

**TEARMAN SPENCER**  
City Attorney

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



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551  
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

**HEIDI WICK SPOERL**  
**KATHRYN Z. BLOCK**  
**THOMAS D. MILLER**  
**PETER J. BLOCK**  
**PATRICK J. MCCLAIN**  
**HANNAH R. JAHN**  
**JULIE P. WILSON**  
**MEIGHAN M. ANGER**  
**ALEXANDER R. CARSON**  
**ALEXANDER T. MUELLER**  
**ALEXANDER D. COSSI**  
**LISA A. GILMORE**  
**KATHERINE A. HEADLEY**  
**L. ANTHONY JACKSON**  
**STACY J. MILLER**  
**MICHAEL C. RADAVICH**  
**JORDAN M. SCHETTLE**  
**THERESA A. MONTAG**  
**ALEXANDER E. FOUNDOS**  
**TRAVIS J. GRESHAM**  
**KYLE W. BAILEY**  
**JOSEPH M. DOBBS**  
**WILLIAM K. HOTCHKISS**  
**CLINT B. MUCHE**  
**JOANNA FRACZEK**  
Assistant City Attorneys

January 3, 2024

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

RE: Communication from LINDA KIRCHEN  
C.I. File. No. 1048-2023-1547

Dear Sir or Madam:

Ms. Linda Kirchen alleges that on July 5, 2023, she sustained sewer water back up into her basement from a collapsed pipe and her sewer pipe had never been connected to the MMSD sewer line, located at 521 N. 92nd Street. Ms. Kirchen submitted a damage claim in the amount of \$63,830.72, including but not limited to: fees for excavation, associated repairs performed by her contractors Roto-Rooter and Mr. Holland's Home Services, and man hours to properly connect her sewer pipe, plus additional payments of 47 years for sewer related charges.

We have completed an investigation into this matter with both Milwaukee Water Works and Infrastructure Sewer Maintenance Division. Our investigation reveals that on July 19, 2023, Sewer Maintenance responded to a call regarding the sewer connection located at 521 N. 92nd Street. A field investigator confirmed that the lateral connection to the city's 8" sanitary sewer was working and connected properly.

Further maintenance records revealed a permit of 1977 showed evidence of disconnecting plumbing fixtures from the septic tank and reconnected to the main sewer. Additional maintenance records sewer exam 70117 of May 17, 2010, showed evidence of an existing sewer connection for the subject location. Sewers Maintenance further reported there were no other calls or work completed at the subject location.

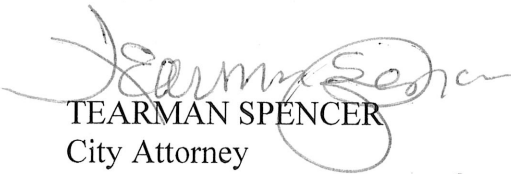


The Honorable Common Council  
January 3, 2024  
Page Two

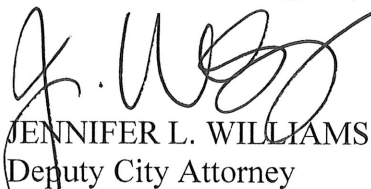
The utility reported it charged correctly for water usage in accordance with the City of Milwaukee Code of Ordinances and that municipal charges for solid waste, storm water waste management, local and MMSD Sewer treatment were not related to the sewer lateral issues alleged in this claim and were billed properly.

It is our position that the City is not liable for damages in this claim. Accordingly, we recommend that the claim be denied.

Very truly yours,



TEARMAN SPENCER  
City Attorney



JENNIFER L. WILLIAMS  
Deputy City Attorney

TS/JLW/MG/cdr

Enclosure

1048-2023-1547/289097