

December 19, 2000

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

Re: Communication from Diana Zisk.
C.I. File No. 00-L-59

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, Diana Zisk, 2825 South 8th Street, Milwaukee, WI 53215, alleges through her attorneys, Eisenberg, Weigel, Carlson, Blau & Clemens, S. C., 2228 West Wells Street, Milwaukee, WI 53233, that on February 14, 2000 she sustained injuries when her vehicle was involved in a traffic accident at the intersection of South 11th Street and West National Avenue due to a traffic signal head that had been turned and was not facing the proper direction. They claim damages in the amount of \$108,294.84.

The Infrastructure Services Division investigated this claim and their records noted no previous notice of any traffic signal defect at this location. The traffic signal at the intersection of South 11th Street and West National Avenue was last inspected prior to this accident on February 9, 2000 when the division responded to a request to re-focus a signal head. Since the City had no notice of this alleged condition prior to the incident it cannot be held liable. Accordingly, we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

MICHAEL G. TOBIN
Assistant City Attorney

MGT: beg
Enclosure
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