

June 7, 2001

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

RE: Communication from Wisconsin Mutual Insurance Co.
C.I. File No: 01-L-49

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, Wisconsin Mutual Insurance Co., 1442 North Farwell Avenue, Suite 101, Milwaukee, WI 53202 on behalf of their insured, Kim Redmond, alleges that they sustained damage when their insured collided with another vehicle due to a traffic signal light outage at North 55th Street and West Burleigh Street. They claim damages in the amount of \$10,000.00.

An investigation by Infrastructure Services Division reveals that on February 24, 2001 at 2:10 p.m. the City was advised that signal lights were malfunctioning at the intersection of North 55th Street and West Burleigh Street. An electrical mechanic arrived on the scene at 2:20 PM and made the necessary repairs. The intersection was placed into normal service mode at 5:15 PM. The electrical mechanic continued to observe the intersection and left the scene at 5:30 PM after ascertaining normal operation. The division was then notified again at 6:48 PM that the signals were not functioning. The electrical mechanic sent to the scene found the signals were not functioning because of a signal pole that was struck in the subject auto accident. It appears from the division records the second outage was caused by the subject automobile accident.

Wisconsin Mutual Ins. Co.

06/07/01

The City responded in a timely manner and followed proper procedures. The City had no notice of a second signal light failure prior to the claimant's accident, therefore, it cannot accept liability. Accordingly, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg