

November 7, 2002

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

Re: Communication from Attorney Phillip Ramthun  
on behalf of Rachel Spell  
C.I. File No. 02-L-105-1

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, Rachel Spell, 6960 West Appleton Avenue, #3, Milwaukee, WI 53216, by her attorneys Stern & Ramthun, LLP, 2600 North Mayfair Road, Milwaukee, WI 53226, alleges that on June 11, 2002 she became ill after drinking tap water provided by the City of Milwaukee. They claim damages in the amount of \$20,000.00.

The Waterworks investigation revealed that on June 11, 2002 an employee in the Waterworks Water Quality Division received a call from a resident at 6960 West Appleton Avenue regarding yellow rusty tap water. The employee checked with the distribution division and found they were aware of a problem with rusty water in the area. The division was in the process of flushing hydrants to alleviate the problem. The Waterworks took water samples from 6960 West Appleton Avenue on June 12 & 13, 2002. The water was found to be typical of Milwaukee Waterworks tap water quality, and showed the water to meet all state and federal potable water standards. Yellow and red water conditions are

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unintentional and frequently caused by disturbances in the water mains such as broken pipes, hydrant flushing, fires, etc. Movement of the discolored water into homes/buildings is very localized and temporary, and does not pose any potential health hazards. The Milwaukee Waterworks exercised proper care and followed normal procedures in this matter, as such, the City cannot be held liable. Accordingly, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

MICHAEL G. TOBIN  
Assistant City Attorney

MGT:beg  
Enclosure  
1048-2002-2429.001:59590