

Milwaukee City Clerk
200 E. Wells St.
Room 205
Milwaukee WI 53202

CITY OF MILWAUKEE
2001 JUN -5 PM 1:56
RONALD D. LEONHARDT
CITY CLERK

June 4, 2001

RE: C.I. File No. 01-S-135

Dear Sirs,

I would like to appeal the decision of the Office Of City Attorney regarding my claim for the amount of \$525.00.

Please contact me at: Lawrence McClellan
N61 W15082 How Ave
Menomonee Falls, WI 53051

262-252-4375

or

motoman1500@Juno.com

Respectfully,



Lawrence McClellan

Office of City Attorney
200 E. Wells St. Suite 800
Milwaukee WI 53202-3551

June 3, 2001

RE: C.I. File No. 01-S-135

Dear Mr. Langley,

I have received your response regarding a claim I have submitted for damages to my car from a pothole at N.110th and Good hope Rd. Your denial to accept any liability has encouraged me to ask for an appeal hearing.

The day after I hit the pothole I called the Milwaukee Co. Pothole reporting number I obtained from the Internet. They thanked me for reporting the location and told me they would have it repaired within ten days. After getting the repair bill for my car I called back to ask how to file a claim and was told that the city of Milwaukee is actually responsible for that area of roadway. She gave me the proper address to file a claim, which I promptly did.

I provided you with pictures and a map of the location and a letter asking that the City of Milwaukee accept a percentage of responsibility for the damage incurred. I was honorable enough to accept some liability because as my letter stated, my tires are a low profile type and the roads have taken a beating this past winter.

Obviously you could care less and have presented the argument that because no record of any complaint was filed with the infrastructure division at that site for one year you assume the claim is invalid or fabricated. Look at the pictures again Mr. Langley. I am a busy man and do not have the time to take pictures and make false claims. The fact that no one reported a pothole at that location is irrelevant. I can prove the pothole existed. Can you prove it did not?

Very truly yours,


Lawrence McClellan

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Milwaukee City Clerk
Claims Dept.
200 E. Wells St.
Room 205
Milwaukee, WI 53202

CITY OF MILWAUKEE

2001 APR 16 AM 10:38

RONALD D. LEONHARDT
CITY CLERK

Larry McClellan
N61 W15082 How Ave
Menomonee Falls WI 53051
(262) 252-4375

April 13, 2001

Gentlemen,

On March 23, 2001 I was driving my 1998 Acura to make a deposit at Educators Credit Union on Park Pl. in Milwaukee. As I was merging into traffic at 110th and Good Hope Rd. Westbound I hit a deep pothole near the cement curb by a sewer grate. The pothole extends into the roadway about 12 inches and is about 4 inches deep. As you are aware the area is a busy merge point as automobiles and trucks position themselves for entering Hwy 45. Merging onto Goodhope Rd. from 110th requires all your attention and often times you are forced close to the curb as the merge lane feathers down to zero width and blends into Goodhope. I feel it is impossible to avoid the pothole unless you know it is there and traffic is thin enough where you can enter the roadway with room to spare.

The pothole caused a rupture in the sidewall of my right front tire, a new Michelin MXV4 plus. It also dented the inside of the cast aluminum wheel with such force that it was destroyed. The front-end alignment was knocked out of tolerance and required adjustment.

The cost to repair my car was \$525.00. I have included a copy of the invoice as well as pictures of the pothole and its location.

I called Milwaukee Co. road maintenance to report the pothole and it's location on Monday March 26th. They told me they would send me information on how to make a claim for damages but later called and informed me the area is under the control and responsibility of the City of Milwaukee road maintenance Dept. and gave me your address.

I believe it is reasonable for the City of Milwaukee to accept some liability and help pay for the cost of repair. We all know that weather conditions in this part of the country and brutal on roadways and potholes are created often. The City does the best that it can to eliminate them. This was one you missed. I was traveling under the posted speed limit and under the normal heavy traffic conditions at that merge point hitting the pothole cannot be avoided. I observed other cars hitting the same pothole the day I took pictures a week later (the pothole still had not been filled) although the traffic was thin and most cars were able to merge easily and not hit the pothole dead on like I did. Those that drive the area frequently are probably aware of its location and avoid it.

I accept some liability for the damages as well because my tires are a lower profile than many passenger car tires and that reduced profile has some risks. If I had hit the same pothole in my Ford Taurus it may have just need a front end alignment.

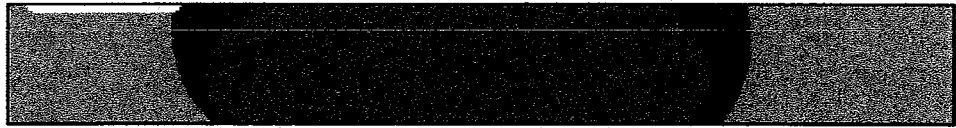
In closing I ask that you consider accepting some responsibility for the repair costs, perhaps 60% or 70%. Frankly I need the help.

Sincerely,

Larry McClellan

OFFICE OF
CITY ATTORNEY
'01 APR 16 PM 3:32
CITY OF MILWAUKEE
RECEIVED

Get it First:
Y! Domains



Welcome, goldwinger22
Yahoo! Maps

Edit/Create My Locations - Sign On

★ W. Park Pl., Milwaukee, WI 53224

Save This Address

MAPQUEST

300m
900ft

Zoom In
[1]
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Zoom Out
Email Map
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Pothole
location