

Entered - 09-04-01 - sb
CL 01L0541 - GWENDOLYN BURNS

CLAIM OF: **JENNIFER MARNOWSKI**
4151 North Stratford Road
Atlanta, Georgia 30342

01-12-1611

ADOPTED BY
OCT 15 2001
COUNCIL

For vehicular damages alleged to have been sustained as a result of a sanitary sewer manhole that was under construction and left in an unsafe condition at on May 5, 2001 at 4199 Peachtree-Dunwoody Road, NE.

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 **JENNIFER MARNOWSKI** the sum of **\$904.61** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of a sanitary sewer manhole that was under construction and left in an unsafe condition at on May 5, 2001 at 4199 Peachtree-Dunwoody Road, NE 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.

**Standing committees
AGENDA**

FAVORABLE REPORT

APPROVED:

SUSAN PEASE LANGFORD
CITY ATTORNEY

COMM: P. B. L. A.

DATE: OCT 15 2001

CHAIR: C. T. Miller

John

Clara Hopson

Carol

BY: Robert N. Godfrey
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

CERTIFIED
OCT 15 2001
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
OCT 15 2001
DEPUTY MUNICIPAL CLERK

APPROVED

OCT 24 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW

[Handwritten signature]

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**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-1611

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 JENNIFER MARNOWSKI the sum of \$904.61 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of a sanitary sewer manhole that was under construction and left in an unsafe condition at on May 5, 2001 at 4199 Peachtree-Dunwoody Road, NE 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,

Phonda Dauphin Johnson
Municipal Clerk, CMC

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

OCT 15, 2001

OCT 24, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0541

Date: September 14, 2001

Claimant /Victim JENNIFER MARNOWSKI
BY: (Atty) (Ins. Co.)
Address: 4151 North Stratford Road, Atlanta, Georgia 30342
Subrogation: Claim for Property damage \$ 904.61 Bodily Injury \$
Date of Notice: 8/2/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 5/5/01 Place: 4199 Peachtree-Dunwoody Road, NE
Department PUBLIC WORKS Division Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was driven over a sanitary sewer manhole that was under construction and left in an unsafe condition.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report X 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 Other Damages reasonable X
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

[Signature]
INVESTIGATOR - WENDOLYN BURNS

RECOMMENDATION:

Pay \$ 904.61 Adverse Account charged: 1A01 2J01 X 2H01
Claims Manager: [Signature] Concur/date 09/15/01
Committee Action: Council Action

RCS# 3185
10/15/01
3:50 PM

Atlanta City Council

Regular Session

MULTIPLE

Favorable Claims: 01-R-1608; 01-R-1609
01-R-1610; 01-R-1611; 01-R-1632

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

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

MULTIPLE