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January 29, 2007

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

Re: Resolution relating to the claim of Robert & Wilma Itson
C.I. File No.: 04-L-2

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, Wilma Itson, 2105 West Roosevelt Drive, Milwaukee, WI 53216, alleges that on December 9, 2003 a City water main break caused water and sewage to enter the basement of her property located at 2105 West Roosevelt Drive. She claims damages in the amount of \$17,678.00.

Our investigation reveals that the Infrastructure Services Division indicates that the City awarded Contract No. C523020126 to American Sewer Services to re-lay a 12-inch diameter sewer in the area of West Congress Street, North 21st Street and West Roosevelt Drive. The work began on December 9, 2003. While excavating on that day the contractor struck and damaged an 8-inch water main. The main was not shown on the City's sewer plan provided to the contractor. The Milwaukee Water Works responded and assisted the contractor with an emergency shut-off. By the time water flow to the main was shut off, the street was flooded and the sanitary sewer was surcharged, causing water to enter several basements in the area. The contractor completed repairs and the main was turned back on later that afternoon.

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The City later had an independent appraiser inspect the properties and determine the damages to be \$14,000.00. The claimant has agreed to accept this amount as full 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
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MGT:beg
Enclosures

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