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February 7, 2023

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

RE: Communications from Eric Luna
C.I. File No. 1029-2022-1640

Dear Sir or Madam:

Mr. Luna alleges that the City of Milwaukee is responsible for plumbing charges he incurred to repair the building sewer lateral at his residence at 1565 South 35th Street. He claims that during the course of those repairs, the sewer lateral was found to be disconnected to the main sewer.

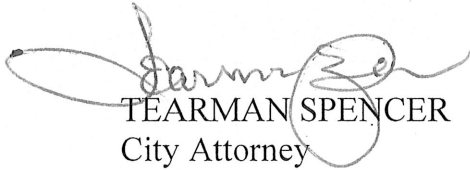
Our investigation into this matter revealed that Sewer Maintenance responded to a backwater complaint at 1565 South 35th Street on December 23, 2020. The main sewer was found to be functioning properly, and the homeowner was advised to hire a private contractor to repair the building lateral. On October 31, 2022, Sewer Maintenance completed a connection inspection for the private lateral repair at this location. Sewer Maintenance found that the lateral had been bulk-headed and was not connected to the main sewer. Bulk-heading laterals is not a practice of Sewer Maintenance, and they have no record of doing so. There is also no record of any recent City contract work in the area.



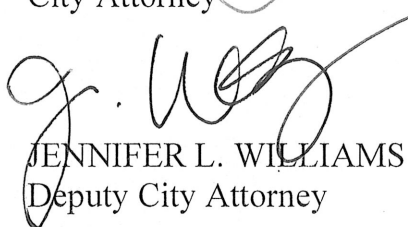
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It is the view of Sewer Maintenance that the City is not responsible for disconnecting the building lateral from the main sewer. In addition, they feel Mr. Luna's contractor should have discovered the bulk-headed lateral while completing their repair in August, 2022. We feel that the City is not liable in this case, and we recommend that this claim for \$31,318.00 be denied.

Very truly yours,



TEARMAN SPENCER
City Attorney



JENNIFER L. WILLIAMS
Deputy City Attorney

JLW/PK/cdr

1029-2022-1640/283631