

July 1, 2005

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

Re: Communication from attorneys Warshafsky, Rotter, Tarnoff, Reinhardt
& Bloch, S.C.
On behalf of Lottisha Williams
C.I. File No. 04-S-303

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, Lottisha Williams, 2100 West Pierce Street, Unit 217, Milwaukee, WI 53204, alleges through her attorney, Warshafsky, Rotter, Tarnoff, Reinhardt & Bloch, S.C., 839 North Jefferson Street, Suite 601, Milwaukee, WI 53202-3796, that on July 28, 2004 she sustained injuries when she stepped into a hole in the roadway at North 19th Street and West Clark. They claim damages in the amount of \$6,883.16.

Our investigation reveals that the Milwaukee Fire Department records indicate that at 5:58 p.m. on July 28, 2004 they received a call for assistance regarding a person with a leg stuck in a sewer at 2602 North 19th Street. They dispatched a fire truck to the scene. The truck arrived at 6:14 p.m. and the personnel provided assistance to the private ambulance crew which had previously arrived. The call was closed at 6:18 p.m. The Infrastructure Services Division records indicate that the fire department subsequently notified them that same day about a missing valve cover at 1900 West Clark Street. A Street Maintenance employee responded and placed barricades over

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the gate valve within one-half hour. Both departments notified the Milwaukee Water Works that same day. A Water Works investigator was immediately dispatched to the location and arrived within 45 minutes. He reported that a hydrant gate valve at the location required some repairs and a cover and the area was barricaded. The repairs were completed the next day. Prior to this complaint, the City had no notice of this hazard and because of this lack of notice the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure
1029-20042555:94657