

RESOLUTION 2023-46
(5/9/2023)


**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA
DISALLOWING THE CLAIM OF LINDA MILTON, DATED DECEMBER 2, 2022
AND FILED WITH THE VILLAGE ON DECEMBER 9, 2022, WITH AN INCIDENT
DATE OF SEPTEMBER 11, 2022**

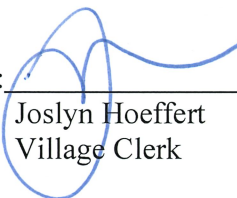
WHEREAS, Linda Milton presented an Itemized Notice of Claim in the amount of \$11,578.00 pursuant to Section 893.80, Wis. Stat., dated December 2, 2022 and filed with the Village on December 9, 2022, with an incident date of September 11, 2022 ("Milton Claim");

NOW THEREFORE, BE IT RESOLVED that the Village Board of the Village of Caledonia disallows the Milton Claim pursuant to Section 893.80, Wis. Stat., dated December 2, 2022 and filed with the Village on December 9, 2022 with an incident of September 11, 2021, and that the Village Clerk is directed to provide written notice of disallowance as required by Section 893.80(1g), Wis. Stat. and without waiving any and all immunities under the law including but not limited to quasi-legislative immunities under Sec. 893.80(4), Wis. Stat., and any and all defenses, procedural and substantive, of the Village as allowed by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 9 day of May, 2023.

VILLAGE OF CALEDONIA

By: 
Thomas Weatherston
Village President

Attest: 
Joslyn Hoeffert
Village Clerk



Citizen Claim and Damage Form

NOTICE OF CLAIM

Name: Linda Milton Incident/Accident Information
 Address: 4533 Charles St Date: 9/11/22
Racine, WI 53402 Time: 7-8 PM
 Phone: (414) 403-4893 Place: basement

CIRCUMSTANCES OF CLAIM

In the space below briefly describe the circumstances of your claim. (Attach additional sheets, if necessary.) For auto damages, attach a copy of police report, if any, and attach a diagram of the accident scene indicating north, south, east or west corners if the accident occurred at an intersection. For bodily injury, indicate nature of injury and whether or not medical attention was given and give the name of the physician. Also identify any witnesses to the incident/accident.

- See attached
- Enclosures
- Photos

Signed: Linda Milton Date: 12/02/22

CLAIM

(NOTE: You are not required to make a claim at this time. As long as you have filed the above Notice of Claim you may file a claim with the Village at any time consistent with the applicable statute of limitations. However, in order for the Village to formally accept or deny your claim at this time, the following claim must be completed and signed.)

The undersigned hereby makes a claim against the Village of arising out of the circumstances described above in the amount of \$ 11,578.

To process this claim it is necessary to detail all damages being sought.

Signed: Linda Milton Date: 12/02/22
 Address: 4533 Charles St
Racine, WI 53402

12/12/22

To Whom it May Concern,

On the evening of September 11, 2022, our sewer drain in our basement backed up due to substantial rainfall this day/evening. This was not the first time this had happened, but by far, the worst. When I went into the basement during the evening of the 11th of September, say 8pm or so, the water was literally gushing up from the sewer drain like a water fountain! I was devastated! Once the rain stopped, I went down to assess the damage. It was clear that in some areas of our basement, we had at least 6-8 inches of raw sewerage (see photos enclosed) We rented a dumpster (#435) and knew there was no way we could get everything thrown out from damage because the water flooded our whole basement floor. The enclosed receipts do not even reflect the damaged items that were thrown out (probably estimated at another \$5000 or more) The basement was partially carpeted and our basement stairs were also carpeted and that had to be ripped

out and replaced. So we hired Chase Connor to professionally help remove damaged goods and clean some items that were able to salvage and clean and disinfect our entire basement floor. He also set up industrial fans and dehumidifiers when done.

Again, this has happened at least 2 other times since we lived here (since 2008) but this time was the worst time.

Any reimbursement of any sort would be greatly appreciated as we feel this was a village sewerage issue and no fault of ours.

Sincerely,

Mr & Mrs A. Milton
4533 Charles St
Racine, WI 53402
(414) 403-4893

(I prefer text to talk)

Thank-you | joy.milton@gmail.com
07

Westwood Services Inc. |
Junkshuttle

21001 Watertown Rd, #301
Waukesha, WI 53186
262-544-5865
info@junkshuttle.com



SALES RECEIPT

BILL TO

Linda Milton
4533 Charles St
Racine, WI 53402

SALES # 2021_i6039
DATE 09/12/2022

ACTIVITY	QTY	RATE	AMOUNT
12 yd WM - 9/20/2022	1	435.00	435.00

Thank you for your business and have a great day!

TOTAL 435.00
BALANCE DUE **\$0.00**



DR. PLUMBER

The cure for your ailing pipes.

