

Thompson Gray, Michelle

From: Wilson, Julie
Sent: Thursday, October 17, 2024 6:58 PM
To: CA Adjusters; CAO Legal Assignments
Subject: FW: Standards and Appeals Decision Letter

Follow Up Flag: Follow up
Flag Status: Flagged

Please see the below correspondence. Although the individual indicates that they are not interested in making "a claim," they are seeking resolution of a dispute. After conferring with Robin, we'd like you to open this one as a claim and do some investigation including getting input from Milwaukee Water Works. If you need anything from me along the way, please let me know!

Julie

Julie P. Wilson | Deputy City Attorney | City Attorney's Office
200 E. Wells Street, Room 800 | Milwaukee, WI 53202 | Direct line: 414.286.2617 | Email: jwilson@milwaukee.gov

From: Caples, Michelle <mcaples@milwaukee.gov>
Sent: Tuesday, October 15, 2024 2:03 PM
To: Goyke, Evan <egoyke@milwaukee.gov>; Schanning, Mary <Mary.Schanning@milwaukee.gov>; Wilson, Julie <jwilson@milwaukee.gov>
Subject: FW: Standards and Appeals Decision Letter

Hello,

Please see the email below. Thank you.

Michelle Caples
Legal Administrative Specialist Senior
Office of the City Attorney
City of Milwaukee
841 N. Broadway Suite 716
Milwaukee, WI 53202
Direct Dial-414-286-2630
mcaples@milwaukee.gov

From: Eric LaRue <eglarue@gmail.com>
Sent: Friday, October 11, 2024 4:32 PM
To: Caples, Michelle <mcaples@milwaukee.gov>
Subject: Fwd: Standards and Appeals Decision Letter

Hello,

I am reaching out for direction in the hopes of finding a resolution to this long standing issue. I was given your email after calling the main phone number for the city attorney. The department of neighborhood services standards and appeals commission advised during a July appeals meeting that I contact the city attorney in regard to resolving a long standing issue with the Water Works. Members of the commission were in

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2024 OCT 23 P 3:46
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agreement that I should not be responsible for the issue caused by the city water meter department, and were unsure why the issue would have been referred to them in the first place, but advised I contact the city attorney for further direction in resolving this matter. I am not looking to file a claim with the city or anything like that, I just want this issue to go away. (without paying \$1,600.00 to the water department, or spending additional time dealing with an issue I did not cause)

In summary, here is what I presented to the department of neighborhood services, and told to get in contact with the city attorney for resolution:

I am writing to address a long-standing issue that originated from a routine water meter replacement conducted by the City of Milwaukee Department of Water Works at my property. I would like to bring to your attention the series of events that have transpired since then, in the hopes of resolving this matter satisfactorily.

During a water meter replacement process in early 2020, a Milwaukee Water Works technician broke my inlet valve. The inlet valve was working properly and being properly maintained prior to the Water Works department breaking it during the water meter replacement process. The Water Works technician promptly contacted his supervisor, and I was directed to contact the lead water service removal program to purchase a full water service replacement at my own expense as a resolution to the issue they caused. I then reached out to the Milwaukee Water Works supervisor (Jose Juarez) for the technician who broke the valve, and after further discussion, Water Works agreed to fix their mistake. Water Works arranged for a plumbing company to replace the inlet valve, as documented in the attached invoice and picture of the completed valve.

In May of 2020 I then received an order to correct and engaged with the then water inspector Andrew Bell. (please see attached email communication) After a phone call with Andrew on May 12th I explained the situation and Andrew asked for pictures of the valve replacement and receipt from the water meter department. In August of 2020 I was then contacted by a different water inspector, Kevin Kautz and he requested to see the information I sent to Andrew. Both water inspectors agreed the Water Works was responsible for the broken inlet valve/lead service line leak/failure, and after sending them the information they requested I considered the issue closed.

However, in the Summer of 2023 I received an order to correct, which prompted me to contact the then water inspector, Loren Austin. Mr. Austin advised I file a complaint with the city of Milwaukee Fraud, Waste and Abuse, which I did under case #202305111533. I was advised by the city abuse hotline to appeal the DNS order and the correct-by date was extended by Mr. Austin until to allow for further review. Beginning this month, I have been in contact with Water inspector Alex Koehne regarding the most recent inspection report ORD-24-06422. Mr. Kautz advised me to contact Cecilia Martin at the lead water service replacement program to sign up for the free replacement program as there was no leak or issues with the service line prior to the Water Works breaking the inlet valve. Unfortunately, Ms. Martin said this would not qualify for the free program as the original order was created prior to 2024. I was advised by the water inspection team that there is nothing more they can do on their end and that I would need to engage with the code of appeals.

