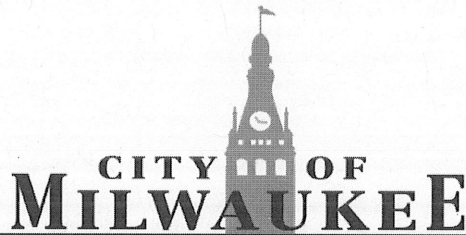


GRANT F. LANGLEY
City Attorney

MIRIAM R. HORWITZ
ADAM B. STEPHENS
MARY L. SCHANNING
JAN A. SMOKOWICZ
Deputy City Attorneys



Office of the City Attorney

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

SUSAN E. LAPPEN
PATRICIA A. FRICKER
HEIDI WICK SPOERL
GREGG C. HAGOPIAN
JAY A. UNORA
KATHRYN Z. BLOCK
KEVIN P. SULLIVAN
THOMAS D. MILLER
ROBIN A. PEDERSON
JEREMY R. MCKENZIE
PETER J. BLOCK
JENNY YUAN
ALLISON N. FLANAGAN
HEATHER H. HOUGH
ANDREA J. FOWLER
PATRICK J. MCCLAIN
NAOMI E. GEHLING
BENJAMIN J. ROOVERS
ELLENY B. CHRISTOPOULOS
RACHEL S. KENNEDY
TYRONE M. ST. JUNIOR
HANNAH R. JAHN
JULIE P. WILSON
GREGORY P. KRUSE
KIMBERLY A. PRESCOTT
SHEILA THOBANI
KATRYNA C. RHODES
NICOLE F. LARSEN
JAMES M. CARROLL
WILLIAM G. DAVIDSON
MEIGHAN M. ANGER
ALEXANDER R. CARSON
JENNIFER J. TATE
Assistant City Attorneys

January 15, 2020

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

Re: C.I. File No. 1029-2019-1997
Communication from: Kate E. Kelley
3445 N. Oakland Avenue, #105
Milwaukee, WI 53212

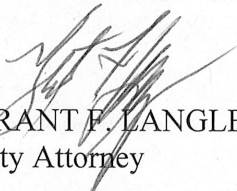
Dear Council Members:


Kate E. Kelley alleges that on August 28, 2019 she sustained injuries when she tripped and fell on an uneven sidewalk near the northeast corner of North Newhall Street and East Newport Avenue. Claimed damages total \$22,200.00.

Wisconsin municipalities have discretionary immunity from liability for any damage that is due to a defect in a sidewalk or street. Under discretionary immunity, the City is generally not liable for damages.

City records indicate that prior to August 28, 2019 the City had no notice of this hazard in the sidewalk. Because of this lack of notice and the City's discretionary immunity, the City is not liable for the damage. Therefore, we recommend that this claim be denied.

Very truly yours,


GRANT F. LANGLEY
City Attorney


KATRYNA C. RHODES
Assistant City Attorney

C: James Washington (Infrastructure)
KCR:mal
Enclosure

1029-2019-1997:266071

