

Entered - 06/04/02 - sb
CL02L0405 - DIANNE C. MITCHELL

CLAIM OF: YVETTE F. MITCHELL
804 Asbury Way
Lithonia, Georgia 30058

03- R -0131

ADOPTED BY
FEB 17 2003
COUNCIL

For damages alleged to have been sustained as a result of vehicular damage due to driving over a raised sewer manhole on April 14, 2002 at 723 Francis Place, NW.

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 YVETTE F. MITCHELL the sum of \$653.83 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 vehicular damage due to driving over a raised sewer manhole on April 14, 2002 at 723 Francis Place, NW 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

CERTIFIED
FEB 17 2003
ATLANTA CITY COUNCIL PRESIDENT
Cathryn M. Hoffland

CERTIFIED
FEB 17 2003
MUNICIPAL CLERK
Rosalind Rubens Newell

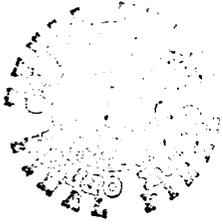
FAVORABLE REPORT
COMM: *Public Safety*
DATE: *2-11-03*
CHAIR: _____

Capt. Mark

Eric

P. H. Kelly

APPROVED
FEB 25 2003
Shirley Franklin



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R-0131

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 **Yvette F. Mitchell** in the sum of **\$653.83** 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 damage due to driving over a raised sewer manhole on April 14, 2002 at 723 Francis Place, NW** 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 Daughkin Johnson
Municipal Clerk, CMQ

ADOPTED by the Council
APPROVED by the Mayor

FEB 17, 2003
FEB 25, 2003

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0405

Date: January 28, 2002

Claimant /Victim YVETTE F. MITCHELL

BY: (Atty.) (Ins. Co.) _____

Address: 804 Asbury Way, Lithonia, Georgia 30058

Subrogation: Claim for Property damage \$ 653.83 Bodily Injury \$ _____

Date of Notice: 05/17/02 Method: Written, proper X Improper _____

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

Date of Occurrence 04/14/02 Place: 723 Francis Place, NW

Department Public Works Bureau: Sewer Operations

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant damaged her vehicle when she drove over a sewer manhole that was protruding above the surface of the roadway causing damages in the above amount.

INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X

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 X

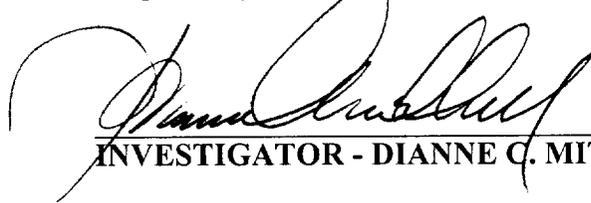
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

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

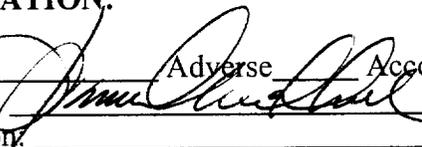
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 653.83 Adverse _____ Account charged: 1A01 _____ 2J01 X 2H01 _____ 2P01 _____

Claims Manager:  Concur/date 01-29-03

Committee Action: _____ Council Action _____

RCS# 4470
2/17/03
2:22 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-11: Except 03-R-0224

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

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

CONSENT I

2/17/03 FULL COUNCIL MEETING

**Items Adopted on the
Consent Agenda**

1. 02-O-0037
2. 03-O-0127
3. 03-O-0185
4. 03-O-0187
5. 03-O-0085
6. 03-O-0125
7. 03-R-0143
8. 03-R-0144
9. 03-R-0189
10. 03-R-0210
11. 03-R-0211
12. 03-R-0212
13. 03-R-0213
14. 03-R-0145
15. 03-R-0146
16. 03-R-0149
17. 03-R-0150
18. 03-R-0151
19. 03-R-0152
20. 03-R-0153
21. 03-R-0160
22. 03-R-0207
23. 03-R-0208
24. 03-R-0209
25. 03-R-0141
26. 03-R-0142
27. 03-R-0140
28. 03-R-0128
29. 03-R-0129
30. 03-R-0130
31. 03-R-0131
32. 03-R-0132
33. 03-R-0133
34. 03-R-0134
35. 03-R-0135
36. 03-R-0136

**Items Adversed on the Consent
Agenda**

37. 03-R-0161
38. 03-R-0162
39. 03-R-0137
40. 03-R-0138
41. 03-R-0139
42. 03-R-0163
43. 03-R-0164
44. 03-R-0165
45. 03-R-0166
46. 03-R-0167
47. 03-R-0168
48. 03-R-0169
49. 03-R-0170
50. 03-R-0171
51. 03-R-0172
52. 03-R-0173
53. 03-R-0174
54. 03-R-0175
55. 03-R-0176
56. 03-R-0177
57. 03-R-0178
58. 03-R-0179
59. 03-R-0180
60. 03-R-0181
61. 03-R-0201

Consent I Vote: 14Yeas; 0 Nays: (See RCS #4470)
Item Removed from the Consent Agenda: 03-R-0224