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July 18, 2006

Richard Tickner
3233 North 58th Street
Milwaukee, WI 53216

RE: Richard Tickner
C.I. File No: 06-S-122

Dear Mr. Tickner:


We have received your claim in the amount of \$830.10, relating to damage sustained to your vehicle when it struck a pothole/repair patch at North 60th Street and West Bobolink on April 7, 2006.

Our investigation reveals the Infrastructure Services Division-Field Operations (ISD) reviewed their records and the records of the DPW "Call Center" for the period April 7, 2005 to April 15, 2006. The ISD records reflected they conducted asphalt patching along the 5900 and 6000 blocks of North 60th Street on three occasions during this period. A street maintenance crew patched a low water cut with asphalt as noted above. The "Call Center" received three complaints during this period. The first complaint was received on March 1, 2006, which prompted one of the noted patching operations. On March 29, 2006, two additional complaints were received regarding this low water cut. The ISD conducted a patching operation and placed a weighted barricade at the location until the regular construction season resumed and permanent repairs could be completed. The ISD was checking the barricade's status on each workday. If traffic or the weather conditions changed its status; the ISD would return it to its proper condition. When the ISD is notified of a hazard in the roadway, they will send a crew to investigate and or patch the hazard. Prior to your loss the City had no notice of the barricade's improper status and the City was acting within its discretion, as such, we are denying your claim.

James Tickner
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If you wish to appeal this decision, you may do so by sending a letter within 21 days of the date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,



GRANT F. LANGLEY
City Attorney



ROBERT M. OVERHOLT
Investigator Adjuster

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