Entered - 02-19-03 - sb
CL 03L0138 - GWENDOLYN BURNS

CLAIM OF: **COURTNEY CHAPMAN**
63 Osner Drive, NW
Atlanta, Georgia 30342

03-R-0862

ADOPTED BY
JUN 16 2003
COUNCIL

For vehicular damages alleged to have been sustained due to a deteriorated construction site that created a road hazard on February 11, 2003 at Piedmont Avenue, NE & 14th Street, NE.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **COURTNEY CHAPMAN** the sum of **$748.50** 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 due to a deteriorated construction site that created a road hazard on February 11, 2003 at Piedmont Avenue, NE & 14th Street, NE 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.

CERTIFIED
JUN 16 2003
ATLANTA CITY COUNCIL PRESIDENT

APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

BY: _____
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

CERTIFIED
JUN 16 2003
MUNICIPAL CLERK

FAVORABLE REPORT
PUBLIC SAFTEY &
LEGAL ADMINISTRATION COMMITTEE
DATE: 6/10/03
CHAIR:

JUN 24 2003
MAYOR

zMUNICIPAL CLERK
ATLANTA, GEORGIA

03-R-0862

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 **Courtney Chapman** in the sum of **$748.50** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **due to a deteriorated construction site that created a road hazard on February 11, 2003 at Piedmont Avenue, NE and 14th Street, NE** 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 Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council JUN 16, 2003
APPROVED by the Mayor JUN 24, 2003

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0138 Date: May 24, 2003

Claimant /Victim COURTNEY CHAPMAN
BY: (Atty) (Ins. Co.) _____
Address: 63 Osner Drive, NW, Atlanta, Georgia 30342
Subrogation: _____ Claim for Property damage $ 748.50 Bodily Injury $ _____
Date of Notice: 2/18/03 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 2/11/03 Place: Piedmont Avenue, NE & 14th Street, NE
Department PUBLIC WORKS Division Street Operations
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant's vehicle sustained damage when she drove over a construction site that had deteriorated and caused a street defect. An investigation determined that the City was on notice of the problem but failed to properly repair the defect.

INVESTIGATION:

Statements: City employee X Claimant _____ Others X 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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:
Pay $ 748.50 Adverse _____ Account charged: 1A01 X 2J01 ____ 2PO1 ____ 2H01 ____
Claims Manager: _____ Concur/date 05-27-03
Committee Action: _____ Council Action _____

FORM 23-61

RCS# 4836
6/16/03
5:03 PM

Atlanta City Council

Regular Session

CONSENT I PAGES 1-13; EXCEPT: 03-R-0929; 03-O-0693
03-O-0913; 03-O-0668; 03-O-0669
ADOPT

YEAS:	10
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	3
EXCUSED:	1
ABSENT	2

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

CONSENT I

RCS# 4835
6/16/03
5:02 PM

Atlanta City Council

Regular Session

CONSENT I PAGES 1-13; EXCEPT: 03-R-0929; 03-O-0693
03-O-0913; 03-O-0668
RECONSIDER

YEAS:	9
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	4
EXCUSED:	1
ABSENT	2

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

CONSENT I

RCS# 4815
6/16/03
2:28 PM

Atlanta City Council

Regular Session

CONSENT I PAGES 1-13; EXCEPT: 03-R-0929; 03-O-0693
03-O-0913; 03-O-0668
ADOPT

YEAS:	11
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	3
EXCUSED:	0
ABSENT	2

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

		6/16/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	**ITEMS ADOPTED ON CONSENT**	**ITEMS ADVERSED ON CONSENT**
1. 03-O-0906	34. 03-R-0855	45. 03-R-0866
2. 03-O-0911	35. 03-R-0856	46. 03-R-0867
3. 03-O-0905	36. 03-R-0857	47. 03-R-0868
4. 03-O-0764	37. 03-R-0858	48. 03-R-0869
5. 03-O-0914	38. 03-R-0859	49. 03-R-0870
6. 03-O-0667	39. 03-R-0860	50. 03-R-0871
7. 03-O-0671	40. 03-R-0861	51. 03-R-0872
8. 03-O-0839	41. 03-R-0862	52. 03-R-0873
9. 03-O-0908	42. 03-R-0863	53. 03-R-0874
10. 03-O-0910	43. 03-R-0864	54. 03-R-0875
11. 03-O-0912	44. 03-R-0865	55. 03-R-0876
12. 03-R-0851		56. 03-R-0877
13. 03-R-0853		57. 03-R-0878
14. 03-R-0854		58. 03-R-0879
15. 03-R-0922		59. 03-R-0880
16. 03-R-0927		60. 03-R-0881
17. 03-R-0928		61. 03-R-0882
18. 03-R-0891		62. 03-R-0883
19. 03-R-0894		63. 03-R-0884
20. 03-R-0921		64. 03-R-0885
21. 03-R-0890		65. 03-R-0886
22. 03-R-0893		66. 03-R-0887
23. 03-R-0895		67. 03-R-0888
24. 03-R-0903		
25. 03-R-0938		
26. 03-R-0848		
27. 03-R-0849		
28. 03-R-0892		
29. 03-R-0918		
30. 03-R-0919		
31. 03-R-0923		
32. 03-R-0924		
33. 03-R-0897		

Consent I Vote: 10Yeas; 0Nays: (See RCS #4836)

Items Removed from the Consent Agenda: 03-O-0913; 03-O-0693; 03-O-0668; 03-O-0669; 03-O-0929