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November 15, 2022

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

RE: C.I. File. No. 1048-2022-1151
Communication from TOM SOWINSKI

Dear Sir or Madam:

Mr. Tom Sowinski alleges that he sustained a significant amount of damage from water to the basement of his 12 family unit located at 8409 W. Morgan Avenue, when the City failed to properly install a water replacement valve after a meter exchange and left without notification. Mr. Sowinski has presented a damage claim for water turn off, clean up, labor, and building supplies in the amount of \$10,791.14.

We have completed our investigation into this matter. On June 24, 2022, Milwaukee Water Works (MWW) completed a water meter exchange without incident at the property located at 8409 W. Morgan Avenue. The technician departed the location at 11:11am. The claimant indicated that he was expecting the technician to call when work was complete and, MWW reported no record of a request to contact the claimant when work was complete. MWW reported they standardly communicate soley with an individual who provides access to the property and that it would have been unusual for the technician to agree to call a party not present at the property to report on the progress of work.

MWW utility records indicated that they were notified at approximately 1:45pm of the leak. MWW field staff reported back to the location within an hour and found water had been shut off before the meter. The technician was unable to determine what might have occurred to cause the meter, meter setting and/or gaskets to fail. At approximately 3:00pm, a Water Supervisor arrived onsite and was also unable to determine the cause of the leak.



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On September 8, 2022, our appraisers inspected the property and assessed damages to be \$12,419.16.

In conclusion, the water meter exchange was performed by Milwaukee Water Works in a workmanlike manner and there is no evidence that the City was negligent. As such, we recommend that the claim be denied.

Very truly yours,



TEARMAN SPENCER
City Attorney



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STF/MTG/cdr

1048-2022-1151/282573