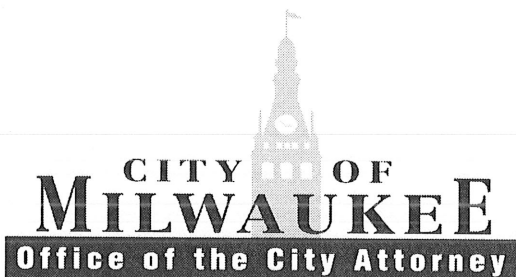


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May 2, 2024

To the Honorable Common Council  
of the City of Milwaukee  
City Hall - Room 205

RE: C.I. File No. 1029-2023-2058  
Communications from PAUL NICHOLLS

Dear Sir or Madam:

Paul Nicholls alleges that over the course of 20 years, the City of Milwaukee has neglected to maintain the alley at 2768 N. 73rd Street and Lefeber Avenue, which caused water to pool in front of and inside of his garage during rain or snow events. Mr. Nicholls submitted an estimate for repairs in the amount of \$20,892.00.

Our investigation revealed that on March 27, 2024, Department of Public Works (DPW) staff went to the alley segment behind the property at 2768 N. 73<sup>rd</sup> Street to investigate the pavement portion "driveway" between the alley and the garage. This segment was found to be the source of the ponding, was within the private property, and is the property owner's responsibility to maintain.

DPW confirmed that the alley pavement is pitched correctly within the City-maintained right of way adjacent to Mr. Nicholls' garage. Further records indicated that in 2012, the alley was proposed by DPW to be reconstructed along with the portion that was replaced within Wauwatosa right of way, but the project was not funded because residents opposed the project thru the Aldermanic survey.

It is our position that the City is not liable for damages. As such, we recommend that the claim be denied.

Very truly yours,

EVAN C. GOYKE  
City Attorney

JENNIFER L. WILLIAMS  
Deputy City Attorney

ECG/JLW/MTG/cdr

1029-2023-2058/290964

