

Entered - 04-23-01 - sb
CL 01L0250 - GWENDOLYN BURNS

CLAIM OF: **TIMOTHY MOONE**
2156 Honeysuckle Lane, SW
Atlanta, Georgia 30311

02-*R*-0915

For property damages alleged to have been sustained as a result of a sanitary sewer back up on March 31, 2001 at 2156 Honeysuckle Lane, SW.

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 **TIMOTHY MOONE** the sum of **\$1,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for property damages alleged to have been sustained as a result of a sanitary sewer back up on March 31, 2001 at 2156 Honeysuckle Lane, SW. 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.

CONSENT AGENDA

APPROVED: ROSALIND RUBENS NEWELL
INTERIM CITY ATTORNEY

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

FAVORABLE REPORT

COMM: *Public Safety*

DATE: *5/28/02*

CHAIR: *[Signature]*

Natalie Curtis

C. To Martin

Chela Henderson

[Signature]

Carla Smith

Stanley [Signature]
JUN 10 2002
MAYOR

ADOPTED BY

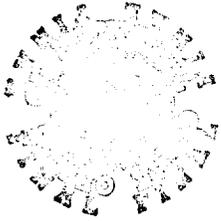
JUN 03 2002

COUNCIL

CERTIFIED
JUN 03 2002

Rosalind Rubens Newell
MUNICIPAL CLERK

CERTIFIED
JUN 03 2002
ATLANTA CITY COUNCIL PRESIDENT
Catherine M. Westland



MUNICIPAL CLERK
ATLANTA, GEORGIA

CORRECTED COPY

02-R-0915

A RESOLUTION

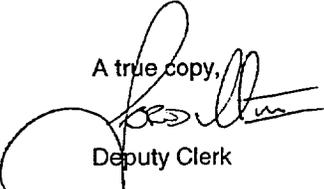
**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

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 **Timothy Moone** 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 **sanitary sewer back up on March 31, 2001 at 2156 Honeysuckle Lane, SW** 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,

**ADOPTED by the Council
APPROVED by the Mayor**

JUN 03, 2002
JUN 10, 2002


Deputy Clerk

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0250

Date: May 13, 2002

Claimant /Victim TIMOTHY MOONE

BY: (Atty) (Ins. Co.)

Address: 2156 Honeysuckle Lane, SW, Atlanta, Georgia 30311

Subrogation: Claim for Property damage \$ 3,000.00 Bodily Injury \$

Date of Notice: 4/5/01 Method: Written, Proper X Improper

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

Date of Occurrence 3/31/01 Place: 2156 Honeysuckle Lane, SW

Department PUBLIC WORKS Division Sewer Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that he sustained damages to the basement of his home from a sanitary sewer back up. An investigation determined that the City was on notice of said problem but failed to correct it.

INVESTIGATION:

Statements: City employee X Claimant Others Written Oral X

Pictures Diagrams Reports: Police Dept Report X 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 Damages reasonable X

City not involved Offer rejected Compromise settlement X

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

Claimant Negligent X City Negligent Joint Claim Abandoned

Respectfully submitted,

[Signature]
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,000.00 Adverse Account charged: 1A01 2J01 X 2P01 2H01

Claims Manager: [Signature] Concur/date 05-15-02

Committee Action: Council Action

RCS# 3776
6/03/02
2:19 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-14; Except 02-R-0974; 02-O-0952

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

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

ITEM (S) REMOVED FROM
CONSENT AGENDA
02-O-0952

06/03/02 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

**ITEMS ADOPTED ON
CONSENT AGENDA**

**ITEMS
ADVERSED
ON CONSENT
AGENDA**

1. 02-O-0726
2. 02-O-0723
3. 02-O-0694
4. 02-O-0854
5. 02-O-0709
6. 02-O-0710
7. 02-O-0711
8. 02-O-0712
9. 02-O-0713
10. 02-O-0714
11. 02-O-0715
12. 02-O-0716
13. 02-O-0717
14. 02-O-0953
15. 02-O-0719
16. 02-O-0720
17. 02-O-0722
18. 02-O-0959
19. 02-O-0962
20. 02-O-0966
21. 02-O-0967
22. 02-O-0730
23. 02-O-0958
24. 02-O-0961
25. 02-R-0894
26. 02-R-0948
27. 02-R-0949
28. 02-R-0905
29. 02-R-0906
30. 02-R-0904
31. 02-R-0954
32. 02-R-0974
33. 02-R-0801

34. 02-R-0892
35. 02-R-0895
36. 02-R-0896
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 79. 02-R-0946
 80. 02-R-0947
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