

31 The contracted party performing this road work was 4 Seasons Landscaping, 1535 Layard Avenue,
32 Racine, Wisconsin 53402. The contractor, rather than the City, would be liable for the alleged damages
33 purportedly resulting from this contracted snow plowing, and the City will notify the claimant of the
34 contractor's name and address.

35 Furthermore, this claim is not actionable against the City due to defects in the claim as filed. This
36 claim did not include an itemized statement of the relief sought, as required by
37 Wis. Stat. § 893.80(1d)(b). As such, the claimant did not satisfy the statutory requirements for filing a
38 timely claim in accordance with Wis. Stat. § 893.80(1d), and he does not have a right to maintain an action
39 against the City.

40 For the reasons forth above, the City Attorney's Office recommends that this claim be disallowed.

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42 **BUDGETARY IMPACT:**

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

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46 **RECOMMENDED ACTION:**

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

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