INVOICE

6818 South Dory Drive • Franklin, Wisconsin 53132 • Tel.: 414-698-4528

BILL TO: Juan Lopez JOB AT: _____
4533 Charles St _____
Racine _____

PHONE: 403-41883 WORK: _____ CELL: _____ DATE: 8-13-22

REASON FOR CALL: to re-site water heater

EVALUATION / RECOMMENDATION: _____

WORK PERFORMED: Re-site water heater AUTHORIZED BY: _____

OTHER CONCERNS / ADDITIONAL WORK: _____

<u>Semi Cond labor</u>	<u>\$175.00</u>				
<u>Part up car</u>					

PAYMENT DUE UPON COMPLETION CONFIRMATION BY: _____

30 DAY SERVICE GUARANTEE ON REPAIRS NEW PARTS AS PER MANUFACTURER WARRANTY.
SERVICE CHARGE OF 2% PER MONTH WILL BE CHARGED ON ALL INVOICES UNPAID AFTER 30 DAYS.
 OWNER IS RESPONSIBLE FOR ALL COLLECTION COSTS ON UNPAID BALANCES.

9/14/22

Paid \$1000 down
payment to Chase Corner
for sewer backup
clean up.

Linda Milton

~~Chase Corner~~

612801

ORDERED		SHIPPED	DESCRIPTION	PRICE	UNIT	AMOUNT
			Hallway all Contaminated Spills Tack all to dumpster Move all Miscellaneous Items To Scrub all Sewer off The Basement Floor and Hallway/ Map and Sanitize flooring and Put Back all Miscellaneous Property			9,000.00
						9,000.00

Invoice		SHIP TO		DATE	
SOLD TO Linda Milton		ADDRESS Chase Corner		9/16/22	
ADDRESS 4537 Charles St		CITY, STATE, ZIP		F.O.B.	
CITY, STATE, ZIP Racine WI 53402		TERMS		CUSTOMER ORDER NO.	



We Do It All...carpet, ceramic, wood, laminate, vinyl, area rugs and more!

1155 Oakes Road, Racine, WI 53406 • (262) 554-7070
 Material pick-up & deliveries at our warehouse
 9320 Michigan Ave., Sturtevant, WI 53177 • (262) 898-1740

SALES TICKET

ORDER: 90057898 JM Joe Mattes

PAGE: 1

DATE: 9/26/2022

LOC: Racine

TERMS: Payment at Delivery

B Linda Milton
 I 4533 Charles St
 L Racine, WI 53402
 L (414) 403-4893
 T
 O

S Linda Milton
 H 4533 Charles St
 I Racine, WI 53402
 P (414) 403-4893
 T
 O

Customer	Salesperson	Customer P. O.		Ship Via	Date Wanted	F.O.B.		Order
4144034893	Joe			Default Shipper	9/28/2022 E			90057898
Order	B/O	Ship	U/M	Item Number /Description	Unit Price	U/M	Total Price	
120.00	120.00	0.00	SF	ROLL: B/O * Parade of Champs II 12', Rustic Retreat 10' 0" by 12' 0"	\$1.79	SF	\$214.80	
120.00	0.00	120.00	SF	Spillmaster 8lb 7/16", Moisture Barrier	\$0.50	SF	\$60.00	

Order Sub-Total: \$274.80
 Tax: (%5.000) Racine \$13.74
 Total: \$288.54
 Amount Paid: \$288.54
 Cash: \$288.54
 Balance Due: \$0.00
 * = ITEMS IN WEIGHT TOTAL
 TOTAL WEIGHT: 4.27 LBS

All orders are subject to measure and adjustment. No returns are accepted on hardsurface items. A 30% restock fee applies to all product that is cancelled. Please call in advance to schedule your material pickup. I have read and agree to the warranties, policies, terms and conditions of this sales order:

X _____ (signature)

I have read, understand and agree to abide by the warranties, policies, terms and conditions on the reverse side of this sales order.
 Buyer _____ (Title)
 Buyer _____ (Title)

Carpetland USA Milwaukee, Inc.



Phil's Carpet Installation

Phil Gabbey
6414 Ambassador dr.
Racine, Wisconsin 53402
262-994-0413
Philscarpet@yahoo.com

INVOICE
INV0322

DATE
Oct 5, 2022

DUE
On Receipt

BALANCE DUE
USD \$250.00

BILL TO

Linda

4533 Charles St.
☐ 414-403-4893

DESCRIPTION	RATE	QTY	AMOUNT
Installed 12x10 feet of customer's carpet and pad on 13 basement steps and landing. Removed old carpet and pad and hauled away.	\$250.00	1	\$250.00
TOTAL			\$250.00
BALANCE DUE			USD \$250.00

PAID Full Full
[Signature]

OAKRIDGE PLUMBING, INC
3400 N. RAYNOR AVE
UNION GROVE, WI 53182

Contractors Invoice

WORK PERFORMED AT:

TO:
LOW + LINDA MILTON
4533 Charles St
Racine, WI 53402

4533 CHARLES ST
RACINE, WI 53402

DATE
12-2-2022

YOUR WORK ORDER NO.
2022-6

OUR BID NO.

