



## COUNTY BOARD OF SUPERVISORS

### NOTICE OF MEETING

NOTE: UNDER THE KENOSHA COUNTY BOARD OF RULES OF PROCEDURE ANY REPORT, RESOLUTION, ORDINANCE OR MOTION APPEARING ON THIS AGENDA MAY BE AMENDED, WITHDRAWN, REMOVED FROM THE TABLE, RECONSIDERED OR RESCINDED IN WHOLE OR IN PART AT THIS OR AT FUTURE MEETINGS. NOTICE OF SUCH MOTIONS TO RECONSIDER OR RESCIND AT FUTURE MEETINGS SHALL BE GIVEN IN ACCORDANCE WITH SEC. 210(2) OF THE COUNTY BOARD RULES. FURTHERMORE, ANY MATTER DEEMED BY A MAJORITY OF THE BOARD TO BE GERMANE TO AN AGENDA ITEM MAY BE REFERRED TO THE PROPER COMMITTEE. ANY ITEM SCHEDULED FOR THE FIRST OF TWO READINGS IS SUBJECT TO A MOTION TO SUSPEND THE RULES IN ORDER TO PROCEED DIRECTLY TO DEBATE AND VOTE. ANY PERSON WHO DESIRES THE PRIVILEGE OF THE FLOOR PRIOR TO AN AGENDA ITEM BEING DISCUSSED SHOULD REQUEST A COUNTY BOARD SUPERVISOR TO CALL SUCH REQUEST TO THE ATTENTION OF THE BOARD CHAIRMAN.

**NOTICE IS HEREBY GIVEN** the **Regular County Board Meeting** of the Kenosha County Board of Supervisors will be held on Tuesday, the **5th day of February at 7:30PM., in the County Board Room** located in the Administration Building. The following will be the agenda for said meeting:

- A. Call To Order By Chairman Esposito
- B. Pledge Of Allegiance
- C. Roll Call Of Supervisors
- D. Citizen Comments
- E. Announcements Of The Chairman
- F. Supervisor Reports
- G. Update On Tax Delinquencies
- H. COMMUNICATIONS

13. Communication From Ray Arbet Regarding A Resolution Authorizing The Director Of Parks To Apply For Grant Funding From The Wisconsin Department Of Natural Resources (WDNR) Which Will Be Used To Make Habitat Improvements In KD Park

#### I. CLAIMS

- 19. Idala Strouse Gasser - Personal Injury

Documents:

[GL-02-19 IDALA STROUSE GASSER.PDF](#)

- 20. Kevin And Nicole Mathewson - Property Damage

Documents:

[KEVIN AND NICOLE MATHEWSON.PDF](#)

J. Adjourn

**NOTICE OF INJURY AND CLAIM FOR DAMAGES**

**Pursuant to Wis. Stats 893.80 et seq. and 893.80(1d)(a)**

**Notice of Claim Served Upon** To each municipal entity and their agents as follows:

Mary T Kubicki  
Kenosha County - County Clerk  
1010 56<sup>th</sup> Street  
Kenosha WI 53140

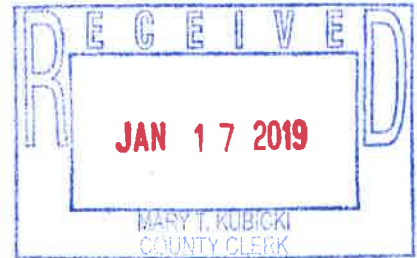
Jim Kreuser – Kenosha County Executive  
1010 56<sup>th</sup> Street  
Kenosha WI 53140

David Smetana- Chief of Police  
Pleasant Prairie Police Department  
8600 Green Bay Road  
Pleasant Prairie Wisconsin 53158

Police Officer N. Brickert aka Officer Nicholas Brickert  
Pleasant Prairie Police Department  
8600 Green Bay Road  
Pleasant Prairie Wisconsin 53158

Unknown Police Officer and Partner of Officer N. Brickert on 12/10/2018 at 11:47 a.m.  
Pleasant Prairie Police Department  
8600 Green Bay Road  
Pleasant Prairie Wisconsin 53158

Unknown Police Officers 1-10  
Pleasant Prairie Police Department  
8600 Green Bay Road  
Pleasant Prairie Wisconsin 53158



