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September 9, 2025

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

Re: Communication from MATTHEW VINEY; LINDA KRAMER and
JOHN SHAW
C.I. File Nos. 1029-2024-2216; 1029-2025-44

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be referred to the Judiciary and Legislation committee with the following recommendation.

Matthew Viney alleges that the City failed to properly investigate a reoccurring sinkhole that stemmed three years prior. Subsequently, Mr. Viney experienced sewer back up at his property located at 807 E. Otjen Street and submitted a damage claim for repairs in the amount of \$21,540.00.

John Shaw and Linda Kramer submitted a damage claim in the amount of \$13,740.00, for reimbursements of sewer lateral repairs after being notified by the City that their sewer lateral may have been compromised.

We have completed an investigation into this matter with DPW Infrastructure Sewers and Street Maintenance. Our investigation revealed that prior maintenance records in 2022 indicated that DPW completed repairs to address a small depression/sinkhole, at or near 811 East Otjen Street. Additional maintenance records from August 18, 2023 to October 5, 2023, indicated subsequent repairs were also made to defects on this block that included a depression/sinkhole at or near the subject location. Repairs to the pavement were completed on September 14, 2023, and October 12, 2023.



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Sewer Maintenance reported on May 23, 2024, a crew was dispatched to 811 E. Otjen to investigate a sinkhole and confirmed a positive dye test for that sinkhole. The sewer was televised on May 28, 2024, which indicated that the cut in the connection from 807 E. Otjen Street had separated from the City's main sewer.

The owner was notified by Neighborhood Services to televise and repair their sanitary building lateral at 811 East Otjen Street since the lateral was possibly compromised.

It is our view that the City is not liable for damages. DPW addressed each call regarding a defect in the roadway in a timely manner. The depression defects in 2022, 2023 were small at such time, and did not warrant a dye test. Because there is no evidence of a connection between the reoccurring sinkhole repairs and the separation of the connection to the City's main sewer, the City is not legally culpable. As such, we recommend the claim be denied.

Very truly yours,



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Enclosures

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