

Entered - 12/05/02 - sb
CL02L0901 - DIANNE C. MITCHELL

CLAIM OF: **JOHN CARTER STERCHO**
1098 Ashbury Drive
Decatur, Georgia 30030

ADOPTED BY
MAR 03 2003
COUNCIL

For damages alleged to have been sustained as a result of vehicular damage due to driving over an unraised manhole on November 20, 2002 at 1230 East Rock Springs Road.

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 **JOHN CARTER STERCHO** the sum of **\$991.42** 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 an unraised manhole on November 20, 2002 at 1230 East Rock Springs Road 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 K. DISANTIS**
CITY ATTORNEY

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

CERTIFIED
MAR 03 2003
ATLANTA CITY COUNCIL PRESIDENT
John W. Roseland

CERTIFIED
MAR 03 2003
R. L. Disantis
MUNICIPAL CLERK

FAVORABLE REPORT

COMM: *Public Safety*
DATE: *2-25-03*
CHAIR: *Cela Stevenson*
C. T. Martin
Mary Annwood
[Signature]
[Signature]
[Signature]

APPROVED
[Signature]
MAYOR



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R-0240

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 **John Carter Stercho** in the sum of **\$991.42** 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 an unraised manhole on November 20, 2002 at 1230 East Rock Springs Road** 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**

**MAR 03, 2003
MAR 11, 2003**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0901

Date: February 5, 2003

Claimant /Victim JOHN CARTER STERCHO

BY: (Atty)(Ins. Co.)

Address: 1098 Ashbury Drive, Decatur, Georgia 30030

Subrogation: Claim for Property damage \$ 991.42 Bodily Injury \$

Date of Notice: 12/04/02 Method: Written, proper X Improper

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

Date of Occurrence 11/20/02 Place: 1230 East Rock Springs Road

Department Public Works Bureau: Highways and Streets

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant damaged his vehicle when he drove over an unraised manhole. The investigation determined that the City failed to raise the manhole during a re-paving project.

INVESTIGATION:

Statements: City employee X Claimant Others Written Oral X

Pictures X Diagrams Reports: Police Dept Report 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 X City Negligent Joint Claim Abandoned

Respectfully submitted,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 991.42 Adverse Account charged: 1A01 X 2J01 2H01 2P01

Claims Manager: [Signature] Concur/date 02-06-03

Committee Action: Council Action

RCS# 4504
3/03/03
2:24 PM

Atlanta City Council

Regular Session

CONSENT 1

Pgs. 1-11: Except 03-R-0321;

Adopt

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

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

CONSENT 1

3/03/03 FULL COUNCIL MEETING

**Items Adopted on the
Consent Agenda**

1. 03-O-0154
2. 03-O-0155
3. 03-O-0156
4. 03-O-0157
5. 03-O-0158
6. 03-O-0159
7. 03-O-0227
8. 03-O-0230
9. 03-O-0231
10. 03-O-0278
11. 03-R-0232
12. 03-R-0285
13. 03-R-0216
14. 03-R-0222
15. 03-R-0309
16. 03-R-0226
17. 03-R-0283
18. 03-R-0284
19. 03-R-0324
20. 03-R-0237
21. 03-R-0238
22. 03-R-0239
23. 03-R-0240
24. 03-R-0241
25. 03-R-0242
26. 03-R-0243
27. 03-R-0245
28. 03-R-0279
29. 03-R-0280
30. 03-R-0281
31. 03-R-0282

**Items Adversed on the Consent
Agenda**

32. 03-R-0244
33. 03-R-0246
34. 03-R-0247
35. 03-R-0248
36. 03-R-0249
- 36.03-R-0250
- 37.03-R-0251
- 38.03-R-0252
39. 03-R-0253
40. 03-R-0254
41. 03-R-0255
42. 03-R-0256
43. 03-R-0257
44. 03-R-0258
45. 03-R-0259
46. 03-R-0260
47. 03-R-0261
48. 03-R-0262
49. 03-R-0263
50. 03-R-0264
51. 03-R-0265
52. 03-R-0266
53. 03-R-0267
54. 03-R-0268
55. 03-R-0269
56. 03-R-0270
57. 03-R-0271
58. 03-R-0272
59. 03-R-0273
60. 03-R-0274
61. 03-R-0275
62. 03-R-0276
63. 03-R-0277

Consent I Vote: 12Yeas; 0 Nays: (See RCS #4504)
Item Removed from the Consent Agenda: 03-R-0321