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January 7, 2010

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

Re: Resolution Relation to the Claim of TIELISHA HODGES
C.I. File No. 09-S-432

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, Tielisha Hodges, 4582 North 24th Place, Milwaukee, WI 53209-6205, alleges that on December 9, 2009, she sustained damages to her personal property when a City sewer backed up into the basement of her residence. She claims damages in the amount of \$5,800.00.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that on December 9, 2009, they responded to a call of a backwater at 4582 North 24th Place. The ISD found the City main sewer to be clogged with grease. They used a sewer jet to open the clog, clean the sewer and restore it to proper working order. The previous clogging incident for this sewer was on February 14, 2004. The sewer is on a regular cleaning schedule and was last cleaned, prior to this incident, on October 15, 2008. Because the sewer is on a regular cleaning schedule and the City did not have notice of any problems with the sewer, the City cannot be held liable. Therefore we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
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JAS:ms
Enclosure
1029-2009-3329:153618

OFFICE OF THE CITY ATTORNEY