



April 17, 2020

TO: Common Council

FROM: Kathleen McDaniel, City Attorney

RE: Smaglik Claim – Sewer Main Backup (L20-00040)

Ms. Joan Smaglik of 1317 Grand Avenue filed a claim with the City for a sewer backup in her basement, which occurred in February 2020. She requested a total of \$12,044.18 in reimbursement, for her plumbing bill, mitigation of the sewage damage, and replacement of the damaged carpet, walls, and doors. She did not request reimbursement for her damaged personal property.

The DPI crew that responded to the sewer call indicated that the plumber reported Ms. Smaglik's lateral was not blocked, but the City sewer main was obstructed and blocked by household paper products. Jetting of the main resolved the issue and the water in Ms. Smaglik's basement receded.

My office has been in communication with Ms. Smaglik and explained that we did not have authority to settle the claim due to the amount of damages she is requesting. I am recommending settling this claim in the amount of \$10,000, subject to Ms. Smaglik executing a release of claims.