



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

3 **AGENDA BRIEFING MEMORANDUM**

4 **COMMITTEE:** Finance and Personnel      **LEGISLATION ITEM #:** 00618-23

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5 **AGENDA DATE:** July 10, 2023

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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 Demarre D. Cook for consideration for disallowance.

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13 **EXECUTIVE SUMMARY:**

14         Demarre D. Cook claims reimbursement for an unspecified amount of damages allegedly arising  
15 from an accident involving a Department of Public Works vehicle striking claimant's illegally parked  
16 vehicle on or about February 27, 2023. The City believes that this claim was improperly filed, disputes the  
17 damages claimed, and its liability therefor. As such, the City Attorney's Office recommends that this  
18 Committee disallow the claim of Demarre D. Cook.

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20 **BACKGROUND & ANALYSIS:**

21         The Claimant, Demarre D. Cook, of 3424 Seventeenth St., Racine, WI 53405, filed this claim for  
22 reimbursement for an unspecified amount of damages allegedly arising from an accident involving a  
23 Department of Public Works vehicle striking claimant's illegally parked vehicle on or about February 27,  
24 2023.

25         The Department of Public Works vehicle was reversing down Connolly Ave. when it allegedly  
26 struck claimant's vehicle, which was illegally parked on Connolly Ave. But for the claimant's vehicle  
27 being parked illegally, this accident would not have occurred. Therefore, the City disputes the damages  
28 claimed and its liability therefor.

29           Furthermore, the claim that the claimant filed with the City on or about April 12, 2023 did not  
30 include an itemized statement of the relief sought, as required by law. As such, the claimant did not satisfy  
31 the statutory requirements for filing a claim in accordance with Wis. Stat. § 893.80(1d), and he does not  
32 have a right to maintain an action against the City.

33           For the above stated reasons, the City Attorney’s Office recommends that this Committee disallow  
34 the claim Demarre D. Cook.

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36 **BUDGETARY IMPACT:**

37           Assuming the recommendation to disallow this claim is adopted, this item would have a \$0.00  
38 impact on the City’s budget.

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40 **RECOMMENDED ACTION:**

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

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