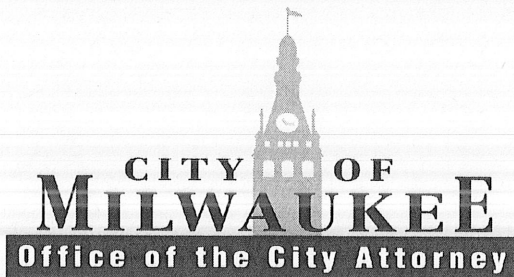


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July 9, 2024

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

RE: Communications from JANET WILHELMS
C.I. File No. 1048-2024-830

Dear Sir or Madam:

Ms. Wilhelms alleges that the City is negligent because of an unmarked sidewalk hazard existed on February 12, 2024, at approximately 10:00 p.m., when she stepped into a hole filled with water that caused injuries to her left leg down to her knee, located at the southeast corner of W. State Street and N. James Lovell Street.

Ms. Wilhelms sustained a sprained medial collateral ligament (MCL) to her left knee followed by 12 weeks of treatment that included x rays, orthopedic visits, knee brace, and physical therapy. Ms. Wilhelms submitted a damage claim in the amount of \$18,739.60, for her past medical bills and pain/suffering.

We have investigated this matter with Milwaukee Water Works (MWW). On December 20, 2023, MWW responded to a report of a damaged fire hydrant that was deemed beyond repair at the subject location. The fire hydrant was removed, the 6" standpipe opening was barricaded, and a work order was created.

The utility reported it placed a new barrier at the subject location, on February 20, 2024, after the barrier was reported missing. There were no other calls or reports regarding a missing barrier at this location until Ms. Wilhelm submitted her claim.



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On May 20, 2024, MWW reported to the subject location to investigate after receipt of this claim. The hydrant standpipe was exposed and the orange metal barrier stand was found leaning against the street light pole several feet away. A new barrier was placed to cover the exposed hydrant standpipe and an orange traffic cone was also placed. A new hydrant was installed on May 30, 2024.

It is our view that Milwaukee Water Works responded and took action each time the utility was notified and informed of the hazard. It is our position that the City is not liable for damages in this case, and we recommend that the claim be denied.

Very truly yours,



EVAN C. GOYKE
City Attorney



NAOMI SANDERS
Deputy City Attorney

ECG/NS/MTG/cdr

Enclosures

1048-2024-830/292148