

KIMBERLY K. WALKER
Special Deputy City Attorney

DALO J. DHIKU
ROBIN A. PEDERSON
Deputy City Attorneys

CITY OF
MILWAUKEE
Office of the City Attorney

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

KATHRYN Z. BLOCK
KEVIN P. SULLIVAN
THOMAS D. MILLER
JEREMY R. MCKENZIE
PETER J. BLOCK
JENNY YUAN
ALLISON N. FLANAGAN
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JAMES M. CARROLL
WILLIAM G. DAVIDSON
MEIGHAN M. ANGER
ALEXANDER R. CARSON
Assistant City Attorneys

May 7, 2021

Joseph P. and Tierra C. DiCarlo
1602 North 48th Street
Milwaukee, WI 53208

*mailed
5/14/2021*

Re: Communication from Joseph and Tierra DiCarlo
C.I. File No. 1068-2020-1540

Dear Mr. and Mrs. DiCarlo:

We have received your claim in the amount of \$911.52 from a loss on June 11, 2020.

CITY CLERK'S OFFICE
2021 JUN -1 PM 3:52
CITY OF MILWAUKEE

The Forestry Section records indicate that on June 11, 2020 they were notified of a broken branch down and blocking the sidewalk at 1602 North 48th Street. They responded that day and found that a branch from a Norway Maple street tree had broken and fallen across the sidewalk and onto your property causing damage. They removed the branch. The branch was alive with some decay at the point of failure with fungal growth visible from the outside. The growth did not appear to be present at the time of the most recent annual survey.

The Section notes that Milwaukee experienced a trace of rain and sustained winds of 30 miles per hour with peak wind speeds of 48 miles per hour on June 11, 2020. This was the third consecutive day of similar high winds reported. There was .21 and .27 inches of rain on the prior days. They also reviewed their records for the last 6 years at this location for tree-related issues and found, prior to this request, two other requests for service. On February 29, 2016 there was a request to remove a dormant wasp nest. Forestry responded to the alderman that the City does not remove empty nests. On April 23, 2017 the property owners requested a branch, described as cracked, going toward the house be removed. Forestry responded and inspected the tree and branch. They removed the branch on May 1, 2017. The trees in this area were on a 10 year pruning schedule and were last pruned in May 2014.

There is no evidence that the City was negligent. The City would not be liable. Therefore, we are denying your claim.



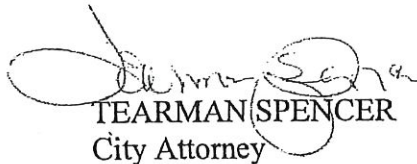
Joseph P. and Tierra C. DiCarlo

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If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,


TEARMAN SPENCER
City Attorney

Steven M. Carini

STEVEN M. CARINI
Investigator Adjuster

SMC/cdr

c: Jeffrey Laufenberg (Forestry)

1068-2020-1540/274498