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May 16, 2023

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

RE: Communications from TONYA TISDALE
C.I. File No: 1048-2023-281

Dear Sir or Madam:

Ms. Tonya Tisdale, owner at 4109 N. 67th Street, alleges damages from a water main break that occurred while she was away on vacation. On the evening of December 24, 2022, Ms. Tisdale reported she discovered damages to her finished basement including, but not limited to; newly installed carpets/flooring, walls, furnace, water heater, furniture, electronics, and clothes. Ms. Tisdale submitted a damage claim for \$40,454.57.

We have completed an investigation into this matter with both Milwaukee Water Works and Infrastructure Services Division - Sewer Maintenance. Our investigation reveals that on December 23, 2022, Milwaukee Water Works (MWW) responded to a main break located in the intersection of N. 67th Street and W. Fiebrantz Avenue. MWW reported the 8" water main sustained approximately 10' of damage that resulted in an extraordinary amount of water free flowing onto the street and the sewer main.

MWW crew throttled the 8" main and placed it out of service by 9:19pm. MWW contracted Mid-City Corporation to complete repairs and the main was placed back in service. MWW further evaluated data prior to the December 23, 2022 water main break, and that evaluation included tracking the frequency of breaks, and the data did not support replacement of this segment of the water main.

Further investigation revealed that Sewer Maintenance responded to two calls regarding a water main break in the vicinity at N. 67th Street and W. Fiebrantz Avenue that also caused damage to the sanitary sewer manhole and 8" sanitary sewer main in that area. The first call reported surface flooding at 4063 N. 67th Street and the second call reported



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backwater at 4103 N. 67th Street (C.I. File No. 1029-2023-503). There was no other sewer work at or near this location.

On December 24, 2022, Sewer Maintenance conducted cleaning and repairs to the City sewer main and the main was returned to proper functioning order.

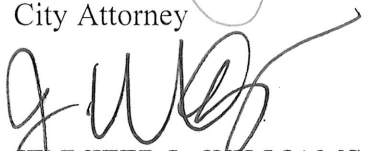
Ms. Tisdale filed her notice of claim on January 12, 2023, and our independent appraisers completed inspection of the property on February 17, 2023. Damages were assessed at \$46,808.98.

It is our view that the City is not liable for damages in this case. Both Milwaukee Water Works and Infrastructure Sewer Maintenance responded to calls in the area and made repairs in a timely manner. As such, we recommend that the claim be denied.

Very truly yours,



TEARMAN SPENCER
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TS/JLW/MTG/cdr

Enclosures

1048-2023-281/285187