



Evaluation Sheet for Claim #2286-17163

Date Recommended: February 7, 2002

Investigator: Noël Geary

Claimant: **Jeff Kirkwood**
3204 Colfax Avenue South #1
Minneapolis, MN 55408

Date of Loss: October 31, 2001

Date Filed: December 21, 2001

Department: Licensing

Citation: 1013880065

Cause: Tow

Badge #: 51

Amount Claimed: \$185.00

Evaluation: The claimant was towed from 3204 Colfax Avenue South. The claimant vehicle was towed for parking in a temporary no parking area. The claimant feels that he was unfairly towed as he was out of town and his fiancé was at home recovering from childbirth and mastitis. The claimant claimant's fiancé was home alone with a newborn and a high fever and was unable to get out of the house to look for the no parking signs.

According to the SIP, there were 4 signs posted on 10/30/2001 at 7:40 AM. The claimant vehicle was towed on 10/31/2001 at 10:34 AM.

We find no evidence of negligence.

Recommendation: Denial

*JEFF KIRKWOLD DID NOT APPEAR IN PERSON AT THE MARCH 01, 2002 STAFF CLAIMS COMMITTEE MEETING. HIS APPEAL WAS PRESENTED BY TEDDY COPLEY.



City of Minneapolis

Finance Department

Risk Management & Claims

350 South 5th Street - Room 307M
Minneapolis MN 55415-1341

Office (612) 673-2023
Fax 673-2775
TTY 673-7295

April 30, 2002

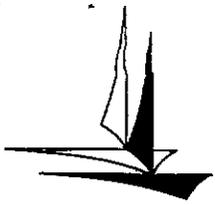
Jeff Kirkwold
3204 Colfax Avenue South #1
Minneapolis, MN 55408

Per your request I have scheduled you to appear before the Council Claims Committee on May 15, 2002, in the Council Chambers, Room 317 of City Hall, located at 350 S. 5th Street. The meetings begin promptly at 1:30 PM. If you have any questions please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script that reads "Bonnie".

Bonnie
(612) 673-2061



City of Minneapolis

Finance Department

Risk Management & Claims

350 South 5th Street - Room 307M
Minneapolis MN 55415-1341

Office (612) 673-2023
Fax 673-2775
TTY 673-7295

February 19, 2002

CORRECTION LETTER

Jeff Kirkwold
3204 Colfax Avenue S, Apt. #1
Minneapolis, MN 55408

Per your request I have scheduled you to appear before the Staff Claims Committee on **March 1, 2002**, in room 220 of City Hall, located at 350 S. 5th Street. The meetings begin promptly at **1:00 PM**. If you have any questions please do not hesitate to call.

Sincerely,

Bonnie
(612) 673-2061

CITY OF MINNEAPOLIS CLAIM FORM

Print all information.



COMPLETE APPLICABLE ITEMS ON THIS FORM AND SEND TO:

Send Claims against the City to *Risk Management & Claims*, 350 South 5th Street, Room 307M, Minneapolis, MN 55415-13762
 Send Claims against the Library to *The Library Board of the City of Minneapolis*, 300 Nicollet Mall, Minneapolis, MN 55401
 Send Claims against the Park Board to the *Minneapolis Park & Recreation Board*, 200 Grain Exchange, 400 S 4th St., Minneapolis, MN 55415

1. The claim must be filed within 180 days of the occurrence.
2. Your claims must be based on the fault or liability of the City or its employees.
3. Attach copies of bills, estimates or other documents.
4. Your claim will be investigated by Risk Management & Claims Division
5. If more space is needed use reverse side.
6. For further information, call 673-2969

RECEIVED
DEC 07 2001

NAME JEFF KIRKWOOD		WORK PHONE NUMBER N/A	HOME PHONE NUMBER 612-821-8939
STREET ADDRESS 3204 COLFAX AVE. S. #1		CITY MPLS	STATE MIN
		ZIP CODE 55408	

CLAIM IS FOR TOWING		CLAIM IS FOR VEHICLE OR PROPERTY DAMAGE		CLAIM IS FOR INJURY	
DATE 10/31/01	TIME <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	DATE	TIME <input type="checkbox"/> AM <input type="checkbox"/> PM	DATE	TIME <input type="checkbox"/> AM <input type="checkbox"/> PM
LICENSE PLATE NUMBER (CA) 4FNU296	ATTACH TWO ESTIMATES OF THE COST OF THE REPAIRS \$		TYPE OF INJURY		
COMPENSATION REQUESTED \$ 170.00	COMPENSATION REQUESTED		COMPENSATION REQUESTED		

LOCATION OF INCIDENT

Be specific. Give street address, intersection, direction traveling, side of street, number of feet, direction from curb, etc. Include diagram on another sheet if necessary

PARKED IN FRONT OF RESIDENCE - SOUTHBOUND

CIRCUMSTANCES (DETAILS OF HOW THE INCIDENT OCCURRED AND HOW THE CITY IS INVOLVED)

SEE ATTACHED APPENDIX A.

WITNESSES		
NAME	ADDRESS	TELEPHONE NUMBER
NAME	ADDRESS	TELEPHONE NUMBER
NAME	ADDRESS	TELEPHONE NUMBER

MN Statutes 60A.955 "A person who files a claim with intent to defraud or helps commit a fraud against an insurer is guilty of a crime."

