

Entered -10-01-01 - sb  
CL 01L0608 - GWENDOLYN BURNS

CLAIM OF:

01-R-1836

**ALISHA BILSKIE EDGE**  
302 DeFours Landing, NW  
Atlanta, Georgia 30318

For damages alleged to have been sustained when a vehicle was struck by an errant trash receptacle during a trash pickup on August 15, 2001 at 302 DeFours Landing, NW.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

ADVERSED BY  
CITY COUNCIL NOV 19 2001

**ADVERSE REPORT**

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: \_\_\_\_\_

CHAIR: NOV 19 2001 *C-T. Mark*

*Clayton*  
*Johnson*  
*Wooten*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFIED**  
NOV 19 2001  
ATLANTA CITY COUNCIL PRESIDENT  
*Richard A. Pitts*

**CERTIFIED**  
NOV 19 2001  
*Rhonda Daughlin Johnson*  
MUNICIPAL CLERK



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

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

November 30, 2001

Allisha Bilskie Edge  
302 DeFours Landing, NW  
Atlanta, GA 30318

01-R-1836

Dear Ms. Edge:

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 November 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*

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0608

Date: October 30, 2001

Claimant /Victim ALISHA BILSKIE EDGE
BY: (Atty) (Ins. Co.)
Address: 302 Defoors Landing, NW, Atlanta, Georgia 30318
Subrogation: Claim for Property damage \$ 582.59 Bodily Injury \$
Date of Notice: 9/11/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 8/15/01 Place: 302 Defoors Landing, NW
Department PUBLIC WORKS Division Solid Waste Services - Grass Cutting
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that her parked vehicle sustained damages when it was struck by an errant trash receptacle during a trash pickup. 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 X
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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date 10-31-01
Committee Action: Council Action

RCS# 3297  
11/19/01  
5:16 PM

Atlanta City Council

Regular Session

MULTIPLE

Unfavorable Claims; Public Safety Items  
19 through 37  
ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 3

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

01-R-1835  
01-R-1836  
01-R-1837  
01-R-1838  
01-R-1839  
01-R-1840  
01-R-1841  
01-R-1842  
01-R-1843  
01-R-1844  
01-R-1845  
01-R-1846  
01-R-1847  
01-R-1848  
01-R-1849  
01-R-1850  
01-R-1851  
01-R-1853  
01-R-1855

MULTIPLE