

June 11, 2003

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

Re: Communication from Arnold P. Stanczyk, Manager of Investigation and Adjustment
on behalf of Milwaukee County Transit System
C.I. File No. 03-L-66

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, Milwaukee County Transit System, 1942 North 17th Street, Milwaukee, WI 53205-1697, alleges through Arnold P. Stanczyk, their Manager of Investigation and Adjustment, that on April 11, 2003 they incurred cost to repair equipment that was damaged by a manhole cover located at North 87th Street and West Silver Spring Drive. They claim damages in the amount of \$12,764.33.

Our investigation reveals Infrastructure Division-Underground Operations investigated a report of a manhole cover out of place on the date and location referenced above. The manhole cover was reset and secured to the frame. Their records indicate the division responded to similar incidents on February 13 & 15, 2003. On both occasions the cover was reset and secured. The manhole frame showed no defects upon examination during each of the incidents. The manhole has been scheduled for replacement. The area has been secured by barricades until the replacement has been completed. Since no structural

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defects were evident the City would not be 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
1029-2003-1405:68301