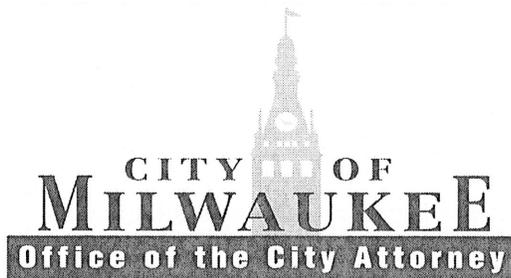


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December 1, 2022

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

Re: Communication from Roger and Margaret Phillips
C.I. File No. 1068-2022-1174

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.

Claimants allege that they sustained damages to their house located at 3713 South 16th Street when a City tree split and fell on it on July 23, 2022.

Our investigation revealed that on July 23, 2022, the City of Milwaukee Call Center received a call that a city tree split and fell against the house at 3713 South 16th Street. The request was routed to a Forestry crew who responded and removed the fallen tree on the same day. Because there were two prior requests to remove fallen branches from this tree on November 23, 2020, and December 27, 2021, the tree had been placed on a list of trees to be removed. The tree was one of 300 to 500 trees on the list, and had not yet been removed when a wind event caused the tree to split on July 23, 2022.

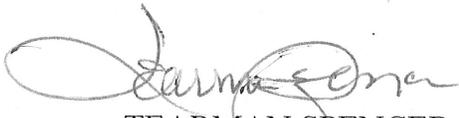
On July 23, 2022, the City of Milwaukee experienced a wind storm with wind gusts to 49 MPH. The Forestry section received 18 calls for broken branches and other storm related issues from that event.



To the Honorable Common Council
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It is our position that the Forestry Department followed standard operating procedures in this case, were not negligent in this matter. Therefore, we recommend that the claim submitted by Roger and Margaret Phillips in the amount of \$10,818.18 be denied.

Very truly yours,



TEARMAN SPENCER
City Attorney



S. TODD FARRIS
Deputy City Attorney

STF/PK/cdr

Enclosures

1068--2022-1174/282736

..Number

..Version

ORIGINAL

..Reference

..Sponsor

THE CHAIR

..Title

Resolution to the claim of Roger and Margaret Phillips

..Requestor

City Attorney

..Drafter

S. Todd Farris

STF/cdr

December 1, 2022

1068-2022-1174/282741