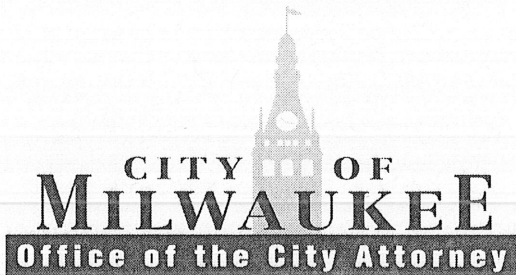


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August 1, 2022

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

RE: Communication from Bernard James  
C.I. File No. 1048-2022-510

Dear Council Members:

Bernard James alleges that he incurred damages in the amount of \$20,276.87, that resulted after the water was not fully shut off at the curb stop for his property located at 5866 West Appleton Avenue.

Our investigation revealed that the Milwaukee Water Works(MWW) responded to a request from Mr. James on January 13, 2022, to turn off the water because of an internal plumbing leak. A MWW crew turned off the water at the curbstop and noted that the building was vacant and the owner was not present.

On March 4, 2022, Mr. James contacted MWW to request that the shut-off be checked as there was flooding in the basement and the meter was frozen and burst. A MWW crew responded to the location and attempted to get a tighter shut off at the curbstop. They noted that the valve had been 98% off, which sometimes, but infrequently occurs, depending on the age and condition of the valve.

Because Mr. James continued to report water at the property, MWW responded to the location on March 30, 2022 and May 16, 2022, in an effort to locate a possible leak. Multiple leak detection listening technologies were used, but the crew did not detect any flowing water.

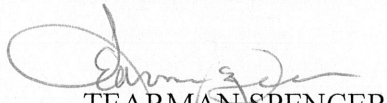


To the Honorable Common Council  
Of the City of Milwaukee  
August 1, 2022  
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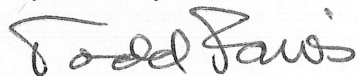
It is the responsibility of the property owner to confirm that the property is or is not receiving water after requesting that it be turned on or off at the curb stop. It is also the responsibility of the homeowner to maintain interior plumbing and to either completely drain or heat all pipes to protect them from freezing.

It is our position that the MWW was not negligent regarding this request to turn the water off at the curb stop. In addition, MWW took timely action following each request from Mr. James and performed extensive investigations to locate any leaks that may have been contributing to the issue. Therefore, we recommend that this claim for \$20, 276.87 be denied.

Very truly yours,



TEARMAN SPENCER  
City Attorney



TODD FARRIS  
Deputy City Attorney

TF/PK/cdr

1048-2022-510/281159