

TEARMAN SPENCER

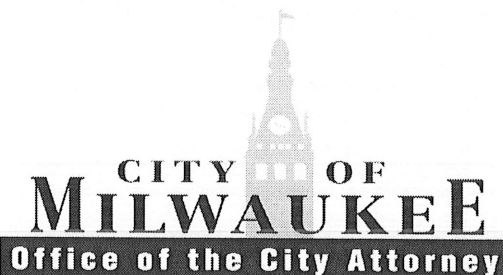
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October 23, 2020

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

RE: C.I. File No. 1068-2020-1192
Communication from Jamar Morris
2303 West Olive Street
Milwaukee, WI 53209

Dear Council Members:

Jamar Morris alleges that on July 18, 2020 his car was damaged when a City tree fell onto it while the car was parked at 2303 West Olive Street. Claimed damages are \$5,174.72. After receipt of the claim, our independent appraiser determined that the car was a total loss.

The Forestry Section records indicate that on July 18, 2020 they responded to a call regarding a broken branch down in the street at or near 2300 West Olive Street. Forestry responded and found that a Norway Maple street tree had broken and fallen into the street and onto Mr. Morris's parked car. Forestry removed the tree. The stump is scheduled for future removal. The tree was alive with decay which was visible from the sidewalk side. This area would not be visible during the annual tree survey.

The Section notes that Milwaukee experienced thunderstorms with .23 inches of total rain and peak winds of 47 miles per hour on July 18- July 19, 2020. They also reviewed their records for the last 6 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 February 2016.




To the Honorable Common Council
of the City of Milwaukee
October 23, 2020

There is no evidence that the City was negligent in this matter. Therefore, we recommend that this claim be denied.

Very truly yours,



TEARMAN SPENCER
City Attorney



KATRYNA C. RHODES
Assistant City Attorney

KCR/cdr

Enclosure

c: Jeffrey Laufenberg (Forestry)

1068-2020-1192/271963