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June 21, 2023

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

RE: Communications from Kingdom Contracting LLC

C.I. File No. 1068-2023-782

Dear Sir or Madam:

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

Kingdom Contracting LLC alleges that the City of Milwaukee is responsible for damage they incurred when a branch from a City tree fell on their vehicle on March 10, 2023, while it was parked at 9520 West Elmore Court.

Our investigation revealed that on March 10, 2023, the Forestry Department received a request for emergency service regarding a tree branch that fell on a vehicle at 9520 West Elmore Court. The Forestry crew arrived on scene and found a large branch from a City tree resting on a vehicle. The failed branch was alive with no decay visible near the failure point. Forestry did not receive any other service requests for the past six years.

On March 10, 2023, Milwaukee experienced a snow storm with 10.7 inches of heavy, wet snow and peak winds of 25-30 MPH. As a result of this storm, Forestry received 2300 calls for emergency services between March 9 and March 17, 2023.

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 TAVISS K. SMITH KATHERINE A. HEADLEY L. ANTHONY JACKSON STACY J. MILLER MICHAEL C. RADAVICH JORDAN M. SCHETTLE THERESA A. MONTAG ALEXANDER E. FOUNDOS JAMES D. LEWIS TRAVIS J. GRESHAM KYLE W. BAILEY JOSEPH M. DOBBS WILLIAM K. HOTCHKISS CLINT B. MUCHE Assistant City Attorneys



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It is our view that the Forestry Department followed standard operating procedures in this case, and were not negligent in this matter. Therefore, we recommend that his claim in the amount of \$7,171.00 be denied.

Very truly yours,

TEARMAN SPENCER

City Attorney

JENNIFER L. WILLIAMS

Deputy City Attorney

JLW/PK/cdr

1068-2023-782/285835