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October 24, 2018

*Mailed  
10/25/18*

Jeffrey Johnson and Frances Norris-Johnson  
7437 N. 51st Street  
Milwaukee, WI 53223

RE: C.I. File Nos. 1048-2018-1757 and 1048-2018-1759  
Communication from Jeffrey Johnson and Frances Norris-Johnson

Dear Mr. Johnson and Ms. Norris-Johnson:

We have received your claim in the amount of \$1,200.00 from a loss on July 17-18, 2018.

The Infrastructure Services Division records indicate that on July 17, 2018 Sewer Maintenance responded to a call of a backwater at 9611-9613 West Bradley Road. They found that the City's sanitary sewer was clogged. A Sewer Jet Vac was used, but it was unable to immediately open the sewer. The building lateral and City sewer had heavy tree roots. The next day the sewer was restored to proper working condition. The sewer is on a regular cleaning schedule and was last cleaned on June 4, 2018. No problems were noted at that time. Past cleaning records do not indicate any unusual problems.

The Forestry Section indicates that they reviewed their records back to 2000 and found no service requests or calls regarding tree roots at these addresses. The City has a 6-inch diameter ornamental Callery Pear tree at this location. It was last pruned in November 2017. No indication was made of root issues at that time. They also note that tree roots enter sewer laterals only when the lateral has been previously damaged by other factors such as settling soil or aging. Maintenance of sewer laterals is the responsibility of the property owner under City Charter Ordinance 12.15.

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

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



Jeffrey Johnson and Frances Norris-Johnson

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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,



GRANT F. LANGLEY  
City Attorney

*Steven M. Carini*

STEVEN M. CARINI  
Investigator Adjuster

SMC:mal

c: Robert Brooks (Infrastructure)  
Jeffrey Kluslow (Forestry)

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