



City of Waukesha
201 Delafield St. Waukesha, WI 53188
Tel: 262.542.3700
waukesha-wi.gov

Committee: None	Date: 9/24/2024
Common Council Item Number: 24-10782	Date: 10/1/2024
Submitted By: Brian Running	City Administrator Approval: Click here to enter text.
Finance Department Review: Click here to enter text.	City Attorney's Office Review: BER
Subject: Disallowance of claim for property damage, submitted by Jon Mann.	

Details: A trailer belonging to Mr. Mann was parked off the street at 1007 Bel-Ayr Drive in Waukesha on August 16, 2024. There was a thunderstorm that day, and presumably during or as a result of that storm a limb fell from a city tree and seriously damaged Mr. Mann's trailer. The repair estimate is \$15,241.50.

The City is not responsible for damage done by its trees unless it has prior notice that a tree poses a danger somehow and the City fails to take action to prevent the known threat. City Forester Aaron Lehner confirms that there was no notice to the City that this tree was a known threat in any way. It appears that this incident is simply a matter of a storm blowing a limb down, for which the City is not responsible. Disallowance is recommended, and Mr. Mann should make a claim to his insurer.

Options & Alternatives:
No alternative is recommended.

Financial Remarks:
Disallowance will result in no cost to the City.

Executive Recommendation:
Disallowance of the claim with notice of disallowance to be sent by the Clerk's Office.