

Ed & Doreen Wiener
3710 Westwood Drive
Brookfield, WI 53005

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CITY OF MILWAUKEE
2022 FEB 25 P 3:09
CITY CLERK'S OFFICE

February 24, 2022

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


Re: C.I. File No. 1029-2021-807

The purpose of this letter is to state that we wish to appeal a decision made by the City Attorney's office regarding the above claim, and we respectfully request a hearing.

Enclosed please find a copy of the denial letter and copy of the postmarked envelope, which you require. The claim # is stated above.

Our request for hearing falls within the 21 days of postmark.

Thank you,


Ed & Doreen Wiener

OFFICE OF CITY ATTORNEY
28 FEB '22 AM 09:58

TEARMAN SPENCER
City Attorney

CELIA M. JACKSON
Special Deputy City Attorney

ODALO J. OHIKU
ROBIN A. PEDERSON
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Deputy City Attorneys



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Assistant City Attorneys

February 14, 2022

*Mailed
2-16-2022*

Ed and Doreen Wiener
3710 Westwood Drive
Brookfield, WI 53005

RE: Communication from Ed and Doreen Wiener
C.I. File No. 1029-2021-807

Dear Mr. and Mrs. Wiener:

We have received your claim in the amount of \$1,012.00 relating to plumbing charges you incurred that resulted from a sewer backup at your property located at 532 North 90th Street.

Our investigation reveals that the City of Milwaukee's Sewer Maintenance Division responded to a backwater call at 532 North 90th Street on June 24, 2021. Sewer Investigators were dispatched to the location, where they inspected the problem and referred the sewer for a closed circuit TV video examination. On June 25, 2021, the sewer was examined and tree roots were found to be present in the City sewer main. A sewer Jet-Vac was immediately dispatched to the location and removed the roots from the sewer.

Prior to this incident, the sewer at this location was cleaned on April 6, 2021. It had been on a 3-year cleaning schedule, but since this incident, it has been moved to a special 1-year cleaning schedule. It is our view that since tree roots can enter the sewer system through a variety of ways, and most commonly through the property owner's water lateral, it is not a situation that the City is responsible for. Additionally, since the Sewer Maintenance division took immediate action when notified of this problem and also moved the sewer to a special 1-year cleaning schedule, the City is not liable in this case.



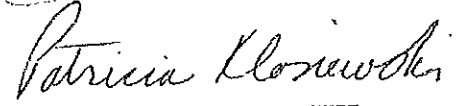
Ed and Doreen Wiener
February 14, 2022
Page Two

For the reasons stated above, 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, 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

1029-2021-807/278930

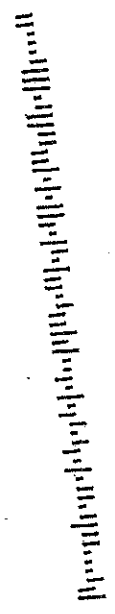
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Ed and Doreen Wiener
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AZD-SEE 53005



**CITY OF
MILWAUKEE**
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