



**City of Racine, Wisconsin
Common Council**

AGENDA BRIEFING MEMORANDUM

INTRO TO COUNCIL DATE: March 4, 2025

STANDING COMMITTEE DATE: March 10, 2025

FINAL ACTION COUNCIL DATE: March 8, 2025

DEPARTMENT: City Attorney's Office

Prepared By: Deputy City Attorney Marisa Roubik

SUBJECT: Communication sponsored by Alder Horton on behalf of the City Attorney's Office submitting the claim of Samuel Daams for consideration for disallowance.

EXECUTIVE SUMMARY:

Samuel Daams filed a claim with the City requesting \$4,135.00 for damages allegedly arising from a tree that blew down and damaged the power lines attached to his property at 1121 Hayes Avenue, on or about August 6, 2024. The City maintains that the tree in question was growing on private property, and it was the responsibility of the property owner to maintain. Therefore, the City denies liability for the damages claimed. For this reason, it is the recommendation of the City Attorney's Office that this claim be disallowed.

BACKGROUND & ANALYSIS:

Samuel Daams filed a claim with the City requesting \$4,135.00 for damages allegedly arising from a tree that blew down and damaged the power lines attached to his property at 1121 Hayes Avenue, Racine, WI 53403, on or about August 6, 2024. The City maintains that the tree in question was growing on private property, and it was the responsibility of the property owner to maintain. Therefore, the City denies liability for the damages claimed.

For this reason, it is the recommendation of the City Attorney's Office that this claim be disallowed.

31 **BUDGETARY IMPACT:**

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

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35 **RECOMMENDED ACTION:**

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