

Entered - 02-13-02- sb  
CL 02L0141 - ALEXIS HOLMES

CLAIM OF: **STEPHEN J. KRAMER**  
395 Central Park Place  
Atlanta, Georgia 30312

02- *R*-0766

For vehicular damages alleged to have been sustained as a result of driving over a cave-in in the roadway on January 19, 2002 at Irwin Street between Krog Street and Randolph Streets.

THIS ADVERSE REPORT IS APPROVED

CONSENT AGENDA

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

CITY COUNCIL MAY 20 2002

CERTIFIED  
MAY 20 2002  
ATLANTA CITY COUNCIL PRESIDENT  
*Latoya W. Woodland*

**ADVERSE REPORT**  
COMM: *Public Safety*  
DATE: *5/14/02*  
CHAIR: \_\_\_\_\_  
*Carla Smith*  
*Clara Henderson*  
*Hunt Shind*  
*C. T. Martin*  
*Patricia A. ...*

CERTIFIED  
MAY 20 2002  
*Frank ...*  
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

May 31, 2002

Stephen J. Kramer  
395 Central park Place  
Atlantna, GA 30312

02-R-0766

Dear Mr. Kramer:

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 May 20, 2002. 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. 02L0141

Date: 04/22/02

Claimant /Victim STEPHEN J. KRAMER

BY: (Atty)

Address: 395 Central Park Place Apartment 310 Atlanta, Georgia 30312

Subrogation: Claim for Property damage \$ 1,484.23 Bodily Injury \$

Date of Notice: 2/7/02 Method: Written, proper X Improper

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

Date of Occurrence 1/19/02 Place: Irwin Street between Krog Street and Randolph Street

Department Division:

Employee involved Disciplinary Action

NATURE OF CLAIM: The claimant alleges that he sustained vehicular damages when he drove over a cave-in in the roadway. An investigation determined that the location where the claimant incurred damages was the result of work performed by the Atlanta Gas Light Company and is their responsibility, and not the responsibility of the City of Atlanta. The claim has been referred to the Atlanta Gas Light Company, and the claimant has been advised to pursue resolution of his damages with the Atlanta Gas Light Company.

INVESTIGATION:

Statements: City employee Claimant X Other X Written X 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

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 04-24-02

Committee Action: Council Action

RCS# 3731  
5/20/02  
2:33 PM

Atlanta City Council

Regular Session

CONSENT I            PGS. 1-15: Except 02-O-0852; 02-R-0729

ADOPT

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

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
NV Young	Y Shook	Y Maddox	B Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

CONSENT AGENDA MAY 20, 2002

ITEMS ADOPTED ON THE  
CONSENT AGENDA

02-R-0813      02-R-0753  
02-R-0812      02-R-0754  
02-R-0807      02-R-0755  
02-R-0805      02-R-0756  
02-R-0721      02-R-0757  
02-R-0504      02-R-0758  
02-R-0808      02-R-0759  
02-R-0708      02-R-0760  
02-R-0707      02-R-0761  
02-R-0882  
02-R-0881  
02-R-0809  
02-R-0798  
02-R-0797  
02-R-0732  
02-R-0706  
02-R-0724  
02-R-0802  
02-R-0888  
02-R-0887  
02-R-0733  
02-R-0731  
02-R-0728  
02-R-0727  
02-O-0846  
02-O-0830  
02-O-0703  
02-O-0699  
02-O-0671  
02-O-0606  
02-O-0605  
02-O-0833  
02-O-0601  
02-O-0488  
02-O-0836  
02-O-0845  
02-O-0844  
02-O-0843  
02-O-0835  
02-O-0834  
02-O-0603  
02-R-0735  
02-R-0752

ITEMS ADVERSED ON THE  
CONSENT AGENDA

02-R-0762  
02-R-0763  
02-R-0764  
02-R-0765  
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02-R-0767  
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02-R-0771  
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02-R-0792  
02-R-0793  
02-R-0794  
02-R-0795  
02-R-0796