

Entered - 12-6-99 - sb
CL 99L0819 - GWENDOLYN BURNS

CLAIM OF: DOUGLAS VISNISKI
as Parent and Guardian of
BRETT VISNISKI, a minor child
2940 Caller Court
Marietta, Georgia 30060

01-R-1753

For bodily injuries alleged to have been sustained as a result of an automobile accident on November 2, 1999 at 1257 Moreland Avenue, SE.

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 DOUGLAS VISNISKI as Parent and Guardian of BRETT VISNISKI, a minor child the sum of \$1,000.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for bodily injuries alleged to have been sustained as a result of a automobile accident on November 2, 1999 at Moreland Avenue, SE., as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/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 *Robert N. G. DCA*

FAVOR Public Safety
COMM Public Safety

DATE: 10/30/01

CHAIR: *Celia Arislon*

[Signatures]

APPROVED
NOV 14 2001

[Faint stamp]

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COUNCIL PRESIDENT PROTTEM

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MEMORIAL CLERK

**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-1753

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 **Douglas Visniski as Parent and Guardian of Brett Visniski, a minor child through his attorney Kenneth Nugent** in the sum of **\$1,000.00** 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 **an automobile accident on November 2, 1999 at 1257 Moreland Avenue, SE** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Dayshin Johnson
Municipal Clerk, CMC

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

NOV 05, 2001

NOV 14, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0819

Date: October 16, 2001

Claimant /Victim DOUGLAS VISNISKI, as Parent and Guardian of BRETT VISNISKI, a minor child
BY: (Atty) (Ins. Co.)
Address: 2940 Caller Court, Marietta, Georgia 30060
Subrogation: Claim for Property damage \$ Bodily Injury \$ 100,000.00
Date of Notice: 12/2/99 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 11/2/99 Place: 1257 Moreland Avenue, SE
Department PUBLIC WORKS Division Solid Waste Services
Employee involved Leon Manigault Disciplinary Action:

NATURE OF CLAIM: Claimant's minor child sustained bodily injuries when the vehicle in which he traveled in was rear-ended by a City sanitation vehicle that was "following too closely". The City employee was cited for same.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report X 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 Damages reasonable
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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,000.00 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager: Concur/date 10-17-01
Committee Action: Council Action

RCS# 3222
11/05/01
3:31 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 through 15

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

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

Y McCarty
Y Starnes
Y Bond
Y Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
Y Emmons
Y Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-1591
01-O-1696
01-O-1698
01-O-1712
01-R-1595
01-R-1786
01-R-1793

CONSENT

11/05/01 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 01-O-1703
2. 01-O-1671
3. 01-O-1664
4. 01-R-1667
5. 01-R-1729
6. 01-R-1745
7. 01-R-1777
8. 00-R-0820
9. 01-R-1682
10. 01-R-1782
11. 01-R-1706
12. 01-R-1708
13. 01-R-1709
14. 01-R-1730
15. 01-R-1746
16. 01-R-1791
17. 01-R-1748
18. 01-R-1749
19. 01-R-1750
20. 01-R-1751
21. 01-R-1752
22. 01-R-1753
23. 01-R-1754
24. 01-R-1755
25. 01-R-1756

**ITEMS ADVERSED ON
CONSENT AGENDA**

26. 01-R-1757
27. 01-R-1758
28. 01-R-1759
29. 01-R-1760
30. 01-R-1761
31. 01-R-1762
32. 01-R-1763
33. 01-R-1764
34. 01-R-1765
35. 01-R-1766
36. 01-R-1767
37. 01-R-1768
38. 01-R-1769
39. 01-R-1770
40. 01-R-1771
41. 01-R-1772
42. 01-R-1773
43. 01-R-1774
44. 01-R-1775
45. 01-R-1776