

Elaine Cotter
4244 N. Wilson Drive #4
Shorewood WI 53211

Phone: 414.964.5441 (with Voicemail)
(no email address)

Milwaukee City Clerk
200 East Wells Street, Room 205
Milwaukee WI 53202

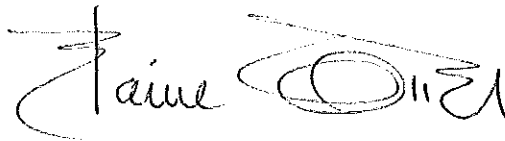
Re: C.I. File No. 1029-2024-1027
Appeal to Decision dated August 9, 2024
Date of Incident: Sunday, April 21, 2024
Time of Incident: approximately 12:50 p.m.
Place of Incident: West Park Place
(closest address is 10715 West Park Place – the address of Park Place Kinder Care)
Weather Conditions: 54 degrees and sunny
Vehicle situated traveling east on West Park Place, approaching
intersection of North 107th Street

Dear City Clerk:

I wish to appeal the decision received Wednesday, August 21, 2024. A photocopy of the envelope postmarked August 19, 2024 containing the August 9, 2024 decision is enclosed, per your letter dated August 9, 2024.

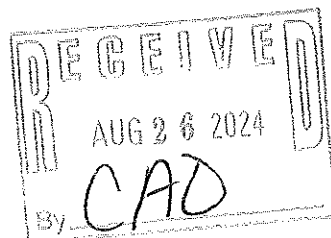
Thank you for your consideration in this matter. I await further information from your office.

Very truly yours,



Elaine Cotter

Enclosure: Photocopy of City of Milwaukee envelope postmarked August 19, 2024
addressed to Ms. Elaine Cotter, 4244 N. Wilson Drive #4, Shorewood WI 53211

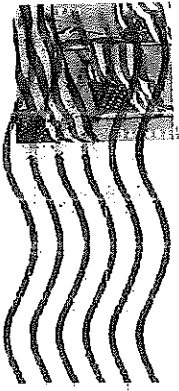


CITY CLERK'S OFFICE
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2024 AUG 23 PM 2:40

E. COTTER
4244 N. Wilson Dr. #4
Shorewoods WI 53211

RECEIVED
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CITY CLERK'S OFFICE
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CITY OF MILWAUKEE



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Milwaukee City Clerk
300 East Wells Street, Room 205
Milwaukee WI 53202

53202-957098

EVAN C. GOYKE
City Attorney

MARY L. SCHANNING
ROBIN A. PEDERSON
NAOMI E. SANDERS
JULIE P. WILSON
Deputy City Attorneys



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

HEIDI WICK SPOERL
KATHRYN Z. BLOCK
THOMAS D. MILLER
PETER J. BLOCK
PATRICK J. MCCLAIN
JOANNA FRACZEK
HANNAH R. JAHN
MEIGHAN M. ANGER
ALEXANDER R. CARSON
GREGORY P. KRUSE
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MARIA E. MESOLORAS
CYNTHIA HARRIS ORTEGA
Assistant City Attorneys

August 9, 2024

mailed
8-19-2024

Ms. Elaine Cotter
4244 N. Wilson Drive#4
Shorewood, WI 53211

RE: C.I. File No. 1029-2024-1027
Communication from ELAINE COTTER

Dear Ms. Cotter:

The City of Milwaukee is in receipt of the claim incurred as a result of a defect in a sidewalk or street at or near 10715 W. Park Place on April 21, 2024.

The City takes every report of defective streets or sidewalks seriously. Upon notice of any defect the Department of Public Works will investigate, and/or patch, repair or barricade known hazards in its discretion. However, state law relative to roadway defects changed significantly following the adoption of 2011 Wisconsin Act 132. Under current state law, municipalities are only liable for known defects that the municipality has failed to timely repair. Generally, the City is not liable for damage related to roadway defects.

City records indicated that prior to April 21, 2024, the City had no notice of this hazard in the roadway. Because of this lack of notice, and the City's discretionary immunity, the City is not liable for your damages.



COPY

Ms. Elaine Cotter
August 9, 2024
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If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,



EVAN C. GOYKE
City Attorney



MICHELLE THOMPSON-GRAY
Investigator Adjuster

ECG/MTG/cdr

1029-2024-1027/292594

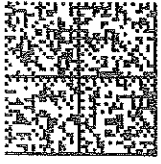
CITY OF MILWAUKEE
Office of the City Attorney
OFFICE OF THE CITY ATTORNEY

800 City Hall
200 East Wells Street
Milwaukee, Wisconsin 53202-3551

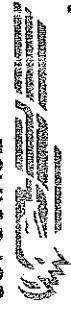


Ms. Elaine Cotter
4244 N. Wilson Drive#4
Shorewood, WI 53211

RESORTED
FIRST CLASS

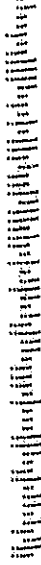


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