

Entered - 8-15-02 - sb
CL 02L0578 - GWENDOLYN BURNS

CLAIM OF: MARY DAWSON
475 Oliver Street, NW
Atlanta, Georgia 30314

02-R-1700

For vehicular damages alleged to have been sustained when a vehicle drove over a metal plate that was improperly covering a sanitary sewer site in the roadway on July 31, 2002 at 891 Neal Street.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

ADOPTED BY

OCT 07 2002

COUNCIL

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 **MARY DAWSON** the sum of **\$824.80** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for **vehicular damages alleged to have been sustained when a vehicle drove over a metal plate that was improperly covering a sanitary sewer site in the roadway on July 31, 2002 at 891 Neal Street**, 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.

APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

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

FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: *10/1/02*

CHAIR: *Natasha Clark*

[Signature]

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CEMPIFIED
OCT 07 2002
COUNCIL PRESIDENT
Robert W. Woodard

CEMPIFIED
OCT 07 2002
COUNCIL PRESIDENT
Robert W. Woodard

Shirley Frankler
OCT 15 2002
MAYOR



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

02-R-1700

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 **Mary Dawson** in the sum of **\$824.80** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **when a vehicle drove over a metal plate that was improperly covering a sanitary sewer site in the roadway on July 31, 2002 at 891 Neal Street** 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,

Rhonda Daughin Johnson
Municipal Clerk, CMC

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

OCT 07, 2002
OCT 15, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0578

Date: September 17, 2002

Claimant /Victim MARY DAWSON
BY: (Atty) (Ins. Co.)
Address: 475 Oliver Street, NW, Atlanta, Georgia 30314
Subrogation: Claim for Property damage:\$ 824.80 Bodily Injury \$
Date of Notice: 8/13/02 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 07/31/02 Place: 891 Neal Street, NW
Department PUBLIC WORKS Division Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant sustained vehicular damage when he drove over a sanitary sewer construction site in the roadway that was improperly covered by a metal plate.

INVESTIGATION:

Statements: City employee X Claimant Others Written Oral X
Pictures Diagrams Reports: Police X Dept Report X Other X
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial X
Improper Notice More than Six Months Other Damages reasonable X
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 824.80 Adverse Account charged: 1A01 2J01 X 2P01 2H01
Claims Manager: Concur/date 09-18-02
Committee Action: Council Action

RCS# 4099
10/07/02
5:15 PM

Atlanta City Council

Regular Session

CONSENT I 0613;1695;1544;1562;1581;1666;1551
 1668; Except CDHR #6-#10
 RECON/READOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 1

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

CONSENT I

10/07/02 Council Meeting

**ITEMS ADOPTED ON CONSENT
AGENDA**

1. 02-O-1538
2. 02-O-1549
3. 02-O-1554
4. 02-O-1466
5. 02-O-1253
6. 02-O-1575
7. 02-O-1576
8. 02-O-1582
9. 02-O-1447
10. 02-O-1545
11. 02-O-1261
12. 02-O-1534
13. 02-R-1662
14. 02-R-1669
15. 02-R-1709
16. 02-R-1711
17. 02-R-1712
18. 02-R-1713
19. 02-R-1633
20. 02-R-1664
21. 02-R-1667
22. 02-R-1673
23. 02-R-1469
24. 02-R-1642
25. 02-R-1644
26. 02-R-1649
27. 02-R-1714
28. 02-R-1727
29. 02-R-1650
30. 02-R-1651
31. 02-R-1652
32. 02-R-1653
33. 02-R-1654
34. 02-R-1655
35. 02-R-1656
36. 02-R-1657
37. 02-R-1658
38. 02-R-1659
39. 02-R-1660
40. 02-R-1718
41. 02-R-1719
42. 02-R-1698
43. 02-R-1699
44. 02-R-1700
45. 02-R-1701

**ITEMS ADVERSED
ON CONSENT AGENDA**

46. 02-R-1702
47. 02-R-1703
48. 02-R-1704
49. 02-R-1705
50. 02-R-1706
51. 02-R-1707
52. 02-R-1708
53. 02-R-1675
54. 02-R-1676
55. 02-R-1677
56. 02-R-1678
57. 02-R-1679
58. 02-R-1680
59. 02-R-1681
60. 02-R-1682
61. 02-R-1683
62. 02-R-1684
63. 02-R-1685
64. 02-R-1686
65. 02-R-1687
66. 02-R-1688
67. 02-R-1689
68. 02-R-1690
69. 02-R-1691
70. 02-R-1692
71. 02-R-1693
72. 02-R-1694
73. 02-R-1696
74. 02-R-1697

Consent I Vote: 10Yeas; 0 Nays (See RCS #4099; Reconsidered See RCS #4043)

Items Removed from Consent: 02-R-1613; 02-R-1695; 02-O-1544; 02-O-1562; 02-O-1581; 02-R-1666;
02-O-1551; 02-R-1668; 02-O-1598; 02-O-1599; 02-O-1600; 02-O-1601; 02-O-1602