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October 21, 2025

Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

RE: Communication from PAT VAN ALYEA
C.I. File No. 1048-2025-1222

Dear Council Members:

Pat Van Alyea alleges that both units of their duplex located at 2330 E. Back Bay Street experienced sewer backups and as a result caused damage to their sewer lateral beneath a recurring sinkhole. Pat Van Alyea is seeking reimbursement for out-of-pocket expenses, after discovery of a large rock lodged on their sewer lateral surrounded by stone chips is the cause from previous work performed by the city in 2022. Damage included but not limited to out-of-pocket expenses, including excavation and repair costs in the amount of \$18,748.11.

We have completed our investigation of this matter with Milwaukee Water Works (MWW) and DPW Street and Sewer Maintenance. A review of maintenance records revealed that on May 16, 2022, Milwaukee Water Works (MWW) responded to a leak in the street at 2330 E. Back Bay Street and confirmed a leak on a lead water service line.

On July 5, 2022, MWW crews conducted work as part of the Lead Service Line Replacement (LSLR) program, which involved an excavation that measured approximately 7ft X 8ft, that exposed sections of the water service line, water main, and sanitary sewer line. MWW reported during the course of work, the utility followed in accordance to standard procedures, that involved backfill of the excavation by use of 3/4 " stone chips that required screening by the material supplier to remove oversize particles and rocks. Upon completion, MWW utilized a chute to direct the backfill material into the trench, which was then temporarily covered with asphalt cold patch until final restoration.

On March 19, 2025, a tenant reported a sinkhole located in front of 2330 E. Back Bay Street. On March 21, 2025, DPW-Infrastructure-Street Maintenance responded, assessed and barricaded the water cut as a result of a compromised utility that warranted further



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evaluation by the utility. MWW responded at the request of DPW-Street Maintenance, and upon further evaluation detected a noise on the water service line. A detailed evaluation on March 25, 2025, determined that there was no leak found on the water service line and additional cold patch was applied.

On March 30, 2025, DPW Sewer Maintenance responded to a backwater complaint regarding blockage of the sanitary sewer lateral near the reported sinkhole at the subject location. DPW Sewer Maintenance checked the main sewer and found it to be in good working condition. The main sewer was CCTV examined on June 3, 2025, and found functioning properly.

On May 7, 2025, the subject property experienced sewage back up after a brief water shut-off to replace a second floor shower cartridge through the laundry room floor drain. According to the claimant's private plumber, on May 30, 2025, Rozga Plumbing Corp., concluded the source was likely a broken lateral from a recurring sinkhole. The claimant submitted additional findings reported by their plumber Rozga Plumbing Corp., dated June 12, 2025, after exposing the later line concluded that the source of the broken lateral was from a large rock on an 8" PVC 45-degree fitting and had distorted the shape of the round pipe to oval. MWW representative confirmed a rock and portions of the abandoned curb stop box were observed after being removed from the excavation site, and other construction materials.

The utility followed standard procedures during excavation and backfilling in accordance to industry standards. The city is not responsible for inspections on private laterals. It is our view that there is no casual connection between materials found and subsequent settlement or defect that arose over time and is not a result of any City's negligence. Accordingly, we recommend that the claim be denied.

Very truly yours,



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ECG/NES/MTG/cdr