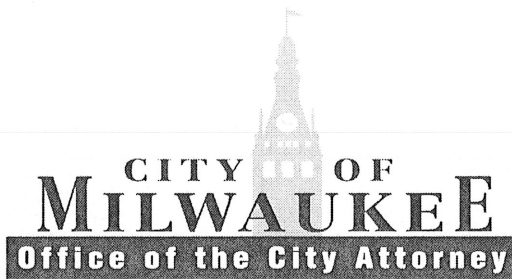


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September 13, 2022

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

RE: CI. File No. 1048-2022-876
Communications from Patrick and Stephanie Russell

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendations.

Patrick and Stephanie Russell, former property owners of 2115 North 58th Street, allege that the City was negligent regarding a water main break causing a significant amount of water to enter their basement through a sewer drain pipe. They claim damages in the amount of \$ 123,159.55.

Milwaukee Water Works and Sewer Services conducted the investigation of this matter. Records of services for 2115 North 58th Street show that on March 8, 2022, the Milwaukee Water Works responded to a report of a leak in the street, located a water main break, and placed the main out of service in order to complete repairs. The repairs were completed in a timely manner.

Because claimant's sewer lateral was likely damaged as a result of the water main break, the Milwaukee Water Works hired Heiden Plumbing to make the necessary repairs to the sewer lateral. Although repairs to the sewer lateral are the homeowner's responsibility, the Milwaukee Water Works will often hire a plumber to repair sewer laterals that were damaged as a result of a water main break, while in the process of repairing the water main break.




To the Honorable Common Council
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After searching their records, Sewer Maintenance has concluded that they were not dispatched to the location, and did not receive any calls for service at or near 2115 North 58th Street.

In conclusion, here is no evidence that the City was negligent in this matter. As such, the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,



TEARMAN SPENCER
City Attorney



S. TODD FARRIS
Deputy City Attorney

STF/PK/cdr

Enclosure

1048-2022-876:281602