

Entered - 1-19-01 - sb  
CL01L0056 - ALEXIS HOLMES

CLAIM OF: **CAROLYN L. STOKES**  
6075 Emerald Point Circle  
College Park, Georgia 30349

For damages alleged to have been sustained as a result of driving  
over a manhole on October 19, 2000 at Roswell Road and I 285.

THIS ADVERSE REPORT IS APPROVED

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

ADVERSE BY  
CITY COUNCIL FEB 19 2001

ADVERSE REPORT

CC: *Public Safety*

DATE: *2-13-01*

BY: *C. T. Martin*

*[Signature]*

*[Signature]*

**CERTIFIED**  
FEB 19 2001  
ATLANTA CITY COUNCIL PRESIDENT  
*[Signature]*

**CERTIFIED**  
FEB 19 2001  
*Rhonda Daughkin Johnson*  
MUNICIPAL CLERK



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

February 26, 2001

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

Carolyn L. Stokes  
6075 Emerald Point Circle  
College Park, GA 30349

**01-R-0173**

Dear Ms. Stokes:

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 February 19, 2001. 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. 01L0056

Date: 1/39/01

Claimant /Victim CAROLYN L. STOKES

BY: (Atty)

Address: 6075 Emerald Point Circle, College Park, Georgia 30349

Subrogation: Claim for Property damage \$ 1,164.05 Bodily Injury \$

Date of Notice: 12/28/00 Method: Written, proper X Improper

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

Date of Occurrence 10/19/00 Place: Roswell Road 285 West

Department Public Works Division: Sewer Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that she sustained vehicular damage when she drove over a manhole cover and two tires blew out. However, the location of the incident is outside the Atlanta City limits and on a State Route, and is the responsibility of the Georgia Department of Transportation. Further, the claimant has been advised to pursue her claim with the Georgia Department of Transportation.

INVESTIGATION:

Statements: City employee Claimant Other X 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 Ministerial

Improper Notice More than Six Months Other Damages reasonable

City not involved X Offer rejected Compromise settlement

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

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes

INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

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

Claims Manager: Concur/date 02-01-01

Committee Action: Council Action



RCS# 2621  
2/19/01  
3:24 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1 thru 13

SEE ATTACHED LISTING OF ITEMS  
ADOPTED/ADVERSED ON  
CONSENT AGENDA

ADOPT

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
01-O-0223  
01-R-0184

CONSENT

**ITEMS ADOPTED ON CONSENT  
AGENDA**

1. 00-O-1619
2. 00-O-2073
3. 01-O-0112
4. 01-O-0069
5. 01-O-0072
6. 01-O-0211
7. 01-O-0213
8. 01-O-0121
9. 01-O-0151
10. 01-O-0098
11. 01-O-0075
12. 01-R-0226
13. 01-R-0191
14. 01-R-0192
15. 01-R-0076
16. 01-R-0194
17. 01-R-0215
18. 01-R-0167
19. 01-R-0198
20. 01-R-0208
21. 01-R-0246
22. 01-R-0070
23. 01-R-0182
24. 01-R-0183
25. 01-R-0158
26. 01-R-0159
27. 01-R-0160
28. 01-R-0161
29. 01-R-0162
30. 01-R-0163
31. 01-R-0164
32. 01-R-0165
33. 01-R-0166

**ITEMS ADVERSED  
ON CONSENT AGENDA**

34. 01-R-0169
  35. 01-R-0170
  36. 01-R-0171
  37. 01-R-0172
  38. 01-R-0173
  39. 01-R-0174
  40. 01-R-0175
  41. 01-R-0176
  42. 01-R-0177
  43. 01-R-0195
  44. 01-R-0196
  45. 01-R-0197
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