



**City Attorney's Office**

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February 6, 2018

Common Council  
City of West Allis

RE: City Attorney's Report of Claim – **Viviana Crespo**

Dear Council Members:

The enclosed claim has been referred to this office in accordance with Section 3.05(8) of the Revised Municipal Code. I have examined the facts of the claim and the applicable law. I recommend that the claim be placed on file.

This claim is for property damage to the claimant's vehicle that occurred on October 12, 2017, when a City employee was using a tree stump grinder in the area of 1121 South 63<sup>rd</sup> Street. A piece of debris flew off the grinder and struck the claimant's vehicle, causing the driver's side window to shatter, a crack in the windshield, and a large dent on the driver's door. The total cost of the repair was estimated at \$1,940.22 and \$2,422.51.

My investigation into this matter revealed that the accident did occur as stated by the claimant. The claimant's repair costs seemed appropriate and were less than the vehicle's worth, according to Kelley Blue Book. Pursuant to settlement guidelines, the City Attorney's Office paid the claimant \$1,940.22 and obtained a Release of all Claims signed by the claimant on November 16, 2017. Therefore, this matter should be placed on file.

Respectfully submitted,

Jenna Merten  
Deputy City Attorney