



**City of Racine, Wisconsin
Common Council**

AGENDA BRIEFING MEMORANDUM

INTRO TO COUNCIL DATE: November 4, 2025

STANDING COMMITTEE DATE: November 10, 2025

FINAL ACTION COUNCIL DATE: November 18, 2025

DEPARTMENT: City Attorney's Office

Prepared By: Deputy City Attorney Marisa Roubik

SUBJECT: Communication sponsored by Alder Land on behalf of the City Attorney's Office submitting the claim of Catherine Oswald for consideration for disallowance.

EXECUTIVE SUMMARY:

Catherine Oswald filed a claim with the City requesting \$450.00 for damages allegedly arising from the cost of hiring a plumber to replace her water shut off valve and associated fittings, which were privately owned and maintained in her residence at 447 South Green Bay Road in Racine, after the Racine Water Utility installed a new water meter at her home on or about May 1, 2025. After the meter was replaced, the Water Utility employee performing this work went to turn the water back on at the valve inside the residence; however, the valve would not open due to pre-existing wear and tear. It is a property owner's personal responsibility to maintain the plumbing in the homeowner's private residence in a manner that allows the Racine Water Utility to maintain its own system (e.g., meters, in this case). Because it is the claimant's responsibility to maintain this valve in her private residence, the City is not liable for the alleged damages. As such, the City Attorney's Office recommends disallowance of this claim.

BACKGROUND & ANALYSIS:

Catherine Oswald, of 447 South Green Bay Road, Racine, Wisconsin, 53406, filed a claim with the City requesting \$450.00 for damages allegedly arising from the cost of hiring a plumber to replace her water shut off valve and associated fittings, which were privately owned and maintained in her residence, after the Racine Water Utility installed a new water meter at her home on or about May 1, 2025.

32 The Water Utility is mandated by the Wisconsin Public Service Commission to replace water
33 meters on a 20-year schedule. On the date in question, a Water Utility employee shut off the water valve
34 at the claimant's residence prior to replacing the water meter. After the meter was replaced, the Water
35 Utility employee went to turn the water back on at the valve inside the residence; however, the valve would
36 not open due to pre-existing wear and tear.

37 It is a property owner's personal responsibility to maintain the plumbing in the homeowner's
38 private residence in a manner that allows the Racine Water Utility to maintain its own system (e.g., meters,
39 in this case). Because it is the claimant's responsibility to maintain this valve in her private residence, the
40 City is not liable for the alleged damages.

41 For the reasons set forth above, the City is immune from liability and this claim should be
42 disallowed.

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44 **BUDGETARY IMPACT:**

45 Assuming the recommendation to disallow this claim is adopted, this item would have a \$0.00
46 impact on the City's budget.

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48 **RECOMMENDED ACTION:**

49 That the disallowance of this claim be recommended for approval.
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