DESCRIPTION OF WORK PERFORMED

- Supply AND INSTALL (1) 3/4 hp. SUBMERSIBLE sump pump WITH HIGH WATER ALARM

MATERIALS

(1) 3/4 hp. LITTLE GIANT SUBMERSIBLE sump pump - \$178⁰⁰

(1) HIGH WATER ALARM w/ BATTERY BACK-UP - \$125⁰⁰

MISC PARTS FOR CONNECTION/INSTALLATION - \$37.50

LABOR - \$95⁰⁰

TOTAL AMOUNT DUE - \$435.50

PAID IN FULL
THANKS
John

All Material is guaranteed to be as specified, and the above work was performed in accordance with the drawings and specifications provided for the above work and was completed in a substantial workmanlike manner for the agreed sum of _____

Dollars (\$ _____).

This is a Partial Full invoice due and payable by: _____ Month _____ Day _____ Year _____

in accordance with our Agreement Proposal No. _____ Dated _____ Month _____ Day _____ Year _____









MEMORANDUM

DATE: Thursday, September 15, 2022

TO: Village Board
Caledonia Utility District

FROM: Anthony A. Bunkelman P.E.
Public Services Director



RE: Rain Event September 11, 2022

BACKGROUND INFORMATION

On Sunday, September 11, 2022 into Monday, September 12, 2022 the Village of Caledonia and the surrounding area experienced a significant rainfall event. The reported rainfall at Batten Field was 8.1". Initial reports were that the Racine area rainfall totals were among the highest in the SE Wisconsin area, with accumulation equivalent to approximately the 0.50 percentile or the 200-year rainfall event. So the Commission and the Board are aware, the Sanitary Sewer Collection System (including Lift Stations) are designed to safely convey the 20th percentile or 5-year rainfall event without bypassing.

Caledonia Utility District staff attempted to operate the Sanitary Sewer Collection System at the contractual capacities in the Racine Area Intergovernmental Sanitary Sewer Service, Revenue Sharing, Cooperation and Settlement Agreement dated April 25, 2002 when the first alarms from the SCADA system were received (approximately 6:10pm). It became evident very early when the elevations of the wetwells in multiple lift stations rose to levels of concern for sanitary sewer basement backups, that the focus and priorities needed to change to the maximum operating capacity. This decision to change to the maximum operating capacity was made at 6:55pm on Sunday evening. Village Administrator Kasper and the Racine Wastewater Utility were informed of this decision shortly after.

During this significant rainfall event and operating the sanitary sewer collection system at maximum operating capacity, the system became overwhelmed due to the rain event far exceeding the 5-year rainfall level of protection. To further minimize the number of homes that would/could have had "water in the basement" from the sanitary sewer collection system being overwhelmed, bypassing of diluted wastewater into the Root River, Birch Creek and Lake Michigan occurred.

SSO's were performed/occurred at the North Main Street Lift Station, the Riverbend Lift Station, a Sanitary Sewer manhole on 4 Mile Road (near Hunt Club Road), and a Sanitary Sewer manhole off of Valley Trail.

The SSO's at the manholes began at approximately 7:15pm Sunday and concluded at 6:00am Monday. It has been calculated that approximately 2,021,430 gallons of diluted wastewater was discharged to the Birch Creek from these manholes. The SSO at the North Main Street Lift

Station started at 9:15pm Sunday and ended at 1:35am Monday. Pumping at this lift station was intermittent (90 minutes total) and 85,250 gallons of diluted wastewater was discharged to a storm sewer the drains to Lake Michigan. The SSO at the Riverbend Lift Station started at 12:25am Monday and ended at 3:10am Monday. Pumping at this lift station was constant and 247,500 gallons of diluted wastewater was discharged to the Root River. In total, approximately 2,354,180 gallons of diluted wastewater was bypassed.

The Caledonia Utility District staff has notified the Wisconsin Department of Natural Resources of the Sanitary Sewer Overflows (SSO's) and is compiling information for the report due per State Statues and requirements.

Caledonia Utility District staff was onsite for the duration of the rainfall event to ensure that the sanitary sewer system was operating at its maximum operating capacity. This included monitoring the lift stations pumps, flowrates, and wetwell elevations, utilizing the attenuation basin, bypassing from the wetwells when necessary, and troubleshooting issues as they arose to provide the maximum protection possible.

With the Caledonia Utility District staff operating the Sanitary Sewer Collection System at the maximum operating capacity, the Village of Caledonia will be receiving a contractual capacity exceedance letter in the near future from the Racine Wastewater Utility. Initial estimates from our data indicate the following exceedances

Central Lift Station

Peak Hour Exceedance 110%

Peak Day Exceedance 138%

Riverbend Lift Station

Peak Hour Exceedance 116%

Peak Day Exceedance 152%

Beginning on Sunday evening, the Utility has been receiving calls about basement backups. To date we have been informed of 6 basement backups. The Utility District staff has been in contact with all 6 homeowners and have been reviewing the collection system in the areas of the basement backups to see if improvements to the collection system can be done.

If any Commissioner or Village Board Trustee have any questions about this event do not hesitate to contact me.