

GRANT F. LANGLEY
City Attorney

VINCENT D. MOSCHELLA
MIRIAM R. HORWITZ
ADAM B. STEPHENS
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
JAY A. UNORA
KATHRYN Z. BLOCK
KEVIN P. SULLIVAN
THOMAS D. MILLER
JARELY M. RUIZ
ROBIN A. PEDERSON
JEREMY R. MCKENZIE
MARY L. SCHANNING
PETER J. BLOCK
NICHOLAS P. DESIATO
JOANNA GIBELEV
JENNY YUAN
KAIL J. DECKER
ALLISON N. FLANAGAN
LA KEISHA W. BUTLER
PATRICK J. LEIGL
HEATHER H. HOUGH
ANDREA J. FOWLER
PATRICK J. MCCLAIN
NAOMI E. GEHLING
CALVIN V. FERMIN
BENJAMIN J. ROOVERS
Assistant City Attorneys

March 4, 2016

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

Re: C.I. File No. 1029-2016-350
Communication from: **MICHAEL AND LINDSAY KOHUT**
4134 South Burrell Street
Milwaukee, WI 53207

Dear Council Members:

Claimants, Michael and Lindsay Kohut, allege that on November 17-18, 2015 they sustained damages when a City sewer backed up into the basement of their residence. Claimed damages total \$12,780.50.

Infrastructure Services Division (ISD) records indicate that on November 18, 2015, Sewer Maintenance responded to 3 calls of a backwater in the 4100 block of South Burrell Street. They found that the City main sanitary sewer was clogged with grease and rags. A sewer JetVac was used to open the clog, clean the sewer and restore it to proper working order. ISD records also indicate that the sewer is on a regular cleaning schedule and was last cleaned, prior to this incident, on January 21, 2015. 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

PATRICIA A. FRICKER
Assistant City Attorney

PAF:cdr

Enclosures

c: Robert Brooks (Infrastructure)
1029-2016-350/226337

