance related project.

Signature: _____

Date: _____

2nd CONTRACT w/ SERVPRO. ^{Repairs} DAY WARE & OTHER APPARUS
5962.62



Servpro of Milwaukee North #11376 & NE Wauk. Cty #11378 & EC Wauk. Cty #11377

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KOHLER-REBUILD

Basement

Hallway

Height: 7'

Missing Wall 3' X 7' Opens into Exterior
Missing Wall 3' X 7' Opens into BILLIARDS_RO

DESCRIPTION	QTY	UNIT PRICE	TOTAL
** WALLS **			
1. 1/2" - drywall per LF - up to 2' tall	6.25 LF @	14.79 =	92.44
2. 1/2" - drywall per LF - up to 4 inches tall	13.75 LF @	4.69 =	64.49
3. Tape joint for new to existing drywall - per LF	28.00 LF @	13.44 =	376.32
4. Texture drywall - smooth / skim coat	15.75 SF @	2.19 =	34.49
5. Mask the surface area per square foot - plastic and tape - 4 mil To protect opening	24.00 SF @	0.32 =	7.68
6. Seal/prime (1 coat) then paint (2 coats) the walls	218.17 SF @	1.69 =	368.71
** FINISH CARPENTRY **			
7. Baseboard - 3 1/4" hardwood	31.17 LF @	5.61 =	174.86
8. Stain & finish baseboard	31.17 LF @	2.05 =	63.90
** FINAL CLEAN **			
9. Final cleaning - construction - Residential	46.25 SF @	0.37 =	17.11

Billiards Room

Height: 7'

Window 2' 8" X 1' 9" Opens into Exterior
Window 2' 8" X 1' 9" Opens into Exterior
Missing Wall 3' X 7' Opens into HALLWAY
Missing Wall 6' 10" X 7' Opens into RECREATION_R
Missing Wall 7' 9" X 7' Opens into RECREATION_R

DESCRIPTION	QTY	UNIT PRICE	TOTAL
** WALLS **			
10. 1/2" - drywall per LF - up to 2' tall	5.25 LF @	14.79 =	77.65
11. Fill holes created by wall cavity drying	21.00 EA @	3.34 =	70.14
12. Tape joint for new to existing drywall - per LF	13.25 LF @	13.44 =	178.08
13. Texture drywall - smooth / skim coat	54.50 SF @	2.19 =	119.36
14. Mask the surface area per square foot - plastic and tape - 4 mil To protect windows	40.00 SF @	0.32 =	12.80
15. Seal/prime (1 coat) then paint (2 coats) the walls	261.92 SF @	1.69 =	442.64
** FINISH CARPENTRY **			



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CONTINUED - Billiards Room

DESCRIPTION	QTY	UNIT PRICE	TOTAL
16. Baseboard - 3 1/4" hardwood	38.75 LF @	5.61 =	217.39
17. Stain & finish baseboard	38.75 LF @	2.05 =	79.44
** FINAL CLEAN **			
18. Clean window unit (per side) 10 - 20 SF	2.00 EA @	21.35 =	42.70
19. Final cleaning - construction - Residential	195.13 SF @	0.37 =	72.20

Recreation Room

Height: 7'

Missing Wall	7' 9" X 7'	Opens into BILLIARDS_RO
Missing Wall	6' 10" X 7'	Opens into BILLIARDS_RO
Missing Wall - Goes to Floor	3' 3" X 6'	Opens into WORKSHOP
Missing Wall - Goes to Floor	3' 7" X 6' 5"	Opens into Exterior

DESCRIPTION	QTY	UNIT PRICE	TOTAL
** WALLS **			
20. Fill holes created by wall cavity drying	26.00 EA @	3.34 =	86.84
21. Texture drywall - smooth / skim coat	56.25 SF @	2.19 =	123.19
22. Mask the surface area per square foot - plastic and tape - 4 mil To protect openings	40.00 SF @	0.32 =	12.80
23. Seal/prime (1 coat) then paint (2 coats) the walls	399.09 SF @	1.69 =	674.46
** HVAC **			
24. Cold air return cover - Detach & reset	1.00 EA @	29.79 =	29.79
** FINISH CARPENTRY **			
25. Stain & finish door/window trim & jamb (per side)	1.00 EA @	53.38 =	53.38
26. Baseboard - 3 1/4" hardwood	56.25 LF @	5.61 =	315.56
27. Stain & finish baseboard	56.25 LF @	2.05 =	115.31
** FINAL CLEAN **			
28. Final cleaning - construction - Residential	290.03 SF @	0.37 =	107.31

Workshop

Height: 7'

KOHLER-REBUILD

4/17/2024

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Missing Wall - Goes to Floor 3' 3" X 6' Opens into RECREATION_R
Subroom: Workshop (1) Height: 7'
Missing Wall 10" X 7' Opens into WORKSHOP
Missing Wall 11" X 7' Opens into WORKSHOP