**Date of Incident:** December 10<sup>th</sup>, 2018  
**Discovery of Injury and Damages:** December 10<sup>th</sup>, 2018 and regarding the injury discovery and damages are accruing.  
Claimants demand under 42 U.S.C. 1983 is for \$2,750,000.00

**Location of Incident:**

On 77<sup>th</sup> Street at 99<sup>th</sup> Avenue within Pleasant Prairie, Kenosha County and at other locations including:

The Pleasant Prairie Police Department  
8600 Green Bay Road  
Pleasant Prairie WI 53158

St. Catherine's Medical Center  
9555 76<sup>th</sup> St.  
Pleasant Prairie WI 53158

All other locations while Claimant was under the control of Officer Brickert and the Pleasant Prairie Police Department

(see also attached Pleasant Prairie police report)

No.: 7LL19PBQB1

**Notice of Claim Served Upon:**

To each municipal entity and their agents as follows:

Mary T Kubicki  
Kenosha County - County Clerk  
1010 56<sup>th</sup> Street  
Kenosha WI 53140

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8600 Green Bay Road  
Pleasant Prairie Wisconsin 53158

**Claimant:** Idala Strouse Gasser  
5869 N. Kenneth Ave.  
Chicago IL 60646

**Attorneys for Claimant:** Paul Strouse, Strouse Law Offices  
Thomas Napierala, Napierala Law Offices  
413 North 2<sup>nd</sup> Street, Suite 150  
Milwaukee WI 53203

**Please Take Notice of the Details and Circumstances of the Claim:** that pursuant to Wis. Stat. 893.80 et seq. particularly upon Wis. Stats. 893.80(1d)(a), that on or about 12/10/2018 that Idala Strouse Gasser (“Gasser”), an individual domiciled in Illinois was taken into custody by Officer Brickert (“Brickert”). Attached hereto is a true and accurate copy of Pleasant Prairie Police Report No.: 7LL19PBQB1 issued to Gasser by Brickert, or another Pleasant Prairie Police Officer. Gasser is a small framed female weighing approximately 115 pounds. Gasser was detained during a traffic stop (see Exhibit 1). While in custody, on 12/10/2018 Brickert became physically abusive on multiple instances towards Gasser notably:

1. Brickert slammed Gasser onto a concrete bench causing Gasser, *inter alia*, back and right leg pain which required emergency medical treatment. Gasser sustained grievous injuries of a permanent and debilitating nature, for which she continues to receive medical treatment.
2. Brickert also handcuffed Gasser, affixing the handcuffs beyond a necessary level of tightness, causing Gasser injury, pain and discomfort.
3. In addition Brickert menaced Gasser and displayed a hostile and humiliating demeanor towards Gasser causing her apprehension, fear and emotional distress.

**Please Take Notice** that the basis for Claimant's anticipated 42 U.S.C. 1983 action is that:

1. Gasser's liberty was restrained by Brickert, who at all times material to the claim was serving in his official capacity as a police officer for the Pleasant Prairie Police Department.
2. That the restraint of Gasser's liberty was done in such a way where a reasonable person would have believed that they were not free to leave and in fact that Gasser submitted to the authority of Police Officer Brickert.
3. That Gasser was subjected to a governmental termination of freedom of movement through means intentionally applied by Brickert in his official capacity as a police officer for the Pleasant Prairie Police Department.
4. That the use of force used by Brickert and such force as may have been used, encouraged or condoned by other officers of the Pleasant Prairie Police Department, who cooperated with Brickert, was unreasonable and was the cause in fact of the physical and emotional injuries of Gasser.

**Claim For Damages:** Since an action arising under 42 U.S.C. 1983 is not subject to the \$50,000.00 cap on municipal liability (See Thompson v. Village of Hales Corners, 115 Wis. 2d 289, 340 N.W.2d 704 (1983), Miss Gasser claims \$2,750,000.00 in damages for permanent bodily injury, bodily injury, emotional damages and for punitive damages

Dated this 10<sup>th</sup> of January 2019

Attorneys for Claimant,  
Idala Strouse Gasser



Paul Strouse- *Attorney At Law*

SBN: 1017891

Thomas Napierala-*Attorney at Law*

SBN: 1011811

Prepared By:

