

CITY OF MILWAUKEE

Form CA-43

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May 18, 2004

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

Re: Communication from Gayle Riordan (Daughter)
on behalf of Eve M. Grubisic (Mother)
C.I. File No. 04-L-43

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, Eve M. Grubisic, 2827 North Murray Avenue, Milwaukee, WI 53211, alleges through her daughter, Gayle Riordan, 2825 North Murray Avenue, Milwaukee, WI 53211, that on December 10, 2003 she sustained damages when the City removed items from her property. She claims damages in the amount of \$58,600.00.

Our investigation reveals that the Department of Neighborhood Services (DNS) records indicate that on November 7, 2003 an order was issued to Eve M. Grubisic for removal of debris consisting of piles of dirt, fencing, logs, plastic containers and all other debris on the property. The order was posted on the property and subsequently mailed to Eve M. Grubisic that day. A subsequent conversation with a friend of the owner revealed that she was upset and wanted to speak to the inspector. The department left messages but were not able to make contact. An extension was granted to December 3, 2003 to make the order due concurrently with a pending Department of Public Works action. A re-inspection on that day revealed that much of the debris


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remained. A contractor was at the property on December 10, 2003, along with a DNS inspector, and removed the remaining debris. The inspector allowed the property owner to keep things that he felt was of value by placing them in the house. The property owner is at present also appealing the \$396.00 in debris removal charges to the Administrative Review-Appeals Board. The City of Milwaukee Ordinances do not authorize any further appeal of this portion of the claim. The City acted appropriately in this matter and as such would not be liable. Accordingly, we recommend that the remainder of the claim be denied.

Very truly yours,



GRANT F. LANGLEY
City Attorney



MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
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