DESCRIPTION	QTY	UNIT PRICE	TOTAL
** WALLS **			
29. Fill holes created by wall cavity drying	32.00 EA @	3.34 =	106.88
30. Texture drywall - smooth / skim coat	51.75 SF @	2.19 =	113.33
31. Mask the surface area per square foot - plastic and tape - 4 mil	40.00 SF @	0.32 =	12.80
<i>To protect windows</i>			
** FINISH CARPENTRY **			
32. Baseboard - 3 1/4" hardwood	51.75 LF @	5.61 =	290.32
33. Stain & finish baseboard	51.75 LF @	2.05 =	106.09
** FINAL CLEAN **			
34. Final cleaning - construction - Residential	144.24 SF @	0.37 =	53.37

General Conditions

DESCRIPTION	QTY	UNIT PRICE	TOTAL
** GENERAL CONDITIONS **			
** DISPOSAL **			
35. Haul debris - per pickup truck load - including dump fees	1.00 EA @	187.82 =	187.82
36. Fuel surcharge	1.00 EA @	67.19 =	67.19

Grand Total Areas:

1,547.41 SF Walls	714.67 SF Ceiling	2,262.08 SF Walls and Ceiling
738.44 SF Floor	82.05 SY Flooring	207.67 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	214.00 LF Ceil. Perimeter
738.44 Floor Area	773.32 Total Area	1,244.67 Interior Wall Area
854.45 Exterior Wall Area	114.67 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	



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Summary for Dwelling

Line Item Total	4,968.84
Overhead	496.89
Profit	496.89
Replacement Cost Value	
Net Claim	 \$5,962.62

Servpro of Milwaukee North & NE Waukesha
County

If at the time of substantial completion of this project, Cowell Restoration LLC dba Servpro of Milwaukee North and Customer agree to a "punch list" of items that remain to be completed, an amount (the retainage) may be withheld from final payment that is equal to 125% the value of the uncompleted work (as reasonably determined by Cowell Restoration LLC), or \$250, whichever is greater. The retainage is due upon completion of punch list items. No amounts other than retainage may be withheld or deducted from amounts due Cowell Restoration LLC.

In some cases your insurance company will list your mortgage company as a payee on the structural proceeds check to protect the mortgage company's stake in the property and ensure the repairs are completed and the property retains its value. Getting the mortgage company to sign off on the funds, schedule inspections and accept forms and letters, etc can be a long process. Here at Cowell Restoration LLC we have dedicated personnel that focus on this process every day, including an in-house notary, **we are trying to match the funds release with the work being performed.** By signing below you are agreeing to allow Cowell Restoration LLC to:

- 1) Speak with the mortgage company on your behalf
- 2) Sign forms that the mortgage company requires
- 3) Setup inspections
- 4) Be paid directly when applicable as progress payments are made AND inspections completed

By signing below, Customer agrees with the retainage and mortgage company statements above and to pay the total amount of this estimate unless this estimate is changed and/or replaced with a new estimate or the final price is altered with a signed change order.

Customer Signature: _____ Date: _____

JOB INVOICE

Supercarpet, Inc.
 "MILWAUKEE'S CARPET SUPERSTORE SINCE 1973"
 (414) 404-4020
 5301 W. DOUGLAS AVE. MILWAUKEE, WI 53218

ADD: [REDACTED]
 CITY: [REDACTED] STATE: [REDACTED] ZIP: [REDACTED]
 HOME PHONE: [REDACTED]

JOB LOCATION: [REDACTED] CONTRACTOR: [REDACTED]

ROOM	MFG./DISTR.	STYLE NO.	PRODUCT NAME	COLOR NO.	COLOR NAME	TYPE OF FLOORING	WIDTH	LENGTH	TOTAL SQ.YD/FT	PRICE PER SQ.YD/FT	AMOUNT
------	-------------	-----------	--------------	-----------	------------	------------------	-------	--------	----------------	--------------------	--------

1 5408 Sound Advice B/L 12-72-96.11 3795.35
 2 3 Balls
 3
 4
 5
 6
 7
 8
 9
 10

SUPERCARPET
 5777 W DOUGLAS AVE
 MILWAUKEE, WI 53218

05/21/2024

09:07:44

CREDIT CARD
 MC SALE

Card # XXXXXXXXXXXX134E
 Chip Card: MASTERCARD
 AID: A000000004101C
 ATC: 002C
 ARQC: CB38DE40DF92797C
 SEQ #: 1
 Batch #: 1301
 INVOICE 901272
 Approval Code: Chip Recd
 Entry Method: Issuer
 Mode:

SALE AMOUNT

\$3795.35

CUSTOMER COPY

SUB-TOTAL
LABOR
SALES TAX
TOTAL 3795.35
DEPOSIT
BALANCE DUE

PAID BY: [REDACTED] DATE OF ORDER: 4/11/24
 SCHEDULED INSTALL DATE: [REDACTED]
 SCHEDULED COMPLETION: [REDACTED]
 CASH [REDACTED] CHARGE [REDACTED] OTHER [REDACTED]

CUSTOMER READ BEFORE SIGNING: Buyer understands that there may be a dye-lot variation from sample. Seller is not responsible for chips, dents or conditions of existing moldings, doors, jambs or fixtures. Room must be clear of obstacles at time of installation. Seller is not responsible for cutting doors. Seller is not responsible for customers measurements. Seller is not responsible for manufacturer or shipper delays. Unforeseen structural problems upon installation may change the amount due on this invoice. A FINANCE CHARGE OF _____% (_____% PER ANNUM) will be charged to accounts past _____ days. In the event Buyer defaults under the terms of this agreement, Buyer agrees to pay reasonable attorney fees, if the sums due are collected by or through an attorney.