The Law Offices of Paul Strouse  
413 North 2<sup>nd</sup> Street Suite #150  
Milwaukee WI 53203

The Law Offices of Thomas Napierala  
413 North 2<sup>nd</sup> Street Suite #150  
Milwaukee WI 53203

January 10, 2019

**Requesting Party:**

Attorney Paul Strouse  
Strouse Law Offices  
413 North 2<sup>nd</sup> Street Suite #150  
Milwaukee WI 53203

**Name of Custodian(s) of Records:**

Mary T Kubicki  
Kenosha County - County Clerk  
1010 56<sup>th</sup> Street  
Kenosha WI 53140

Jim Kreuser – Kenosha County Executive  
1010 56<sup>th</sup> Street  
Kenosha WI 53140

David Smetana- Chief of Police  
Pleasant Prairie Police Department  
8600 Green Bay Road  
Pleasant Prairie Wisconsin 53158

Dear Custodian of Records,

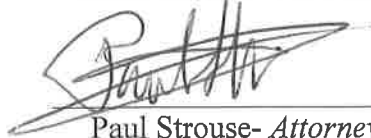
Under the Wisconsin Open Records Law, Wis. Stats. 19.31 et seq., I am requesting full and complete copies of all recorded video, photographic, audio and written data (“data”) gathered by any officer of the Pleasant Prairie Police Department pursuant to the initial traffic stop, detention, arrest, booking and any subsequent law enforcement and/or medical investigation and/or action taken of Idala Strouse Gasser on 12/10/2018. Please find Pleasant Prairie Police report 7LL19PBQB1 in order to help you with your search.

If there are any fees for searching or copying these records, please send me a bill for prompt payment. I also request a response in writing, within the 5 days described by law, if you intend to deny this request. Also, if you expect a significant delay in fulfilling this request, please contact me with information about when I might expect copies of the data and/or the ability to inspect the requested records.



If you deny any or all of this request for data, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Dated this 6<sup>th</sup> of January 2019



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Paul Strouse- *Attorney At Law*

SBN: 1017891

Thomas Napierala- *Attorney at Law*

SBN: 1011811

Prepared By:

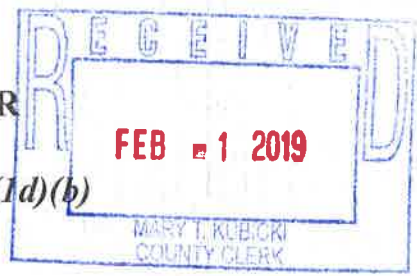
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Milwaukee WI 53203

GL-3-19

**NOTICE OF CLAIM AND CLAIM FOR DAMAGES**

*Pursuant to Wisconsin Statute Section 893.80(1d)(b)*



Claimant Name(s): Kevin and Nicole Mathewson

Claimant Address: 3121 72nd Ave Kenosha, WI 53144

Claimant Phone Number: 847-924-7285

On Wednesday, January 23, 2019 at 11:04am, a Kenosha County Snowplow driven by unknown county employee drove northbound past my residence. The plow caused damage to my mailbox and mailbox post. The post snapped and the mailbox itself was mangled to the point that it no longer closes. This plow also severely damaged the mailbox and mailbox post belonging to my neighbor who resides at 3107 72nd Ave Kenosha, WI 53144. Her post was snapped and the mailbox mangled. I have a video clearly showing this in my possession that I will show a court should this claim be denied. The driver then returned to the scene of the accident and placed both severed mailboxes and posts near the roadway. I was also told by my county board supervisor that there was damage reported to a mailbox 3 houses to the south at 3145 72nd Ave. My post and mailbox were in good working condition. According to my neighbor, hers was in nearly brand-new condition. I then contacted the Highway Commissioner and Director of public works who declined to replace my property to the condition it was before the accident. They offered (in writing) to provide without cost a new post and new mailbox, but declined any installation - I interpreted this offer to be an admission of liability on behalf of the county.

Relief Sought:

**\$300 which is the amount of an attached estimate received by Ronk Solid Construction**

or

**Full Replacement, including materials (box and post) and labor, provided by county**

Signature(s) of claimant or claimant's agent:

Kevin Mathewson

Nicole Mathewson

Date: 2-1-2019

Date: 2-1-2019

Date: \_\_\_\_\_