

Entered - 7-9-01- sb
CL 01L0437 - ALEXIS HOLMES

CLAIM OF: **DANIEL R. BROWN**
35 Bermuda Circle
Covington, Georgia 30016

01-R -1385

For vehicular damages alleged to have been sustained as a result of a tool sticking out of a manhole in the road on June 9, 2001 at East Confederate Avenue and Walker Street.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **DANIEL R. BROWN** the sum of **\$856.80** in full settlement and satisfaction of all claims, past, present and future, of every kind and character **for damages alleged to have been sustained as a result of a tool sticking out of a manhole in the road on June 9, 2001 at East Confederate Avenue and Walker Street** as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

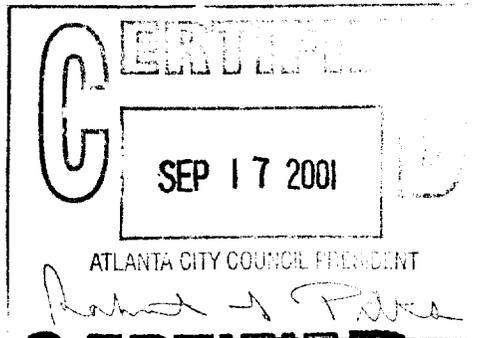
Standing committees
AGENDA

ADOPTED BY
SEP 17 2001
COUNCIL

APPROVED

SEP 26 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW



[Signature]
DEPUTY MUNICIPAL CLERK

FAVORABLE REPORT

COMM: Public Safety

DATE: 9/17/01

CHAIR: C. T. Martin

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-1385

A RESOLUTION

BY: PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to DANIEL R. BROWN the sum of \$856.80 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a tool sticking out of a manhole in the road on June 9, 2001 at East Confederate Avenue and Walker Street as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daphnia Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

SEP 17, 2001

SEP 26, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0437

Date: 8/16/01

Claimant /Victim DANIEL R. BROWN

BY: (Atty)

Address: 35 Bermuda Circle Covington, Georgia 30016

Subrogation: Claim for Property damage \$ 1,000.91 Bodily Injury \$

Date of Notice: 6/29/01 Method: Written, proper X Improper

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

Date of Occurrence 6/9/01 Place: East Confederate Avenue at Walker Street

Department Public Works Division: Sewer Operations

Employee involved Carl Davis Disciplinary Action Oral admonishment

NATURE OF CLAIM: The claimant sustained damages to his vehicle when a City worker left a tool standing in a manhole when he was performing a die test on a house connection. There were no barricades erected at the test site and when the claimant drove his vehicle over the manhole the hook caused damages to his vehicle.

INVESTIGATION:

Statements: City employee X Claimant X Other X Written Oral X

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 X

Improper Notice More than Six Months X Other Damages reasonable X

City not involved Offer rejected Compromise settlement X

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

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ 856.80 Adverse Account charged: 1A01 2J01 X 2H01

Claims Manager: Concur/date 8-17-01

Committee Action: Council Action

RCS# 3122
9/17/01
6:38 PM

Atlanta City Council

Regular Session

MULTIPLE

01-R-1385

Claim Items 1 through 19

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 0

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

MULTIPLE