

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. MCDONNELL
LINDA ULISS BURKE
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
DAVID R. HALBROOKS
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

May 8, 2002

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

Re: Communication from Socrates Coats
C.I. File No. 02-L-36

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, Socrates Coats, 1974 West Fairmount Avenue, Milwaukee, WI 53209, alleges that on January 23, 2002 a leak in the City water service lateral at 1973 West Fairmount Avenue caused water to back-up in his home and crack the basement walls. He claims damages in the amount of \$8,000.00.

Our investigation reveals that the Milwaukee Water Works responded in a timely manner to a service leak at this address on January 23, 2002. The repair crew completed a shut-off of the water main after they arrived. At this point they were made aware of the flooding in the claimant's basement and hired a private contractor at City expense to pump out approximately one foot of water, service the furnace and replace the sump pump. The Milwaukee Water Works believes that the amount of water and length of time it was in the basement was not substantial enough to cause foundation damage.

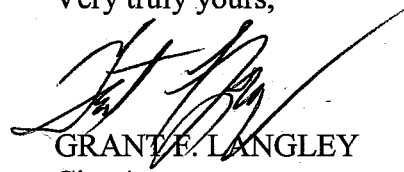
To the Hon. Common Council

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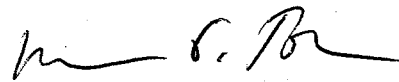
May 8, 2002

They were not negligent regarding their response time, manner of repairs or taking corrective action. As such, the City would not be liable. Accordingly, we recommend that this claim be denied.

Very truly yours,



GRANTE LANGLEY
City Attorney



MICHAEL G. TOBIN
Assistant City Attorney

MGT:beg
Enclosure