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August 24, 2020

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

Re:

C.I. File No 1048-2020-834

Communications from Latasha Gatlin

Dear Common Council Members:

We return the enclosed documents which have been filed with the City Clerk and ask that it be introduced and referred to the Committee on Judiciary and Legislation with the following recommendations.

On December 24, 2019, a citizen reported a leak in the street of North 62nd Street and West Congress Street. During that evening, Milwaukee Water Works crews reported to the location and requested DPW-Sewers open the catch basins in North 62nd Street and West Congress.

During the early morning hours on December 25, 2019, Milwaukee Water Works crews confirmed a 12" diameter water main break 80' west of North 61st Street, at 6120 W. Congress. The repairs were completed and the water main was placed back in service on the same day.

It is the position that Milwaukee Water Works responded to this emergency situation in a timely manner, despite harsh winter conditions on a holiday. Milwaukee Water Works followed standard procedures and took appropriate action when notified of the leak in the street.

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Ms. Gatlin has filed a claim against the City for damages to her 2007 Nissan Maxima, 2003 Volkswagen Beetle, appliances and household furnishing in the amount of \$35,000. The damages being claimed by Ms. Gatlin were a direct result of a main break, but it was not due to any actions or negligence caused by Milwaukee Water Works distribution crew. Therefore, the City would not be responsible for the damages being claimed by Ms. Gatlin. As such, we recommend that this claim be denied.

Very truly yours

TEARMAN SPENCER

City Attorney

KATRYNA RHODES

Assistant City Attorney

KCR:kdb

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