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January 13, 2026

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

RE: Communication from JULIAN WOODRUFF
C.I. File No. 2025-001947

Dear Council Members:

Julian Woodruff submitted a vehicle damage claim, which he alleges, was due to a manhole cover he encountered on August 4, 2025 while driving eastbound on West Capitol Drive and North 23rd Street. Mr. Woodruff alleges that while driving the manhole cover went under his vehicle on the passenger side causing damage to his bumper, wheel well liner, tire, and wheel rim. He is seeking a reimbursement of \$5,545.83.

According to the Department of Public Works – Sewers (DPW) report, on August 4, 2025 the DPW field investigator immediately responded to a missing lid complaint at North 24th Street and West Capitol Drive, securing the manhole lid. The manhole frame was referred to a digging crew for repairs.

On August 8, 2025, the repairs to the manhole were made and submitted to the street maintenance department for final repairs. State law relative to road defects changed significantly following the adoption of 2011 Wisconsin Act 132, which deleted so much of Wis. Stat. 893.83 as previously imposed liability upon municipalities for all road defects. Under current state law, municipalities are only liable for defects under circumstances demonstrating prior notice to the municipality and breach of a duty to respond. In all other circumstances, the City is not liable for property damage caused by road defects. DPW records indicate no other prior calls were received regarding this or any other City sewer manhole cover in this area.



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Based on the findings of our investigation, it is our position that that the City of Milwaukee was not negligent in this matter. Therefore, we recommend that the claim submitted by Mr. Woodruff in the amount of \$5,545.83 be denied.

Very truly yours,



EVAN C. GOYKE
City Attorney



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ECG/CEC/cdr

Enclosures

2025-001947/