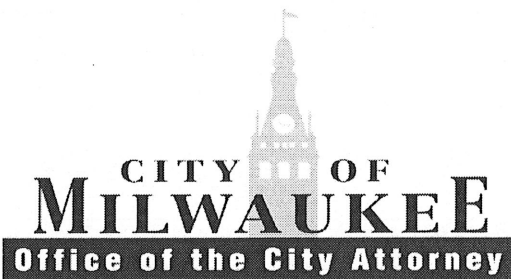


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October 29, 2018

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

Re: C.I. File No. 1029-2018-1988  
Communication from: Barbara England  
1808 E. Kenwood Boulevard  
Milwaukee, WI 53211

Dear Council Members:

Barbara England alleges that between February 20 and May 18, 2018 roots from a City tree damaged the sewer lateral at her property. Claimed damages total \$16,887.00.

The Infrastructure Services Division records indicate that on February 20, 2018 Sewer Maintenance responded to a call of a backwater at 1808 East Kenwood Boulevard. They found that the City sewer main was in proper working condition. The claimant was advised that the problem was with her lateral and to contact a licensed plumber. The City sewer is on a regular cleaning schedule and was last cleaned on August 1, 2017. Past cleaning records do not indicate any unusual problems.

The Forestry Section indicates that they reviewed their records back to 2000 and found no requests for service regarding roots in the sewer lateral at this address. They also note that tree roots enter sewer laterals only when the lateral has been previously damaged by other factors such as settling soil or aging. Maintenance of sewer laterals is the responsibility of the property owner under City Charter Ordinance 12.15.



Honorable Common Council  
October 29, 2018  
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There is no evidence that the City was negligent in this matter. The City would not be liable. Therefore we recommend that this claim be denied.

Very truly yours,



GRANT E. LANGLEY  
City Attorney



PATRICIA A. FRICKER  
Assistant City Attorney

PAF:mal

Enclosure

c: Robert Brooks (Infrastructure)  
Randy Krouse (Forestry)

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