

CITY OF TWO RIVERS

RESOLUTION DISALLOWING CLAIM OF MARK HELLER

WHEREAS documents entitled “Notice of Claim” signed by Nathan Kronforst, White Cap Insurance Company, on behalf of property owner Mark Heller were served on the City Finance Department and forwarded for Staff review on June, 23, 2026; and

WHEREAS in that Notice of Claim Mr. Heller claimed that the private fence located at 1910 20th Street was damaged during the 2025-26 winter snow plowing season and makes claim against the City of Two Rivers in the amount of \$678.20 for the estimated fence repair value; and

WHEREAS the City of Two Rivers, Public Works Department was not aware of causing damage to said private fence during the 2025-26 winter snow plowing season; and

WHEREAS reviewing a Google Map street view dated November 2024, revealed that the fence was previously damaged prior to the 2024-25 winter snow plowing season; and

WHEREAS the private fence claimed to be damaged during snow plowing operations by the City’s Public Works Department is leaning towards the street;

WHEREAS that if somehow is proven that a City Public Works snowplow inadvertently struck the claimant’s fence while plowing snow which rested against the fence, there is no evidence that the City failed to adhere to any ministerial duties – or mandates – with their snow plowing; and absent ministerial duty, Wis. Stat. 893.80 affords the City discretionary immunity for their ‘governmental’ acts or decisions about clearing snow from the roadway for the public good;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Two Rivers, Wisconsin as follows:

1. That any claim made by Nathan Kronforst on behalf of Mark Heller, or Mark Heller himself against the City of Two Rivers in the Notice of Claim described herein or otherwise for the private fence located at 1910 20th Street described herein is disallowed; and
2. The City Clerk is directed to serve notice of the disallowance of the claim upon Mr. Kronforst or Mr. Heller by registered or certified mail as provided in Wis. Stat. Sec. 893.80(1g), and that such notice shall state that no legal action may be brought against the City of Two Rivers or any officer, official or employee of the City more than 6 months the date on which he is served with that notice of disallowance.

Passed and adopted by the City Council of the City of Two Rivers, WI on the 3rd day of August 2026.

Scott Stechmesser, Council President

Kyle Kordell, City Manager