

00-P-1372

Entered - 02/22/00 - sb  
CL00L0092.- MICHAEL A. REEVES

CLAIM OF: G. A. GLOSTER

1288 Lucille Avenue  
Atlanta, Georgia 30315

For damages alleged to have been sustained  
as a result of loss of work due to a "Stop  
Work" order on January 12, 2000 at 1288  
Lucille Avenue.

THIS ADVERSED REPORT IS  
APPROVED

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

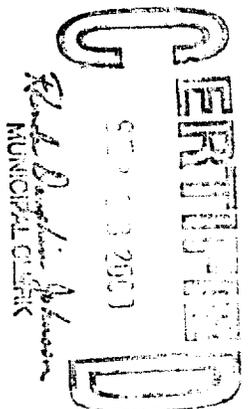
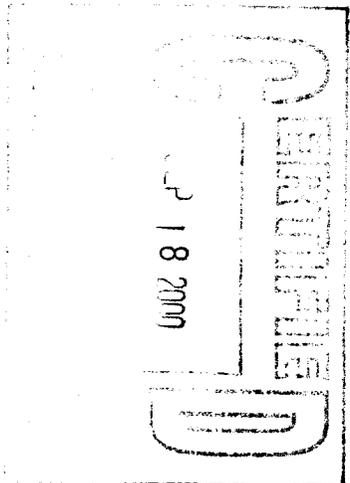
cc: *Fabrice Satory*  
9/23/00

*Mark...*

*Erny Hill*

*John...*

ADVERSED BY  
CITY COUNCIL SEP 28 2000



September 28, 2000

G. A. Gloster  
1288 Lucille Ave.  
Atlanta, GA 30315

**00-R-1372**

Dear Mr. Gloster:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on September 18, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0092

Date: August 16, 2000

Claimant /Victim G. A. GLOSTER

BY: (Atty)

Address: 1288 Lucille Avenue, Atlanta, Georgia 30315

Subrogation: Claim for Property damage \$ 1,350.00 Bodily Injury \$

Date of Notice: 01/14/00 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 01/13/00 Place: 1288 Lucille Avenue

Department Planning, Development and neighborhood Conservation Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges he lost six hours of work due to a "Stop Work" order that was placed on the above property. The claimant further alleges that the "Stop Work" order was lifted after he personally notified the City that the location of the property was not located within the City's Historic District. However, the City is immune from liability as set forth in O.C.G.A. §36-33-1.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

Improper Notice More than Six Months Other X Damages reasonable

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

[Signature] INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: [Signature] Concur/date 08-16-00

Committee Action: Council Action

January 14, 2000

Reeves  
02/14/00  
P.

Mr. Michael A. Dobbins, Commissioner  
Department of Planning, Development, and Neighborhood Conservation  
55 Trinity Ave. S.w., Suite 1450  
Atlanta, Georgia 30335

ENTERED - 2-22-00 - SB  
00L0092 - MIKE REEVES

Re: 1288 Lucille Ave , Atlanta, Ga 30315

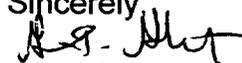
Dear Mr. Dobbins,

On January 13, 2000, Ms. Susan E. Gwinner, Historic District Administrator, issued a memo to the Building Inspection Department to "STOP WORK". The Building Inspection Department placed the notice at 1288 Lucille Ave., Atlanta, Georgia 30315. Work crews at that location were dismissed. I lost six hours of work while at City Hall yesterday. I had to go to the Building Inspection Department, UDC (Ms. Gwinner's office), Zoning Desk, and Department of Planning. This mistake by Susan Gwinner costed me personally six hours of lost work.

I was at City Hall from 12:30pm to 4:30pm. Ms. Gwinner admitted that she made an error by assuming the above property in question was in the West End Historic District without checking her maps located in her office. She then proceeded to called the Building Inspection Department, who placed the "Stop Work" order. The Stop Work Order was lifted by her after I arrived in her office yesterday and questioned her about not looking at her maps. I spent three weeks reviewing this site with her office in September 1999. They told me then that this was not in the Historic District, so I preceeded to purchase the above lot, get the building permit, and start work. The reason that I requested a letter from Commissioner Dobbins is because the UDC office is not doing their job and I cannot afford to come down to City Hall every time the inspection department thinks that City Articles are being violated. No one seems to check their records. I received the letter from Commission Dobbins at 4:15pm.

At this time I request that the City of Atlanta pay me \$1350.00 for lost work and lost work of my crew due to Ms. Gwinner's error. The subcontractor hired had to be paid in order to get them back on the job.

Sincerely,

  
G. A. Gloster

678-296-9547

cc: Karen Huebner, Exec. Dir., Atlanta Urban Design Commission  
City of Atlanta Building Inspection Department  
Joe Girardot, Attorney at Law

00- -1372

RECEIVED

JAN 14 2000

ATLANTA URBAN  
DESIGN COMMISSION

RCS# 2218  
9/18/00  
2:15 PM

Atlanta City Council

Regular Session

CONSENT

PAGES: 1-19

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y McCarty  
Y Starnes  
Y Bond  
Y Winslow

Y Dorsey  
NV Woolard  
Y Morris  
Y Muller

Y Moore  
B Martin  
Y Maddox  
Y Boazman

Y Thomas  
Y Emmons  
Y Alexander  
NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-R-1321  
00-R-1322  
00-R-1388  
00-O-1435

**CORRECTED COPY**

CONSENT

		09/18/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA		ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1234	41. 00-R-1352	51. 00-R-1357
2. 00-O-1007	42. 00-R-1353	52. 00-R-1358
3. 00-O-1015	43. 00-R-1397	53. 00-R-1359
4. 00-O-1427	44. 00-R-1398	54. 00-R-1360
5. 00-O-1429	45. 00-R-1399	55. 00-R-1362
6. 00-O-1432	46. 00-R-1400	56. 00-R-1363
7. 00-R-1387	47. 00-R-1401	57. 00-R-1364
8. 00-R-1392	48. 00-R-1402	58. 00-R-1365
9. 00-R-1395	49. 00-R-1403	59. 00-R-1366
10. 00-R-1452	50. 00-R-1404	60. 00-R-1367
11. 00-R-1340		61. 00-R-1368
12. 00-R-1323		62. 00-R-1369
13. 00-R-1433		63. 00-R-1370
14. 00-R-0560		64. 00-R-1371
15. 00-R-0561		65. 00-R-1372
16. 00-R-1454		66. 00-R-1373
17. 00-R-1299		67. 00-R-1374
18. 00-R-1308		68. 00-R-1375
19. 00-R-1334		69. 00-R-1376
20. 00-R-1335		70. 00-R-1377
21. 00-R-1338		71. 00-R-1378
22. 00-R-1394		72. 00-R-1379
23. 00-R-1331		73. 00-R-1380
24. 00-R-1330		74. 00-R-1381
25. 00-R-1332		75. 00-R-1382
26. 00-R-1333		76. 00-R-1383
27. 00-R-1337		77. 00-R-1384
28. 00-R-1339		78. 00-R-1385
29. 00-R-1419		79. 00-R-1386
30. 00-R-1426		80. 00-R-1405
31. 00-R-1342		81. 00-R-1406
32. 00-R-1343		82. 00-R-1407
33. 00-R-1344		83. 00-R-1408
34. 00-R-1345		84. 00-R-1409
35. 00-R-1346		85. 00-R-1410
36. 00-R-1347		86. 00-R-1411
37. 00-R-1348		87. 00-R-1412
38. 00-R-1349		88. 00-R-1413
39. 00-R-1350		
40. 00-R-1351		