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October 29, 2013

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

Re: Communication from RAUL AND MARIA VARGAS  
C.I. File No. 1029-2013-2650

Dear Council Members:

Claimants, Raul and Maria Vargas, 1726 West Mallory Avenue, Milwaukee WI 53221, allege that on June 16, 2013 they sustained damages when a City sewer backed up into the basement of their residence. They claim damages in the amount of \$55,890.14.

The Infrastructure Services Division (ISD) records indicate that on June 16, 2013, Sewer Maintenance responded to a call of a backwater at 1726 West Mallory Avenue. They found the City main sewer to be clogged with grease. A sewer Jet Vac was used to open the clog, clean the sewer and restore it to proper working order. The ISD records also indicate that the sewer is on a regular cleaning schedule and was last cleaned, prior to this incident, on April 13, 2012. Because the sewer is on a regular cleaning schedule and the City did not have notice of problems with the sewer, the City cannot be held liable. Therefore, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

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Assistant City Attorney

PAF:cdr

Enclosure

1029-2013-2650/197327