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September 24, 2021

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

RE: CI. File No. 1048-2021-808  
Communications from LENA TAYLOR

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendations.

Ms. Lena Taylor, property owner of 3428 W. State Street, alleges that the City failed to install a concrete sub-base under the asphalt and fill the excavation with road slurry. The failure resulted in a sinkhole, and the sewer at 3428 W. State to collapse.

Damages being claimed is \$93,600.00 with a date of loss of April 21, 2021. To date, Ms. Taylor has not provided documentation for the damages being claimed. For the sake of this report, Ms. Taylor claim is comprised of the following:

<b>\$6000.00</b>	<b>Cleanouts, supplies, labor, hauling away</b>
<b>\$24,000.00</b>	<b>Plumbing cost to find the problem</b>
<b>\$50,000.00</b>	<b>Estimated repair cost</b>
<b>\$10,000.00</b>	<b>Lost property</b>
<b>\$3,600.00</b>	<b>lost rental</b>

Milwaukee Water Work and Sewer Services conducted the investigation of this matter. Records of services for 3428 W. State show on August 26, 2020, Department of Public Works – Street Maintenance reported a 2' sinkhole around the water box at the aforementioned location. Milwaukee Water Works addressed the situation by raising the water box to grade. It was confirmed no leaks were found at the location.



On November 11, 2020, Ms. Taylor called regarding backwater at said residence. The main sewer was investigated and reported to Ms. Taylor that the backwater was caused by an internal building lateral issue. In that the maintenance of sewer laterals is the responsibility of the property owner under City Charter Ordinance 12.15, Ms. Taylor was advised to hire a licensed plumber.

Ms. Taylor made two calls in December 2020 regarding backwater issues. On December 20, 2020, Jason Sanders, Sewer Services District Manager informed Ms. Taylor that there was an internal issue as to the building lateral connection as being the proximate cause for backwater at her residence.


In conclusion, Milwaukee Water Works and Sewer Services have collectively noted that all of the permits, estimates, and invoices provided by Ms. Taylor for the current claim appears to be for repairs and mitigating issues from backwaters caused by a private collapsed building lateral. According to Milwaukee Water Works, there have been no other calls or complaints regarding this location until notice of this current claim. Sewer Services notes there is no failure in the City's sewer system, nor any reported problems with any sewer facilities in the area of the aforementioned address that could have caused the private building lateral as alleged by Ms. Taylor.

There is no evidence that the City was negligent in this matter. As such, the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,



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TS:kdb

Enclosure  
1048-2021-808:276766