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February 8, 2008

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

Re: Resolution relating to the claim of Russell Sommer
C.I. File No. 07-L-374

Dear Council Members:

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

Claimant, Russell Sommer, 2551 South Wentworth, Milwaukee, WI 53207, alleges on his own behalf, that sometime on August 6, 2007, the Support Services repair facility located at 2142 West Canal Street was burglarized causing the loss of his personal tools and equipment. He claims damages in the amount of \$2,399.87.

Our investigation reveals that it is a requirement that this employee furnish his own tools and equipment which are necessary for the performance of his duties for the City and, therefore, the City agrees to reimburse the employee for his loss.

The City has paid similar claims like this one, including one to this employee, in the recent past. For this reason we are adding conditions to this payment and emphasis will be added to these conditions. The conditions will be as follows:

1. The employee will provide the City Attorney's Office a receipt or other suitable proof of purchase for each tool purchased within 60 days of receiving the settlement check from our office.
2. The Department of Public Works to compare the receipts or other suitable proofs of purchase for the replacement tools bought by the employee and what is in the employee's work area.
3. If the cost of the tools is less than the settlement check from the City, the employee must reimburse the difference to the City.

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4. If the tools are not purchased within 60 days of receiving the settlement check the employee will reimburse the City the amount of the settlement.

Because settlement of this matter is deemed expeditious to the City of Milwaukee, we recommend settlement of this claim and have enclosed an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
1047-2007-2832:128045

c: Jim Stehlow, DPW Supervisor