

# City continues to visit homes; victims meet with attorneys

BY LARRY O'CONNOR  
STAFF WRITER

Flood victims involved in a lawsuit against the city of Farmington Hills plan to meet with attorneys while city workers continue to visit homes to determine a cause for the sewer backups.

So far, 120 residents have contacted the city and asked to be included on the list for inspections.

City Manager Steve Brock dismissed reports by one of the plaintiffs in the suit that residents are not cooperating with inspectors.

"A lot of people are not letting the people from the city in their homes," said Lincolnshire resi-

dent Joanne Jones, who's a plaintiff. "They're saying, 'Nope, we're beyond having you look at our grates or our gutters.'"

Attorneys and 60 people who want to take part in the lawsuit will meet 7 p.m. Thursday, Oct. 1, at the Best Western Hotel on 12 Mile and Orchard Lake. The meeting is open to the public, Jones said.

The number of people involved in the suit could swell to 160, she said. The suit is before Oakland County Circuit Court Judge Jessica Cooper. A hearing date has not been set.

The residents have asked for more than \$25,000 damages for real and personal property loss

due to flooding Aug. 6 and 9.

In a response filed Wednesday, the city attorney said the residents' complaints citing negligence and "unconstitutional taking of property" through the backup of raw sewerage are unfounded.

In answering the charges, the city contends it did not control or own the sewage that turned up in residents' basements. It terms the flooding as "the act of God."

When citing governmental immunity, the court document refers to the "city of St. Clair Shores." An attorney who answered the complaint called the discrepancy "a typo."

The city attorney also questions whether the suit qualifies as class action litigation, which means all victims have common damages and the cause of all flooding was similar.

"What happened on one particular street was completely different on the other," said Tim Ferrand, an attorney representing the city.

What separates this suit from similar ones brought in Westland where residents were awarded damages is the amount of rainfall involved, Ferrand said. On Aug. 6, 4.5 inches of rain fell within a five-hour span.

On Still Valley in Old Farmington Town subdivision, city workers found that tree roots blocked the sewer system there. The city paid an outside firm \$6,439 to clean the roots from the system. The significant flooding was the first ever in the neighborhood.

At the Hills city council meeting Sept. 14, officials asked residents who had flooding Aug. 6 and 9 to contact the Public Services Department (248-473-9521).

Inspectors are only making general - not specific - recommendations about ways to curb flooding, the city manager said.

"We're still very much on a fact-finding mission," Brock said.



Moss: Joyce and Ronald Sterling are still working to salvage items precious to them that were stored in their basement when floods hit in June 1996 and May 1997. The Franklin Knolls couple have joined a class action lawsuit against Oakland County. They contend the county overflowed the sewers.

## Flood hardships aren't forgotten

BY LARRY O'CONNOR  
STAFF WRITER

Basements flood and recede, but at Farmington Hills home, the family has found the ensuing hardships don't drain so easily.

Sewerage backups wrecked heirlooms and destroyed a vital connection to the past in the Sterlings' Franklin Knolls home. Joyce and Ronald Sterling are still trying to salvage items from separate floods in June 1996 and May 1997.

"We still have not recovered from this," Joyce Sterling said more than a year later.

With the first flood, the Sterlings heard water running. They went to the basement and found sewage spewing from a toilet. Less than a year later, the gush returned.

They were still sifting through the damage of the first flood when the second one hit. A salvage company and boxed most of the family's belongings and placed them on the basement floor from the initial backup.

"We lost a lot more the second time," said Joyce, who is a retired Farmington Public Schools elementary teacher. Among the belongings were clothes, photos and childhood items like their son's drum. The Sterlings had also been saving their daughter's belongings, which they intended to give to their granddaughter Lunette, 13. The

girl's mother Tamara Bohry and her son Brenton were killed in a plane crash during a flight from Canton's Metropolitan Airport in 1992.

Joyce Sterling recalled trying to save a pair of her daughter's sandals by cleaning them in a pail of bleach water.

"One boot came out fine," she said. "On the other one, the plastic disintegrated and we had to throw the boots out."

One box on the bottom contained several family photos, some dating back generations. Water destroyed most of those, too.

In the basement, the curled photos look like potato chips sitting on top of a chair and on the floor. Others have blotches and stains on them.

Sterling holds onto to them with the faint hope the photos can be restored.

"I'm told you can take them some place and restore them, but it's very costly," she said.

The Sterlings have joined other families in a class action lawsuit against Oakland County. They contend the county overflowed sewer lines. A neighbor also experienced flooding. Both houses had basement tanks.

During the first flood, a county employee told her husband that four pumps were putting excess water into the

system.

"We didn't get the man's name, unfortunately," Joyce said.

With a Shop Vac and a pump, the Sterlings managed to keep ahead of the first flood. However, the second one hit at 3 a.m. - two hours before the couple was to leave on a long-awaited vacation with their daughter and son-in-law to San Francisco and Vancouver. Joyce went while her husband stayed behind. He caught up with them later.

"I sure did upset our plans," she said. "You can imagine a vacation wondering what you've gotten when you get home."

While showing parts of her basement, she pointed the wooden palettes and plastic containers where belongings are stored now. She also uses rubber gloves to clean and wears plastic bags on her shoes when walking into an area where remnants of sewerage may exist.

She continues to painstakingly restore items that insurance money or a settlement could never replace.

"People will say, 'That was a year ago and you still haven't moved everything back yet,'" she said. "People don't understand why it takes so long to recover from something like this."

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