



City of Racine, Wisconsin  
Common Council

**AGENDA BRIEFING MEMORANDUM**

**COMMITTEE:** Finance and Personnel

**LEGISLATION ITEM #:** 0215-20

**AGENDA DATE:** May 11, 2020

**DEPARTMENT:** City Attorney's Office

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

**SUBJECT:** Communication sponsored by Alder Taft on behalf of the City Attorney's Office submitting the claim of Darrell Johnson for consideration for disallowance.

**EXECUTIVE SUMMARY:**

Darrell Johnson, of Caledonia, Wisconsin, filed a claim with the City demanding \$1,222.00 in damages allegedly arising from a collision involving a Department of Public Works ("DPW") snowplow in the 300 block of Wickham Blvd. on January 24, 2020. Because there is no proof that the damage to the claimant's vehicle was caused by the City, it is the recommendation of the City Attorney's Office that this claim be disallowed.

**BACKGROUND & ANALYSIS:**

On January 29, 2020, the claimant, Darrell Johnson, filed a report with the City of Racine Police Department alleging that his vehicle was damaged by a city snow plow while it had been parked at 315 Wickham Blvd. on January 24, 2020. The claimant reported that the alleged damage to his 2006 Chevy Silverado consisted of a broken tail light and a ten-inch long scratch.

In the police report that Mr. Johnson filed regarding this matter, he stated that he did not see nor hear this alleged incident, nor was he able to identify any other individuals who may have witnessed the alleged event. Mr. Johnson informed the officer that he believed a City of Racine snow plow was responsible for this alleged damage due to the height of the damage.

Records from the City of Racine DPW reveal that there were no reports of any collision or incident involving a DPW snowplow in the 300 block of Wickham Blvd. on the date in question.

31 Because there are no witnesses, proof, or evidence that the City caused the alleged damages to Mr.  
32 Johnson's vehicle, this claim should be disallowed.

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34 **BUDGETARY IMPACT:**

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

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38 **OPTIONS/ALTERNATIVES:**

39 If this claim were to be paid by the City—contrary to any indication of the City's liability for the alleged  
40 damages—this item would have up to a \$1,222.00 impact on the City's 2020 claims budget.

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42 **RECOMMENDED ACTION:**

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

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45 **ATTACHMENT(S):**