

**RESOLUTION 2009-62**

7-30-09

**RESOLUTION BY THE ADMINISTRATION, PERSONNEL, POLICY AND LEGAL COMMITTEE DENYING THE CLAIMS OF ALAINDELON RHINEHOUSE & JENNIFER KING, KAY WRIGHT, LORI SCHULTE, ANTOINETTE ELIMIAN, DAN MIELCAREK, KRISTINA HARMMEYER, JEFF HUBBARD, CHAD HALVERSON, MICHAEL & KIMBERLY CALVI, JOHN & ANDREA MINTON, THOMAS SCHMIDT, JACQUELINE BLANK, STEVE & SHERRI KERKLING, SHARON PESHEK, ROBERT BRAWNER, AND PATRICIA LaPLANTE,**

WHEREAS, Alaindelon Rhinehouse & Jennifer King, Kay Wright, Lori Schulte, Antoinette Elimian, Dan Mielcarek, Kristina Harmeyer, Jeff Hubbard, Chad Halverson, Michael & Kimberly Calvi, John & Andrea Minton, Thomas Schmidt, Jacqueline Blank, Steve & Sherri Kerkling, Sharon Peshek, Robert Brawner, and Patricia LaPlante, have filed claims with the Village for damage allegedly caused to their homes and property as a result of water and sewer backups into their basements as a result of the June 19, 2009 rain event; and

WHEREAS, the Board has reviewed the claims and based on the recommendation of the Village’s Insurance Company that there was no negligence on the part of the Village finds that they should be denied;

NOW THEREFORE, the Village Board of the Village of Sturtevant, Racine County, Wisconsin does hereby resolve:

1. That the claim of Alaindelon Rhinehouse & Jennifer King, Kay Wright, Lori Schulte, Antoinette Elimian, Dan Mielcarek, Kristina Harmeyer, Jeff Hubbard, Chad Halverson, Michael & Kimberly Calvi, John & Andrea Minton, Thomas Schmidt, Jacqueline Blank, Steve & Sherri Kerkling, Sharon Peshek, Robert Brawner, and Patricia LaPlante, for damage allegedly caused to their homes and property as a result of water and sewer backups into their basements as a result of the June 19, 2009 rain event.
2. That the Village Clerk shall send a copy of this denial to Alaindelon Rhinehouse & Jennifer King, Kay Wright, Lori Schulte, Antoinette Elimian, Dan Mielcarek, Kristina Harmeyer, Jeff Hubbard, Chad Halverson, Michael & Kimberly Calvi, John & Andrea Minton, Thomas Schmidt, Jacqueline Blank, Steve & Sherri Kerkling, Sharon Peshek, Robert Brawner, and Patricia LaPlante, by certified mail, return receipt requested, and that said denial shall include an advisory to the effect that:  

No action may be brought against the Village of Sturtevant in regard to this claim after six months from the date of service of this notice upon you, pursuant to Section 893.80 of the Wisconsin Statues.

Adopted by the Village Board of the Village of Sturtevant, Racine County, Wisconsin, this 4<sup>th</sup> day of August , 2009.

Village of Sturtevant

By \_\_\_\_\_  
Steven Jansen, President

Attest \_\_\_\_\_  
Mary Hanstad, Village Clerk