

September 27, 2023

TO: City Clerk
ATTN: Patricia Klosiewski, Investigator Adjuster
200 E. Wells St., Room 205
Milwaukee, WI 53202-3567

From: William C. Pietsch, Lynn M. Pietsch, claimants
N108W16639 Carrington Circle
Germantown, WI 53022

RE: Claim Against the City of Milwaukee
Pothole Damaging Vehicle
C.I.File No. 1029-2023-1012

Sirs,

I respectfully request a hearing regarding my claim against the City of Milwaukee for damages to my vehicle caused by the negligent maintenance of City streets, as stated in my letter of April 24, 2023.

Attached is a photocopy of your letter dated August 29, 2023 showing the postmark of September 6, 2023.

Sincerely,



William C. Pietsch

Original: City Clerk, Milwaukee

CC: File
Gasparri & Joyce S.C., Attorneys at Law

CITY OF MILWAUKEE
CITY CLERK'S OFFICE
2023 SEP 29 PM 3:29

WILLIAM C. PIETSCH
N108W16639 Carrington Cir.

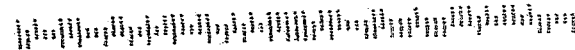
Germantown, WI 53022

CITY OF MILWAUKEE
2023 SEP 29 PM 3:29
CITY CLERK'S OFFICE

City Clerk
ATTN: CLAIMS
200 E. Wells St., Room 205
Milwaukee, WI 53202-3567



53202-3567



TEARMAN SPENCER
City Attorney

ODALO J. OHIKU
ROBIN A. PEDERSON
S. TODD FARRIS
JENNIFER L. WILLIAMS
Deputy City Attorneys



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KYLE W. BAILEY
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CLINT B. MUCHE
JOANNA FRACZEK
Assistant City Attorneys

August 29, 2023

Mr. William C. Pietsch
N108 W16639 Carrington Circle
Germantown, WI 53022

*Mailed
9-6-2023*

RE: Communication from William Pietsch
C.I. File No. 1029-2023-1012

Dear Mr. Pietsch:

We have received your claim in the amount of \$285.00, in regards to vehicle damage allegedly sustained as a result of colliding with a pothole in the area of 10855 West Park Place on March 28th, 2023.

Wisconsin municipalities have discretionary immunity from liability for any damage that is due to a defect in a sidewalk or street. The City takes any report of defective streets or sidewalks seriously and upon notice of any defect, the Department of Public Works sends a crew to investigate and/or patch, repair or barricade the hazard. Under discretionary immunity, the City is generally not liable for damages.

In checking their records, the City's Infrastructure section found that there were five calls into the call center regarding potholes in the area of 10855 West Park Place between January 8, 2023 and March 28, 2023. Because there were seven snow events between DPW's first notice on February 28, 2023 and the eventual repair on March 30, 2023, staff was diverted to snow removal operations, and their response was delayed.

It is our view that the City was not negligent in this case, and therefore we are not liable for damages. As such, we are denying your claim. If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk,

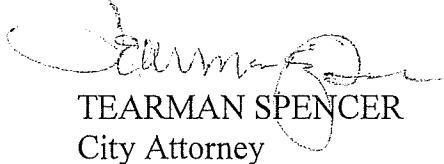
A rectangular stamp with the word "COPY" in a bold, sans-serif font.

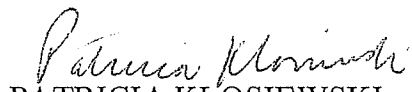


Mr. William C. Pietsch
August 29, 2023
Page Two

200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,


TEARMAN SPENCER
City Attorney


PATRICIA KLOSIEWSKI
Investigator Adjuster

PK/cdr

1029-2023-1012/286774

CITY OF
MILWAUKEE
Office of the City Attorney
OFFICE OF THE CITY ATTORNEY
800 City Hall
200 East Wells Street
Milwaukee, Wisconsin 53202-3551

Mr. William C. Pietsch
N108 W16639 Carrington Circle
Germantown, WI 53022



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