PAYMENT IN FULL TO BE MADE UPON COMPLETION OF INSTALLATION, UNLESS OTHERWISE NOTED.

BUYER HEREBY ACCEPTS THE ABOVE TERMS AND CONDITIONS. Sig: _____

DATE: _____

PAID IN FULL
 Thank You!

FLOORING

MY JFG U

4/5/2024 8:13 AM

ESSENTIAL CHECKING

The State Check Company 1-800-724-3257

MARSHA E. KOEHLER
1826 N 73RD ST
WAUWATOSA, WI 53213



9331

Date March 27, 2024

Pay to the Order of Servpro \$ 1,000.00
One thousand and no/100 Dollars

"And the heavens shall praise thy wonders, O Lord..."
Psalm 89:5

JOHNSON BANK
JOHNSONBANK.COM

For Downpayment

Marsha E. Koehler

9331

BusinessCapture > 03/29/2024

For Deposit Only
To Account
CHECK NUMBER 9331
03/29/2024
NAME OF FINANCIAL INSTITUTION
DATE
RESERVED FOR FINANCIAL INSTITUTION USE

Amount: \$-1,000.00

Statement Description: CHECK

Check Number: 9331

Posted Date: 4/1/2024

Type: Debit

Status: Posted

4/23/24, 12:08 PM

Payment confirmation: Invoice #613266-(SERVPRO of Milwaukee North)

From: "QuickBooks Payments" <quickbooks@notification.intuit.com>

To: mkoehler4@WI.RR.com

Cc:

Bcc:

Priority: Normal

Date: Tuesday April 23 2024 11:46:35AM

Payment confirmation: Invoice #613266-(SERVPRO of Milwaukee North)



[Manage payment](#)



You paid \$2981.31

to **SERVPRO of Milwaukee North** on 04/23/2024

Payment details

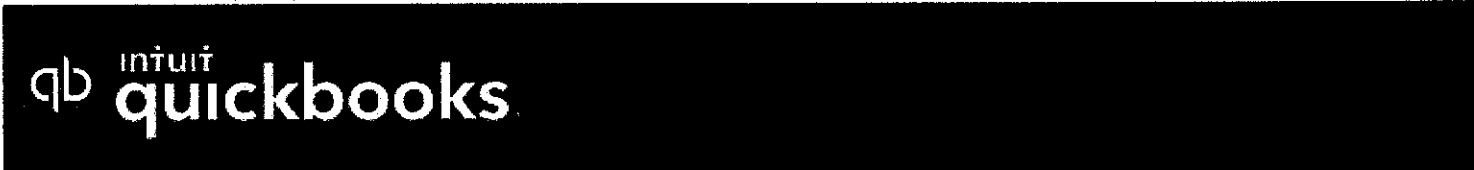
Invoice no.	613266
Invoice amount	\$2981.31
Total amount	\$2981.31

Status	Paid
Payment method	Personal checking *****2184
Authorization ID	ASN5R3ZT

Please don't reply to this email, if you need any help regarding this message, please contact the business directly.

Thank you,

From: "QuickBooks Payments" <quickbooks@notification.intuit.com>
To: mkoehler4@WI.RR.com
Cc:
Bcc:
Priority: Normal
Date: Thursday April 25 2024 11:14:54AM
Payment confirmation: Invoice #613276-(SERVPRO of Milwaukee North)



[Manage payment](#)



You paid \$2402.94

to **SERVPRO of Milwaukee North** on 04/25/2024

Payment details

Invoice no.	613276
Invoice amount	\$2402.94
Total amount	\$2402.94

Status	Paid
Payment method	Personal checking *****2184
Authorization ID	ASNC1XV7

Please don't reply to this email, if you need any help regarding this message, please contact the business directly.

Thank you,

From: QuickBooks Payments quickbooks@notification.intuit.com
Subject: Payment confirmation: Invoice #613385-(SERVPRO of
Milwaukee North)
Date: May 31, 2024 at 11:22:05 AM
To: mkoehler4@wi.rr.com



[Manage payment](#)

 **You paid \$2981.31**

to SERVPRO of Milwaukee North on 05/31/2024

Payment details

Invoice no.	613385
Invoice amount	\$2981.31
Total amount	\$2981.31
Status	Paid
Payment method	Personal checking *****2184
Authorization ID	A9YM2GY7

Please don't reply to this email, if you need any help regarding this message, please contact the business directly.

Thank you,