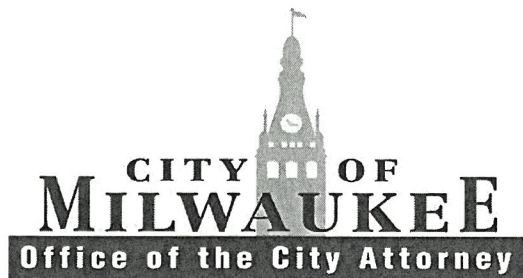


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January 21, 2025

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

Re: Communication from KENNETH HALE  
C.I. File No. 1068-2024-1715

Dear Council Members:

Enclosed please find a proposed resolution. We ask that it be referred to the Judiciary and Legislation Committee with the following recommendation.

Kenneth Hale alleges that he sustained damages to his 2012 Nissan Quest, on June 7, 2024, when a City tree branch fell and caused damages in the amount of \$5,151.83.

Our investigation revealed that on June 7, 2024, Forestry crew responded to a call regarding a broken branch down on a car and partially blocked the street located at 1016 S. 26th Street. The crew confirmed damage to the 2012 Nissan Quest and the tree branch was removed.

The subject tree was a 10" Callery pear that appeared healthy with no signs of decay. The branch in question fell during conditions of high winds. The City experienced peak winds of 24 mph and gusts up to 38 mph on June 7, 2024, accordingly to the National Weather Service. A service history was reviewed and there were no other service requests reported for this location in the past 6 years.

The next scheduled inspection for trees in this quarter section 434 will take place during Forestry's 5-year inspection cycle in 2025.



To the Honorable Common Council  
of the City of Milwaukee  
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It is our view that the City is not liable for damages. The tree branch that failed was not the result of any negligence caused by the City Forestry's Section. As such, we recommend that the claim be denied.

Very truly yours,

**/s/ Evan C. Goyke**

EVAN C. GOYKE  
City Attorney

**/s/ Naomi E. Sanders**

NAOMI E. SANDERS  
Deputy City Attorney

ECG/NES/MG/cdr

Enclosure

1068-2024-1715/295538