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May 2, 2006

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

Re: Communication from Tom Petrilli Representative
On behalf of Coca-Cola Bottling of Wisconsin
C.I. File No. 05-L-110

Dear Council Members:

We return the enclosed document which has been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Coca-Cola Bottling of Wisconsin, by its representative, Tom Petrilli, Director of Operations, 11800 West Brown Deer Road, Milwaukee, WI 53224 alleges that on April 11 & 14, 2005 they had drops in water pressure. They claim damages in the amount of \$5,318.47.

Our investigation reveals that the Milwaukee Water Works records indicate that they experienced three water main breaks in the general vicinity of the claimant's location on each of the two days. They responded in the appropriate time and manner to the breaks. The claimant also alleges that the use of an alternative pump at the Florist pumping station, while the normal pump was undergoing regularly scheduled maintenance, caused these main breaks. The Water Works records indicate that the subject pump was taken out of service, as part of their routine maintenance program, on March 22, 2005. It was placed back in service, once the maintenance procedures were completed, on April 26, 2005. They continued, under their operational

To the Hon. Common Council
May 2, 2006
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procedures, to regularly monitor the system. The Milwaukee Water Works followed normal and customary practices 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



JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
1048-2005-1818:104922

Coca-Cola Enterprises

11800 W. Brown Deer Road ~ Milwaukee, WI 53224

Tuesday, June 28, 2005

City Clerk
Attn: CLAIMS
200 E. Wells Street, Room 205
Milwaukee, WI 53202-3567

To Whom It May Concern:

Following for your review and approval is a claim against the City of Milwaukee, Milwaukee Water Works for losses suffered on Monday, April 11, 2005 and Thursday, April 14, 2005. On those dates Coca-Cola Bottling of Wisconsin, 11800 W. Brown Deer Road, Milwaukee, WI 53224, suffered substantial losses in water, production capacity and labor costs due to drops in water pressure from the Milwaukee Water Works.

On Friday, April 22, 2005 a meeting took place with representatives of Coca-Cola Bottling of Wisconsin and the Milwaukee Water Works (Carrie Lewis, Gary Gibson and Rosalind Rouse). Ms. Lewis indicated that the water pressure drops to the Coca-Cola facility were the result of their management's decision to change out a pump to a replacement that was over-sized for the water demand. As a result, multiple line breaks were suffered in the vicinity of the plant during the week in question.

Following is a summary of losses:

- Water loss 4/11/05 due to backwash of (3) Dual Media Filter Tanks
 - 51,000 gallons
- Water loss 4/14/05 due to backwash of (3) Dual Media Filter Tanks
 - 34,000 gallons
- Water loss 4/15/05 due to backwash of (3) Dual Media Filter Tanks
 - 17,000 gallons
- Total water loss
 - 102,000 gallons
- Labor Costs associated with backwashes noted above (six man-hours @ \$16.07/hr.)
 - \$96.42
- Man-hours lost in production facility due to production lines' downtime
 - 315 hours over two days @ \$16.07/hr.
 - \$5,062.05

Coca-Cola Bottling of Wisconsin is requesting reimbursement for water loss (102,000 gallons) and labor expenses (\$5,158.47) associated with the circumstances noted above.

Please advise if you have questions regarding this claim. Your assistance in this matter is greatly appreciated.

Sincerely,



Tom Petrilli - Director of Operations
Coca-Cola Bottling of Wisconsin
11800 W. Brown Deer Road
Milwaukee, WI 53224
(262) 236-8227

2005 JUN 29 10:00 AM
CITY OF MILWAUKEE
OFFICE OF THE CITY ATTORNEY
2005 JUN 30 PM 4:40
CITY OF MILWAUKEE
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