Signature 	Date 11/28/01
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If you need this form in another format it is available on the City of Minneapolis homepage at <http://www.ci.minneapolis.mn.us>

APPENDIX A

RE: LICENCE PLATE #816LSW AND (CA) 4FNU296

On October 30, 2001, I was home recovering from childbirth and mastitis (a breast infection). My fiancé was on a business trip out of state. I was home alone with a newborn and a high fever and did not go out of the house all day. Obviously, I did not see any of the "No Parking" signs that apparently had been posted that morning. When I finally went outside on October 31, both of our cars had been towed. One of the cars had our baby's car seat in it, so I couldn't even borrow a car to go to the impound lot. I was house bound all week until my fiancé came home on Saturday and retrieved our cars from the lot.

I understand it is the city's policy to post signs only 24 hours in advance of sweeping the streets and towing cars, but I do not believe this is a reasonable amount of time. I'm sure the city plans these street cleanings more than one day in advance and can give its residents more reasonable notice. Someone home ill, like I was, should not have to worry about checking the street for signs that her car will be towed the next day (with the exception of bad weather indicating that there may be a snow emergency). It seems reasonable that somebody who is ill, or has a child that is ill, would not leave their house for a day. If the signs had been posted only 2 days earlier, we would have seen the signs and moved the cars off the street. Also, both cars were right in front of our house, a car seat visible in the backseat of one of them, and large "It's A Girl!" signs were posted on our front door and window - a simple courtesy knock on our front door would have avoided this whole ordeal. The person in charge of when to post the signs needs to realize the terrible predicament towing someone's vehicle might leave them in. I'm just glad neither the baby nor myself needed to go to the doctor's. I hope you will consider our extenuating circumstances and refund the towing and impound charges we were forced to pay in the amount of \$355. We have both been out of work for months and this money was desperately needed for a new baby and the upcoming holidays.

Thank you,
Taddy Copley

City of Minneapolis Municipal Impound Lot

51 Colfax Avenue North

Minneapolis, MN 55405

(612) 673-5777

RECEIPT

RECEIVED
CITY OF MINNEAPOLIS
MUNICIPAL IMPOUND LOT
51 COLFAX AVENUE NORTH
MINNEAPOLIS, MN 55405
DATE: 1/18/12
TIME: 10:15 AM
BY: [Signature]

15K

I, the undersigned, do hereby certify that I am legally authorized and entitled to take possession of the vehicle described above and all personal property therein.



Customer Signature

[Handwritten Signature]

2128102

TO WHOM IT MAY CONCERN:

ON SUNDAY, OCTOBER 28, 2001, I DEPARTED FOR CALIFORNIA FOR A BUSINESS TRIP. I LEFT MY CAR PARKED IN FRONT OF MY HOUSE AT 3204 COLFAX AVE. S., MINNEAPOLIS, MN 55408. THERE WERE NO SIGNS POSTED THAT THERE WAS TO BE NO PARKING ON OUR BLOCK DURING THAT WEEK. SINCE THERE WAS NO POSSIBILITY OF SNOW, I FELT SAFE THAT MY CAR WOULD NOT BE TOWED FOR SNOW EMERGENCY PURPOSES.

ON TUESDAY, OCTOBER 31, 2001, MY GIRLFRIEND WAS HOME SICK WITH A FEVER (TAKING CARE OF OUR NEW-BORN DAUGHTER). SHE DID NOT LEAVE THE HOUSE, AND CONSEQUENTLY DID NOT NOTICE THAT SIGNS HAD BEEN POSTED THAT MORNING THAT THERE WAS TO BE NO PARKING ON OUR BLOCK ON WEDNESDAY (BEGINNING IN THE MORNING). ON WEDNESDAY MORNING ON HER WAY TO THE DOCTOR SHE NOTICED THAT BOTH OF OUR CARS HAD BEEN TOWED. SHE HAD NO WAY TO GET TO THE IMPOUND LOT BECAUSE OUR INFANT CAR SEAT WAS IN MY CAR (WHICH HAD BEEN TOWED). OUR DAUGHTER COULD NOT LEGALLY RIDE IN ANY CAR WITHOUT BEING IN HER CAR SEAT. MY GIRLFRIEND WAS FORCED TO STAY AT HOME SICK BECAUSE SHE DID NOT HAVE ACCESS TO MY CAR AND OUR CAR SEAT. SHE HAD TO WAIT UNTIL SATURDAY AFTERNOON FOR ME TO RETURN HOME SO I COULD TAKE A TAXI FROM THE AIRPORT TO THE IMPOUND LOT.

JEFF KIRKWOOD



2128102

-----Original Message-----

From: Mike_Kelly@amat.com [mailto:Mike_Kelly@amat.com]
Sent: Friday, October 26, 2001 6:47 PM
To: jkirkwold@hotmail.com
Subject: Confirmations

Jeff,

FYI,
Flight - confirmation 2C47CQ
Northwest flight 197
departs MNPLS 11:36 am on 10/28
arrives SJC @ 1:39 pm

Return flight on Northwest flight 200
departs SJC @ 6:40am on 11/03
arrives MNPLS @ 12:17pm

Rental Car by AVIS - Confirmation mkelly
Midsize for 6 days
out 10/28
ret 11/03

Hotel - confirmation 82010242
Residence Inn by Marriott / Silicon II
1080 Stewart Drive
Sunnyvale Ca
408-720-8893