

Entered - 07/01/02 - sb  
CL02L0444 - DIANNE C. MITCHELL

CLAIM OF: **CENTRAL FIRE PROTECTION, INC., AS  
SUBROGEE OF KEVIN CONNOLLY**  
41 West Park Circle  
Birmingham, Alabama 35211

**02- R-1510**

ADOPTED BY  
SEP 16 2002  
COUNCIL

For damages alleged to have been sustained as a result of a vehicular accident on May 27, 2002 at Fulton Street, SW and Windsor Street, 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 **CENTRAL FIRE PROTECTION, INC., AS SUBROGEE OF KEVIN CONNOLLY** the sum of **\$2,000.00** 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 a vehicular accident on May 27, 2002 at Fulton Street, SW and Windsor Street, SW 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: **LINDA DISANTIS**  
CITY ATTORNEY

BY: *Rosalind Rubens Newell*  
**ROSALIND RUBENS NEWELL**  
DEPUTY CITY ATTORNEY

CERTIFIED  
SEP 16 2002  
ATLANTA CITY COUNCIL PRESIDENT  
*Calvin W. Hoodland*

CERTIFIED  
SEP 16 2002  
*Richard Benjamin Anderson*  
MUNICIPAL CLERK

APPROVED  
*Shirley Franklin*  
SEP 24 2002  
MAYOR

**FAVORABLE REPORT**  
PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE  
DATE: 9/10/02  
CHAIR: *Stacy F. ...*  
*C. T. ...*  
*Carl ...*  
*...*  
*...*



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**02-R-1510**

**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 **Central Fire Protection, Inc.**, as subrogee of **Kevin Connolly** in the sum of **\$2,000.00** 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 a **vehicle accident on May 27, 2002 at Fulton Street, SW and Windsor Street, SW** 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 Daughin Johnson*  
Municipal Clerk, CMC

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

SEP 16, 2002  
SEP 24, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0444

Date: August 20, 2002

Claimant /Victim CENTRAL FIRE PROTECTION, INC. AS SUBROGEE OF KEVIN CONNOLLY

BY: (Atty)(Ins. Co.) \_\_\_\_\_

Address: 41 West Park Circle, Birmingham, Alabama 35211

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 10,925.49 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 06/18/02 Method: Written, proper X Improper \_\_\_\_\_

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

Date of Occurrence 05/27/02 Place: Fulton Street, SW and Windsor Street, SW

Department Fire Division: \_\_\_\_\_

Employee involved Fabian Dycus Disciplinary Action: Letter of Reprimand and Defensive Driving Course

NATURE OF CLAIM: The operator of the rear tiller of the fire apparatus, misjudged his clearance and collided with the claimant's vehicle causing extensive damage.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report X Other \_\_\_\_\_

Traffic citations issued: City Driver X 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 \_\_\_\_\_

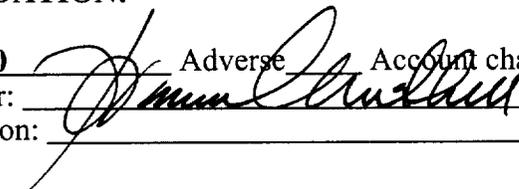
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager:  Concur/date 08-23-02

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_



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09/16/02 Council Meeting

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**ITEMS ADOPTED ON CONSENT  
AGENDA**

**ITEMS ADVERSED  
ON CONSENT AGENDA**

- |               |               |               |
|---------------|---------------|---------------|
| 1. 02-O-1453  | 43. 02-R-1509 | 45. 02-R-1502 |
| 2. 02-O-1586  | 44. 02-R-1510 | 46. 02-R-1503 |
| 3. 02-O-1496  |               | 47. 02-R-1504 |
| 4. 02-O-1389  |               | 48. 02-R-1505 |
| 5. 02-O-1390  |               | 49. 02-R-1506 |
| 6. 02-O-0791  |               | 50. 02-R-1511 |
| 7. 02-O-1258  |               | 51. 02-R-1512 |
| 8. 02-O-1298  |               | 52. 02-R-1513 |
| 9. 02-O-1391  |               | 53. 02-R-1514 |
| 10. 02-O-1395 |               | 54. 02-R-1515 |
| 11. 02-O-1450 |               | 55. 02-R-1516 |
| 12. 02-R-1535 |               | 56. 02-R-1517 |
| 13. 02-R-1541 |               | 57. 02-R-1518 |
| 14. 02-R-1546 |               | 58. 02-R-1519 |
| 15. 02-R-1526 |               | 59. 02-R-1520 |
| 16. 02-R-1527 |               | 60. 02-R-1521 |
| 17. 02-R-1528 |               | 61. 02-R-1522 |
| 18. 02-R-1529 |               | 62. 02-R-1523 |
| 19. 02-R-1530 |               | 63. 02-R-1524 |
| 20. 02-R-1531 |               | 64. 02-R-1525 |
| 21. 02-R-1532 |               |               |
| 22. 02-R-1560 |               |               |
| 23. 02-R-1561 |               |               |
| 24. 02-R-1615 |               |               |
| 25. 02-R-1563 |               |               |
| 26. 02-R-1564 |               |               |
| 27. 02-R-1565 |               |               |
| 28. 02-R-1566 |               |               |
| 29. 02-R-1568 |               |               |
| 30. 02-R-1569 |               |               |
| 31. 02-R-1570 |               |               |
| 32. 02-R-1572 |               |               |
| 33. 02-R-1573 |               |               |
| 34. 02-R-1574 |               |               |
| 35. 02-R-1487 |               |               |
| 36. 02-R-1533 |               |               |
| 37. 02-R-1557 |               |               |
| 38. 02-R-1558 |               |               |
| 39. 02-R-1559 |               |               |
| 40. 02-R-1616 |               |               |
| 41. 02-R-1507 |               |               |
| 42. 02-R-1508 |               |               |

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Consent I Vote: 14 Yeas; 0 Nays (See RCS #3984)

Items Removed from Consent: 02-O-1591; 02-O-1592; 02-R-1589; 02-O-1540; 02-R-1542