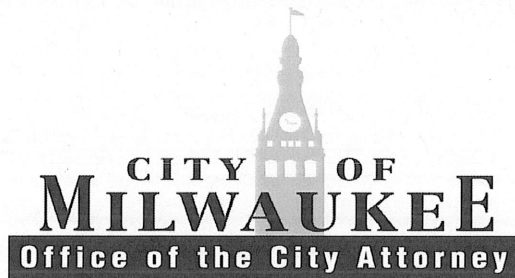


GRANT F. LANGLEY
City Attorney

MIRIAM R. HORWITZ
ADAM B. STEPHENS
MARY L. SCHANNING
JAN A. SMOKOWICZ
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

SUSAN E. LAPPEN
PATRICIA A. FRICKER
HEIDI WICK SPOERL
GREGG C. HAGOPIAN
JAY A. UNORA
KATHRYN Z. BLOCK
KEVIN P. SULLIVAN
THOMAS D. MILLER
ROBIN A. PEDERSON
JEREMY R. MCKENZIE
PETER J. BLOCK
JENNY YUAN
ALLISON N. FLANAGAN
HEATHER H. HOUGH
ANDREA J. FOWLER
PATRICK J. MCCLAIN
NAOMI E. GEHLING
CALVIN V. FERMIN
BENJAMIN J. ROOVERS
ELLENY B. CHRISTOPOULOS
RACHEL S. KENNEDY
TYRONE M. ST. JUNIOR
HANNAH R. JAHN
JULIE P. WILSON
GREGORY P. KRUSE
KIMBERLY A. PRESCOTT
SHEILA THOBANI
KATRYNA C. RHODES
NICOLE F. LARSEN
JAMES M. CARROLL
WILLIAM G. DAVIDSON
MEIGHAN M. ANGER
ALEXANDER R. CARSON
Assistant City Attorneys

August 28, 2019

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

Re: C.I. File Nos. 1029-2019-1433; 1029-2019-1434
Communication from: Piggly Wiggly Midwest LLC and SAL B, LLC
Attn: Gary Suokko
2215 Union Avenue
P.O. Box 419
Sheboygan, WI 53082-0419

Piggly Wiggly Midwest LLC and SAL B, LLC allege that on June 10 and 11, 2019 they sustained damages when a sanitary sewer filled with stone from road construction caused a sewer backup at their store located at 123 West Oklahoma Avenue. Claimed damages total \$20,038.13.

The Assessor's Office information notes that they are not the owner of the property.

The Infrastructure Services Division-Sewers records indicate that on June 11, 2019 Sewer Maintenance responded to a call of a backwater at this address. They found that the City sanitary sewer main was working properly. The manager was advised to contact a licensed plumber. During the investigation it was determined that a private contractor was working in the area on a State paving project.

The Infrastructure Services Division-Construction records indicate that roadway reconstruction work was being done in the area of South Chase Avenue and West Gauer Circle at that time. This is a State of Wisconsin project, WisDOT Project ID 2060-00-76. Their address is State of Wisconsin Dept. of Transportation, Waukesha Transportation District 2, 141 NW Barstow Street, P.O. Box 798, Waukesha, WI 53187-0798. The contractor involved is LaLonde Contractors, Inc. Their address is 1609 Lincoln Avenue, Waukesha, WI 53186.



Honorable Common Council

August 30, 2019

Page 2

There is no evidence that the City was negligent in this matter. The City of Milwaukee is also not involved in this and cannot accept liability. Therefore, we recommend that these claims be denied.

Very truly yours,



GRANT E. LANGLEY
City Attorney



KATRYNA C. RHODES
Assistant City Attorney

KCR:mal

Enclosure

c: Robert Brooks (Infrastructure-Sewers)
Anthony Kotecki (Infrastructure-Construction)

1029-2019-1433:262219