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January 15, 2020

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

Re: C.I. File No. 1068-2019-2232
Communication from: Melissa Scott
5956 N. 72nd Street
Milwaukee, WI 53218

Dear Council Members:

Melissa Scott alleges that on September 22, 2019 she sustained damages when a City tree fell onto her vehicle while it was parked at 5950 North 72nd Street. Claimed damages total \$7,048.30.


The Forestry Section records indicate that on September 22, 2019 they received a call for a broken branch down on a vehicle at 5956 North 72nd Street. A crew responded and found a Norway Maple street tree limb on a vehicle at 5950 North 72nd Street. The branch was removed. The branch was alive with no signs of decay.

The Section notes that Milwaukee experienced winds averaging 9.3 miles per hour with peak wind speeds of 29 miles per hour on September 22, 2019 and .32 inches of rain. They also reviewed their records for the last 6 years at this location for tree-related issues, prior to this incident, and found no other requests for service. The trees in this area are on a regular pruning schedule and were last pruned in March 2017.

There is no evidence that the City was negligent in this matter. Therefore, we recommend that this claim be denied.

Very truly yours,


GRANT F. LANGLEY
City Attorney


KATRYNA C. RHODES
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KCR:mal
Enclosure

c: Jeffrey Kluslow (Forestry)

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