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May 22, 2008

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

Re: Resolution relating to the claim of Jason & Beth Senfleben
C.I. File No. 08-L-38

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.

Claimants, Jason and Beth Senfleben, 3738 South 18th Street, allege that on Sunday, December 30, 2007 they suffered losses of personal property and other costs associated with a sewer back-up at their home. They seek damages in the amount \$9,889.53.

Our investigation reveals that the sewer in question is on a regular cleaning schedule. The last time the sewer was cleaned was on June 14, 2005. The Sewer Maintenance Department also checked their records relative to the response to this incident. They found they had followed their standard procedures in matters such as this. The City was contacted some time around 8:00 p.m. City forces arrived at about 9:10 p.m. and began cleaning the 8" sewer of a grease clog at about 10:00 p.m. The line was opened by 10:30 p.m.

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Since the sewer was on a regular cleaning schedule, the backup was caused by grease improperly put in the sewer system by others, the city did not have any prior notice of problems with the sewer, and it acted pursuant to standard procedures in this matter, we recommend denial of this claim.

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
1029-2008-1450:133320