

MUNICIPAL CLERK
ATLANTA, GEORGIA

02- ○ -0973

AN ORDINANCE

BY THE PUBLIC SAFETY COMMITTEE AND LEGAL ADMINISTRATION
COMMITTEE

AN ORDINANCE AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST OFFICER J. A. VEERKAMP IN THE CASE OF LOUIS BRAY v. OFFICER J. A. VEERKAMP et al., FILED IN THE SUPERIOR COURT OF FULTON COUNTY, CIVIL ACTION FILE NO.: 00VS002758G, TO CAUSE PAYMENT TO BE MADE IN THE AMOUNT OF THIRTY THOUSAND (\$30,000.00) DOLLARS; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, Plaintiff Louis Bray filed a lawsuit against Officer Veerkamp, Civil Action No.: 00VS002758G, in the Superior Court of Fulton County, seeking to recover for the alleged use of excessive force, unreasonable search and seizure, deprivation of liberty without due process, summary punishment, retaliatory government action and abuse while being arrested, all pursuant to Ga. Const. Art., § I, breach of public duty pursuant to O.C.G.A. §51-1-1, et. seq., battery pursuant to O.C.G.A. § 51-1-13 and wilful and wanton physical injury pursuant to O.C.G.A. § 51-1-14; and

WHEREAS, Officer J. A. Veerkamp is a police officer with the City of Atlanta Police Department; and



WHEREAS, on November 3, 1998, Officer J. A. Veerkamp responded to a call regarding Mr. Bray at 3601 Piedmont Ave., an apartment building operated by the Atlanta Housing Authority; and

WHEREAS, Mr. Bray, a tenant, was running up and down the hallway naked; and

WHEREAS, Mary Magee, the security guard on duty, called the City of Atlanta Police Department for assistance; and

WHEREAS, when Officer Veerkamp arrived, Ms. Magee acted as if she needed to protect herself from Mr. Bray; and

WHEREAS, Officer Veerkamp said Mr. Bray smelled of alcohol; and

WHEREAS, Officer Veerkamp attempted to verbally persuade Mr. Bray to voluntarily comply and go to Grady for treatment; and

WHEREAS, Mr. Bray came toward Officer Veerkamp with a stick; and

WHEREAS, Officer Veerkamp sprayed Mr. Bray with OC Gas; and

WHEREAS, Mr. Bray appeared to be in the process of striking Ms. Magee on the head with a stick; and

WHEREAS, Officer Veerkamp shot Mr. Bray in the shoulder; and

WHEREAS, a Motion for Summary Judgment was filed by the City on March 15, 2001, and denied by Judge John R. Mather on October 8, 2001; and

WHEREAS, the Plaintiff, through his attorney, has offered to settle all claims



against Officer Veerkamp for the sum of thirty thousand (\$30,000.00) dollars; and

WHEREAS, the Acting City Attorney considers it to be in the best interest of the City to resolve this matter and recommends that this case be settled for \$30,000.00; and

WHEREAS, by this settlement, Defendant, Officer J. A. Veerkamp admits no liability; and

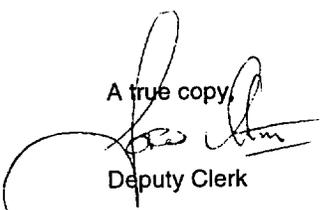
NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA as follows:

SECTION 1: The Acting City Attorney is hereby authorized to conclude and resolve the case of Louis Bray v. Officer J. A. Veerkamp et. al., Civil Action No.: 00VS002758G, for the sum of THIRTY THOUSAND DOLLARS AND ZERO CENTS (\$30,000.00)

SECTION 2: The Chief Financial Officer is authorized to pay a total sum of \$30,000.00 to Plaintiff, Louis Bray, in this case from Account No. 1A01-52-T31001. Payment shall be in the form of a check in the amount of \$30,000.00 payable to Plaintiff Louis Bray and his Attorney Craig T. Jones.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,


Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

JUN 17, 2002
JUN 20, 2002

06/17/02 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 02-O-0973
2. 02-O-1036
3. 02-O-0908
4. 02-O-0909
5. 02-O-0956
6. 02-O-1029
7. 02-O-1043
8. 02-R-1000
9. 02-R-1001
10. 02-R-1002
11. 02-R-1003
12. 02-R-1016
13. 02-R-1033
14. 02-R-0676
15. 02-R-1018
16. 02-R-1019
17. 02-R-1069
18. 02-R-1070
19. 02-R-1030
20. 02-R-0978
21. 02-R-0979
22. 02-R-0980
23. 02-R-0981
24. 02-R-0982
25. 02-R-0983
26. 02-R-0984
27. 02-R-0985
28. 02-R-0986

**ITEMS ADVERSED ON
CONSENT AGENDA**

29. 02-R-0987
30. 02-R-0988
31. 02-R-0989
32. 02-R-0990
33. 02-R-0991
34. 02-R-0992
35. 02-R-0993
36. 02-R-0994
37. 02-R-0995
38. 02-R-0996
39. 02-R-0997
40. 02-R-0998
41. 02-R-0999

FINAL COUNCIL ACTION
 2nd Reading
 1st & 2nd Readings
 3rd Reading
 Consent
 V Vote
 RC Vote

CERTIFIED

CERTIFIED
 JUN 17 2002
 ATLANTA CITY COUNCIL PRESIDENT
Catherine W. Woodard

CERTIFIED
 JUN 17 2002
Paul Anderson

MAYOR'S ACTION

APPROVED
Andy Fischer
 JUN 20 2002
 MAYOR

Committee PSLA
 Date 5-28-02
 Chair [Signature]
 Referred to

Committee _____
 Date _____
 Chair _____
 Action: _____
 Fav, Adv, Hold (see rev. side)
 Other: _____
 Members _____
 Refer To _____

Committee PSLA
 Date 6/11/02
 Chair [Signature]
 Action: _____
 Fav, Adv, Hold (see rev. side)
 Other: _____
 Members [Signatures]
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action: _____
 Fav, Adv, Hold (see rev. side)
 Other: _____
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action: _____
 Fav, Adv, Hold (see rev. side)
 Other: _____
 Members _____
 Refer To _____

02 of 01-0973 (is Line)

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APPROVED BY: _____
ADOPTED BY
 JUN 17 2002

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 6/3/02

Referred To: Legal Administration
 Date Referred _____

Referred To: _____

Date Referred _____

Referred To: _____