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November 2, 2009

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

Re: Resolution Relating to the Claim of Edith Rowe
C.I. File No. 09-L-119

Dear Council Members:

We return the enclosed document which as been filed with the City Clerk and ask that it be introduce and referred to the Committee on Judiciary & Legislation with the following recommendation.

Claimant, Edith Rowe, 5603 West Roosevelt Drive, Milwaukee, WI 53216, alleges that on July 12, 2009, she sustained damages when a City sewer backed up into the basement of her property. She claims damages in the amount of \$8,926.86.

Our investigation reveals that the Infrastructure Services Division (ISD) records indicate that on July 13, 2009, they responded to a call of a backwater at 5603 West Roosevelt Drive. This ISD found the City main sewer to be clogged with grease. They used a sewer jet to open the clog, clean the sewer and restore it to proper working order. The previous clogging incident for this sewer was on October 4, 1972. The sewer is on a regular cleaning schedule and was last cleaned, prior to this incident, on March 13, 2009. Because the sewer is on a regular cleaning schedule and the City did not have notice of any problems with the sewer, the City cannot be held liable. Therefore we recommend that this claim be denied.

Very truly yours,

GRANT F. LANGLEY
City Attorney

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Assistant City Attorney

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Enclosure
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