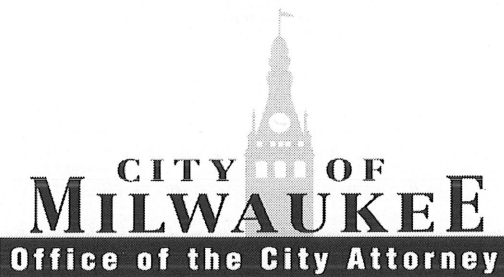


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December 18, 2019

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

Re: Communication from Shekella Steele
C.I. File No. 1068-2019-2139

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

On October 21, 2019, a tree limb from a City owned tree fell on Ms. Shekella Stelle's 2017 Chrysler Pacifica while parked in front of 7813 W. Luscher Avenue. Damages to Ms. Stelle's vehicle consisted of breaking off the passenger side mirror, damaging the front passenger side panel, cracking the windshield, and scratching the front bumper and hood. Ms. Stelle has filed a claim against the City for \$6,007.11.

On October 21, 2019 the North Forestry On-Call Crew Leader received a call that a branch had fallen down on a vehicle, located at 7815 W. Luscher Avenue. Upon arriving at the location, the Forestry Crew found a large Norway maple tree limb on Ms. Steele's 2017 Pacifica. The tree branch was 8" in diameter and 20' in length. The limb that failed was alive with no decay present.

On the date of the incident, the City of Milwaukee, according to the NOAA National Weather Service, experienced winds averaging 17.2 MPH with peak wind speeds at 52 MPH and .13 inches of rain. This resulted in Forestry to respond to 163 calls City wide. There were 73 calls alone from the North district where this incident occurred.

Forestry received two requests for service within the last 6 years at this location for tree related issues. The first was in 2018 for a broken branch down, and the second was for this incident. The pruning of all trees in this geographical area was completed in March 2015. The next scheduled pruning is 2024, based on the 10 year pruning cycle of all City trees.



Honorable Common Council
December 18, 2019
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In conclusion, there is no evidence that the City was negligent in this matter. Therefore, we recommend that this claim be denied.

Very truly yours,



GRANT F. LANGLEY
City Attorney



KATRYNA C. RHODES
Assistant City Attorney

KCR:mal
Enclosure

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