



1 **City of Racine, Wisconsin**  
2 **Common Council**

3 **AGENDA BRIEFING MEMORADUM**

4 **COMMITTEE: Finance and Personnel**

**LEGISLATION ITEM #: 1126-18**

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5 **AGENDA DATE: November 12, 2018**

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7 **DEPARTMENT: City Attorney's Office**

8 **Prepared By: Assistant City Attorney Marisa Roubik**

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10 **SUBJECT: Claim of Devonne Wilhoit, City Attorney File No. 2018-0228**

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12 **EXECUTIVE SUMMARY:**

13 Ms. Devonne Wilhoit filed a claim with the city requesting \$500.00 for auto repairs allegedly  
14 arising while she was driving through the construction zone on I-94 between Hwy 20 and Hwy 11 on or  
15 about June 4, 2018. Because this damage allegedly occurred outside of the city limits, the City is not liable  
16 for these damages.

17 For this reason, it is the recommendation of the City Attorney's Office that the Finance and  
18 Personnel Committee recommend that the Common Council deny this claim.

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20 **BACKGROUND & ANALYSIS:**

21 Ms. Devonne Wilhoit, of 15014 73rd St, Kenosha, Wisconsin, filed a claim for reimbursement in  
22 the amount of \$500.00 for for auto repairs allegedly arising while she was driving through the construction  
23 zone on I-94 between Hwy 20 and Hwy 11 on or about June 4, 2018. After reviewing the circumstances  
24 of this claim, the City Attorney's Office contends that the City is not liable for this damage because the  
25 damage allegedly occurred outside of the city limits.

26 The City Attorney's Office recommends that this Committee deny the claim of Ms. Wilhoit because  
27 the City is not liable for alleged damages that occur on I-94.

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29 **BUDGETARY IMPACT:**

30            Assuming the recommendation to deny this claim is adopted, this item would have a \$0.00 impact  
31 on the City's budget.

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33 **OPTIONS/ALTERNATIVES:**

34            If the Committee recommends that this claim be paid by the City (contrary to any indication of  
35 the City's liability for the alleged damages), this item would have up to a \$500.00 impact on the City's  
36 2018 claims budget.

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38 **RECOMMENDED ACTION:**

39            The City Attorney's Office respectfully advises this Committee to recommend that the Common  
40 Council deny the claim of Devonne Wilhoit.

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42 **ATTACHMENT(S):**

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