I also must note that assuming the Water Works correctly fixed the inlet valve back in 2020 I am ok with not replacing the lead service line.

Considering the supporting documentation I have provided, including the facts, invoice, picture, and email correspondence, I firmly believe that I should not be held responsible for any costs associated with correcting the code violations mentioned in the letter I received.

I kindly request a resolution that alleviates me from any financial burden or responsibility related to the code violations resulting from the Water Works damage during the meter replacement as the broken inlet valve/lead service line/ leak failure was caused by Milwaukee Water Works.

Please note I have also emailed my local alderwoman who engaged Mr. Pauley at the water department who advised me to either file a claim, or pay \$1,600.00 to have the lead service line replaced.

Pauly, Patrick <Patrick.W.Pauly@milwaukee.gov>

Tue, Jun 25, 8:08AM ☆ ☹ ↶ ⋮

Good Morning Mr. LaRue,

You are able to file a claim if you believe the Water Works acted negligently. I will note that it is the property owners responsibility to maintain an operable inlet valve to ensure access to the meter. The Water Works did replace the inlet valve as a temporary measure. The broken inlet valve is a lead service line leak/failure and a full service replacement is required per Milwaukee Code of Ordinance 225-22.5.

Your property was added to the City's lead service line replacement program on February 14, 2020. The property owner is responsible for the cost share in place at the time of inclusion in the replacement program. The cost share in February, 2020, was \$1,600. The Water Works does not have authority to waive/modify this amount. An invoice will be sent upon completion of the work. The amount can be paid in full or added to the property taxes as a special assessment, and repaid over 10 years.

It is also my understanding that to date DNS has not been issuing monthly inspection fees as is customary in these circumstances.

Pat

Patrick W. Pauly, P.E.
Superintendent
Milwaukee Water Works
Phone: (414) 286-2801
Patrick.W.Pauly@milwaukee.gov | [@MKEWaterWorks](https://www.milwaukee.gov/water)

Your help with this matter is greatly appreciated. Please let me know if you have any questions, or need any additional information.

Thank you,

Eric LaRue
3125 S Herman St
Milwaukee, WI 53207
608-217-8377

----- Forwarded message -----

From: Irma Yopez Klassen <iyepezk3@gmail.com>

Date: Fri, Aug 9, 2024 at 8:05 AM

Subject: Re: Standards and Appeals Decision Letter

To: Wilks, Tobasha <Tobasha.Wilks@milwaukee.gov>

Cc: elliswillied@gmail.com <elliswillied@gmail.com>, roberts101.rr <roberts101.rr@gmail.com>, Mark

Knapp QA <mark@quorumarchitects.com>, sheldon@compassproperties.com

<sheldon@compassproperties.com>, Golec, Jason <JGOLEC@milwaukee.gov>, eglarue@gmail.com

<eglarue@gmail.com>, Mattox, David <dmatto@milwaukee.gov>, Bell, Andrew <adbell@milwaukee.gov>

Thank you Tobasha!

On Thu, Aug 8, 2024 at 1:07 PM Wilks, Tobasha <Tobasha.Wilks@milwaukee.gov> wrote:

Greetings,

Attached is a copy of the decision letter regarding property address, [3125 S. Herman St.](#) Please make note of its findings.

Thank you,

"The most common way people give up their power is by thinking they don't have any." -Alice Walker

Tobasha R. Wilks

Administrative Assistant IV

Office of the Commissioner

Department of Neighborhood Services

[841 N. Broadway, Room 104, Milwaukee, WI 53202](#)

P: (414) 286-2543 | **F:** (414) 286.5095



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Eric LaRue

eglarue@gmail.com

memo

To: City Clerk Office
From: Klosiewski, Patricia/ CAO

Date: 10/22/24
Re: Claim of Eric LaRue

Comments: Please place attached on file and return to me. Thank you

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2024 OCT 23 P 3:46
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OFFICE OF CITY ATTORNEY
24 OCT '24 PM 01:29