



City of North Royalton
Mayor Robert A. Stefanik

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February 16, 2015

Law Department

Thomas A. Kelly
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Donna M. Vozar
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To: President Larry Antoskiewicz and Members of City Council

In re: Moral Claims Application
Of G & M Todorovic
3232 Helen Drive
North Royalton, Ohio 44133
Date of Loss: July 25, 2014

Gentlemen,

In July of 2014, the applicants, Mr. and Mrs. Todorovic, experienced a sewer back up of sanitary sewage in the basement of their home.

While the explanation is long and involved, the crux of the matter is that the plans on file with the City were wholly and completely inaccurate as to the identity of the location of the storm and sanitary laterals.

As a consequence, the City gave the homeowners incorrect and inaccurate advice as to what repairs needed to be made in order to correct the problem. This advice, though well intentioned, may have and apparently did result in some substantial expenditures on the part of the homeowners which "but for", might never have been expended.

The City is not legally liable for this claim as it has immunity generally in such matters, (though not in every circumstance).

Nonetheless moral claims are just that, based on some moral arguments or obligation.

The claimants herein expended in excess of \$4,020.00 to correct the sewer issues at their home. They clearly have the benefit now of new and reliable and correctly installed storm and sanitary laterals. That benefit reduces the overall impact of and weight of their claim in my judgment.

Nonetheless as some expense would likely have been avoided had the claimants been given the correct information, I am persuaded to recommend to you and all of Council an award of \$750.00 for recognition of their loss and the role played by the City in the experience.

TAK/cjc