



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

3 **AGENDA BRIEFING MEMORANDUM**

4 **COMMITTEE: Finance and Personnel** **LEGISLATION ITEM #: 0306-24**

5 **AGENDA DATE: April 8, 2024**

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

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

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10 **SUBJECT:** Communication sponsored by Alder West on behalf of the City Attorney’s Office submitting
11 the claim of Zisirtike McMillian for consideration for disallowance.

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13 **EXECUTIVE SUMMARY:**

14 Zisirtike McMillian claims reimbursement in the amount of \$100,000.00 for damages allegedly
15 arising from an auto collision involving a City of Racine Police Department vehicle at or near the
16 intersection of West Blvd. and State Highway 11 in the City of Racine on or about June 10, 2021. The City
17 disputes the damages claimed as well as its liability therefor.

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19 **BACKGROUND & ANALYSIS:**

20 The claimant, Zisirtike McMillian, by and through his attorney, Mark J. Leuck of Schoone, Leuck,
21 Kelley, Pitts & Pitts, S.C., filed this claim for reimbursement in the amount of \$100,000.00 for damages
22 allegedly arising from an auto collision involving a City of Racine Police Department vehicle at or near the
23 intersection of West Blvd. and State Highway 11 in the City of Racine on or about June 10, 2021. The
24 claimant was the driver of the vehicle that was allegedly involved in this accident.

25 The claimant alleged that he incurred \$15,612.57 in medical expenses as a result of this accident;
26 however, his claim demands \$100,000.00 in damages. This City disputes this amount of damages claimed.
27 Furthermore, the City disputes its liability for the claimed damages.

28 As such, the City Attorney’s Office recommends that this Committee disallow this claim.

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30 **BUDGETARY IMPACT:**

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

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34 **RECOMMENDED ACTION:**

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

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