

October 30, 2002

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

Re: Communication from Attorney Phillip Ramthun
on behalf of Gloria Nichols
C.I. File No. 02-L-115

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.

Claimant, Gloria Nichols, 6836 West Appleton Avenue, #2, Milwaukee, WI 53216, by her attorneys Stern & Ramthun, LLP, 2600 North Mayfair Road, Milwaukee, WI 53226, alleges that on June 11, 2002 she became ill after drinking tap water provided by the City of Milwaukee. They claim damages in the amount of \$20,000.00.

The Waterworks investigation revealed that on June 11, 2002 an employee in the Waterworks Water Quality Division received a call from a resident at 6960 West Appleton Avenue regarding yellow rusty tap water. The employee checked with the distribution division and found they were aware of a problem with rusty water in the area. The division was in the process of flushing hydrants to alleviate the problem. The Waterworks has no record of any complaints from the claimant or any of the residents from 6836 West Appleton Avenue regarding any problems with the water quality. The Waterworks did not take water samples from this residence, but did so from 6960 West Appleton Avenue. The water samples were taken on June 12 & 13, 2002, they were found to be typical of Milwaukee Waterworks tap water quality, and showed the water to meet all state and federal potable water standards. Yellow and red water conditions are

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unintentional and frequently caused by disturbances in the water mains such as broken pipes, hydrant flushing, fires, etc. Movement of the discolored water into homes/buildings is very localized and temporary, and does not pose any potential health hazards. The Milwaukee Waterworks exercised proper care and followed normal procedures in this matter, as such, the City cannot be held liable. Accordingly, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure

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