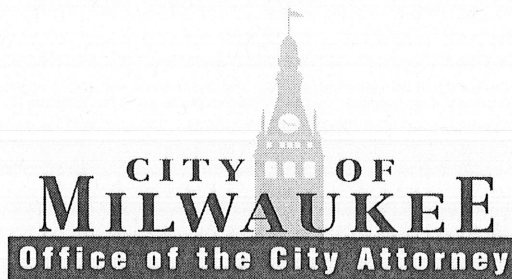


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June 7, 2022

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

RE: Communication from Theo Marshall
C.I. File No. 1048-2022-372

Dear Council Members:

Theo Marshall alleges that he incurred damages in the amount of \$22,500.00, that resulted after the water was not fully shut off at the curb stop at his property located at 2216-18 West Mitchell Street.

Our investigation revealed that the Milwaukee Fire Department(MFD) responded to and put out a fire at 2216-18 West Mitchell Street on January 13, 2022. The MFD noted extensive damage throughout the building and the residents were displaced. On the same day the property manager contacted the Milwaukee Water Works(MWW) to request that the water be turned off at the property. MWW subsequently conducted the shut-off on January 13, 2022.

On February 4, 2022, Mr. Marshall contacted MWW to request that the shut-off be re-checked. A MWW crew responded to the location and noted that after working the curb stop key, they were able to get a tighter shut off on the valve.

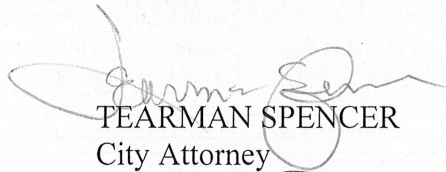
It is the responsibility of the property owner to confirm that the property is or is not receiving water after requesting that it be turned on or off at the curb stop. It is also the responsibility of the homeowner to maintain interior plumbing and to either completely drain or heat all pipes to protect them from freezing.



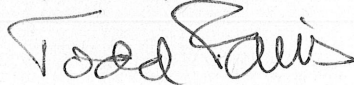
To the Honorable Common Council
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It is our position that the MWW was not negligent regarding this request to turn the water off at the curb stop. In addition, the building has been demolished and there is no evidence that the damages in this case resulted from the water being on at the curb stop. Therefore, we recommend that the claim be denied.

Very truly yours,



TEARMAN SPENCER
City Attorney



TODD FARRIS
Deputy City Attorney

TF:pk

1048-2022-372/280388