**GRANT F. LANGLEY** City Attorney

RUDOLPH M. KONRAD LINDA ULISS BURKE VINCENT D. MOSCHELLA Deputy City Attorneys



September 6, 2013

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

Re: Communication from SANDRA KLATT C.I. File No. 1029-2013-1826

Dear Council Members:

THOMAS O. GARTNER STUART S. MUKAMAL THOMAS J. BEAMISH MAURITA F. HOUREN JOHN J. HEINEN SUSAN E. LAPPEN JAN A. SMOKOWICZ PATRICIA A. FRICKER **HEIDI WICK SPOERL** KURT A. BEHLING **GREGG C. HAGOPIAN** ELLEN H. TANGEN MELANIE RUTLEDGE JAY A. UNORA DONALD L. SCHRIEFER EDWARD M. EHRLICH **MIRIAM R. HORWITZ** MARYNELL REGAN G. O'SULLIVAN-CROWLEY **KATHRYN Z. BLOCK** ELOISA DE LEÓN ADAM B. STEPHENS **KEVIN P. SULLIVAN** THOMAS D. MILLER JARELY M. RUIZ **ROBIN A. PEDERSON** CHRISTINE M. QUINN MARGARET C. DAUN JEREMY R. MCKENZIE MARY L. SCHANNING PETER J. BLOCK NICHOLAS P. DESIATO JOANNA GIBELEV Assistant City Attorneys

Claimant, Sandra Klatt, 3041 South 55<sup>th</sup> Street, Milwaukee, WI 53219, alleges that on April 10, 2013 she incurred costs to repair a defective connection to the City sewer. She claims damages in the amount of \$6,850.00.

Infrastructure Services Division (ISD) records indicate that on April 16 and 17, 2013, they responded to a request for a connection check at 3041 South 55<sup>th</sup> Street. They televised the sewer and found that this connection was not to the main City sewer. The area of the connection is the responsibility of the property owner under City Charter Ordinance 12-15. The sewer had been relayed in 1984. There were no complaints on file. The sewer is on a regular cleaning schedule and was last cleaned, before this incident, on April 11, 2011.

There is no evidence that the City was negligent in this matter. As such, the City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY City Attorney

PATRICIA A. FRICKER Assistant City Attorney

PAF:cdr

Enclosure

1029-2013-1826/195584