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August 26, 2025

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

RE:

C.I. File No. 1029-2024-2121

Communications from Attorney Pamela McAvoy on behalf of MATTEO SOLLENA

Dear Council Members:

Matteo Sollena through his attorney Pamela McAvoy, alleges on January 24, 2024, he experienced issues with his sewer line as the result of installation of a City light pole that moved a big rock and allegedly caused damage to his sewer pipes at his property located at 7324 W. Capitol Drive. Mr. Sollena is seeking \$16,881 for invoices/repairs to his sanitary sewer lateral.

We have investigated this matter with Infrastructure Services Division. Our investigation reveals that this notice of claim was filed on December 2, 2024, regarding damages that occurred January 24, 2024. Wis. Stat. § 893.80(1d)(a) requires that a notice of circumstances of the claim be serviced within 120 days after the happening of the event given rise to the claim. This service of notice is untimely.

Our investigation determined that on January 25, 2024, City of Milwaukee Street Lighting was dispatched to remove a concrete pole at the request of the owner due to possible sewer issues. The light pole was removed. On August 29, 2024. Repairs were completed by Mr. Sollena's private plumbing contractor. It was confirmed that the light pole was 5 ft. south of the claimant's sewer lateral and a large rock was the cause of the broken sewer lateral.

KATHRYN Z. BLOCK THOMAS D. MILLER PETER J. BLOCK PATRICK J. MCCLAIN ANDREA J. FOWLER JOANNA FRACZEK HANNAH R. JAHN MEIGHAN M. ANGER ALEXANDER R. CARSON GREGORY P. KRUSE **ALEX T. MUELLER** ALEXANDER D. COSSI KATHERINE A. HEADLEY SHEILA THOBANI STACY J. MILLER JORDAN M. SCHETTLE THERESA A. MONTAG ALEXANDER E. FOUNDOS TRAVIS J. GRESHAM KYLE W. BAILEY JOSEPH M. DOBBS WILLIAM K. HOTCHKISS CLINT B. MUCHE TYLER M. HELSEL **ZACHARY A. HATFIELD** MEGHAN C. MCCABE CYNTHIA HARRIS ORTEGA **OLUWASEUN CHRIS IBITOYE KEVIN P. TODT** NATHANIEL E. ADAMSON **MATTEO REGINATO** JOSHUA B. CRONIN Assistant City Attorneys



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Additional maintenance records indicated the light pole was set prior to 2020. The sewer lateral measured 7.5 feet deep while our light pole sat 6 feet deep.

Because the statutory timeframe for service of notice is untimely, and there is no evidence that the city is liable for damages claimed, we recommend that the claim be denied.

Very truly yours,

EVAN C. GOYKE

City Attorney

NAOMI E. SANDERS Deputy City Attorney

ECG/NES/MTG/cdr

Enclosures

1029-2024-2121/