

# CITY OF MILWAUKEE

Form CA-43

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January 14, 2003

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

Re: Communication from Pekin Insurance on behalf of Gregg and Mary Graycarek  
C.I. File No. 00-L-55

Dear Council Members:

We return the enclosed document, which has been filed with the City Clerk, and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Gregg and Mary Graycarek, by their insurance carrier, Gary Phillips, Senior Claim Adjuster, Pekin Insurance Company, P.O. Box 816, Pewaukee, WI 53072-0816, allege that on March 6, 2000 Ms. Graycarek was involved in an automobile accident after she failed to observe a stop sign that was not properly in place at the intersection of North 30<sup>th</sup> Street and West Center Street. They claim damages in the amount of \$47,426.65.

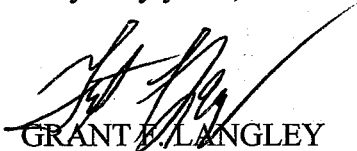
The Infrastructure Services Division investigation reveals there were two automobile accidents at this location on the date in question. The Wisconsin Motor Vehicle Accident Report completed for the first accident which occurred at 12:15PM noted the stop sign controlling traffic for North 30<sup>th</sup> Street was knocked down. The investigating police officer for the first accident placed the stop sign back into its proper position prior to leaving the scene. Infrastructure Services Division records indicate they were notified of the second accident at 4:39 p.m. A mechanic from the division arrived on scene at 5:15PM and installed a portable stop sign. A sign crew then replaced the pole and stop sign the following day. The City had no notice that the stop sign was not properly in place and as such, the City can not be held liable for this loss. Accordingly, we recommend that this claim be denied.

To the Honorable Common Council

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Very truly yours,



GRANT B. LANGLEY  
City Attorney



MICHAEL G. TOBIN  
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MGT:beg  
Enclosure  
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