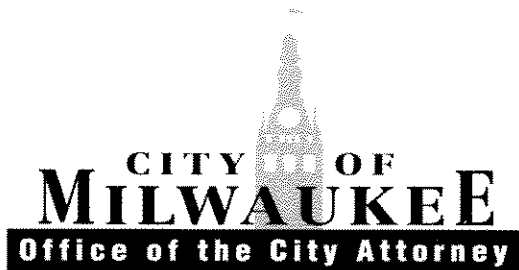


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June 13, 2007

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

Re: Resolution relating to the Claim of Larry Fettig
C.I. File No. 07-L-10

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, Larry Fettig, 10211 South Nicholson Road, Oak Creek, WI 53154 alleges that his sewer lateral for the property located at 2235 South 36th Street was crushed due to a City storm sewer that ran over the top of his lateral. Mr. Fettig claims damages in the amount of \$14,635.00.

Our investigation reveals that the Sewer Maintenance Department (SMD) responded to a backwater call at the subject address on December 27, 2006 and December 28, 2006. The City sanitary sewer main was examined and it was found to be running normally, but clear water was entering the main.

The Milwaukee Water Works (MWW) was called to the site and a confirmed service leak was found at 2212 South 36th Street. The MWW performed the necessary repairs and placed the water main back in service.

The SMD reviewed their records regarding the storm sewer in question. They repaired the facility in 1987. These repairs were completed using standard procedures and within


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the City's right-of-way. The area in question may have shifted due to the water from the service leak. The City departments followed standard procedures and as such, we recommend denial of this claim.

Very truly yours,



GRANT E. LANGLEY
City Attorney



MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
1048-2007-469:120165