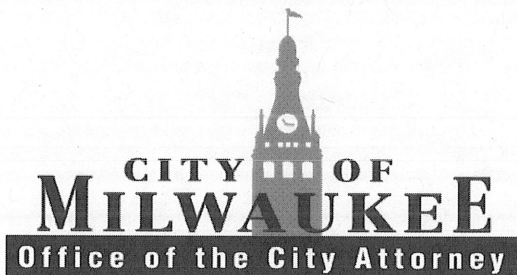


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June 26, 2020

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

Re: C.I. File No. 1068-2019-2288
Communication from: Ronald J. Michalski
3812 S. 15th Street
Milwaukee, WI 53221

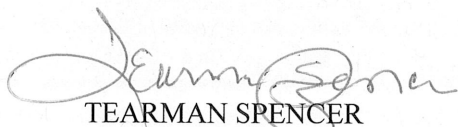
Ronald J. Michalski alleges that on October 21, 2019 the trunk of a City street tree split and fell onto his car while it was parked at/near 3825 South 15th Street. Claimed out of pocket property damages for the car, a 1998 Chevrolet Lumina, and rental costs are \$11,871.22.


The Forestry Section records indicate that on October 21, 2019 they received a call regarding a broken branch down on a car at 3812 South 15th Street. A crew responded, found that a large tree limb had broken from a Norway Maple street tree at 3825 South 15th Street and had fallen on his car. They removed the branch. The branch was alive with no signs of decay. Because of damage to the tree from this incident, the tree was removed on October 23, 2019.

The Section notes that Milwaukee experienced winds averaging 17.2 miles per hour with peak wind speeds of 52 miles per hour and .13 inches of rain on October 21, 2019. They also reviewed their records for the last six years at this location for tree-related issues and found no other requests for service. The trees in this area are on a 10 year pruning schedule and were last pruned in November 2014.

There is no evidence that the City was negligent in this matter. The City would not be liable. Therefore, we recommend that this claim be denied.

Very truly yours,


TEARMAN SPENCER
City Attorney


KATRYNA C. RHODES
Assistant City Attorney

KCR:mal
Enclosure
C: Ian Brown (Forestry)
1068-2019-2288:268952

