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March 3, 2026

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

RE: Communication from JULIUS ADWAY
C.I. File No. 1068-2025-929

Dear Council Members:

Mr. Adway alleges that his vehicle sustained damage on April 2, 2025, when a tree branch fell on it at 3856 North 36th Street. He submitted a claim for compensation as damage estimates exceed the market value of the vehicle.

Our investigation was conducted with the Forestry Section. Their records show that on April 2, 2025, a crew responded to the location and confirmed that a large lead from a City-owned 26" Linden tree had split from the main trunk and fallen onto Mr. Adway's 2010 Mercedes, causing damage to the roof, hood, windshield, doors, and trunk. The fallen section was removed that day, and the remainder of the tree was removed the following day.

Forestry reported that the failed portion of the tree was alive, with some internal decay and included bark at the point of failure. Based on photographic evidence, the decay was located within the interior of the included bark and would not have been visible or detectable prior to the failure.

Forestry further noted that on April 2, 2025, the City experienced a significant thunderstorm event, including 1.11 inches of rainfall, peak wind gusts of 50 mph, and sustained winds of 33 mph as recorded at General Mitchell International Airport. The Forestry Section responded to 25 calls for downed trees that day.



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A review of maintenance history revealed no prior service requests or reported issues regarding this tree.

Based on these findings, the Forestry Section concluded that the damage could not have been foreseen or prevented. As a result, the City cannot accept liability for the damages, and it is recommended that the claim be denied.

Very truly yours,



EVAN C. GOYKE
City Attorney



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ECG/NES/MTG/cdr

Enclosures

1068-2025-929/