

Entered - 04/14/04 - sb  
CL - 04L0240 - LISA CARTER

04-*R*-1771

CLAIM OF: MARTELL D. WALKER,  
through his attorney Melvin Johnson  
5050 Memorial Drive  
Stone Mountain, Georgia 30083

For damages alleged to have been sustained as a result of an automobile accident on February 7, 2004 at Moreland Avenue and Moreland Drive.

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 **MARTELL D. WALKER, through his attorney Melvin Johnson** the sum of **\$5,514.89** 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 as a result of an automobile accident on February 7, 2004 at Moreland Avenue and Moreland Drive as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**.

APPROVED: LINDA K. DISANTIS  
CITY ATTORNEY

BY: \_\_\_\_\_  
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

**FAVORABLE REPORT**

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 10/12/04

CHAIR: [Signature]

C. Tim Marks

Mary Newwood

Carla Smith

Herb Smith

**APPROVED**  
[Signature]  
MAYOR

ADOPTED BY  
OCT 18 2004  
COUNCIL

**CERTIFICATE**  
OCT 18 2004  
ATLANTA CITY COUNCIL PRESIDENT  
[Signature]

**CERTIFICATE**  
OCT 18 2004  
MUNICIPAL CLERK  
[Signature]

**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

04-R-1771

**A RESOLUTION**

**BY: PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED y the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **MARTELL D. WALKER**, through his attorney **Melvin Johnson** the sum of **\$5,514.89** 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 as a result of an automobile accident on **February 7, 2004** at **Moreland Avenue and Moreland Drive** as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**.

A true copy,

*Reanda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

October 18, 2004  
October 20, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0067

Date: September 18, 2004

Claimant /Victim MARTELL D. WALKER

BY: (Atty) (Ins. Co.) Melvin Johnson

Address: 5050 Memorial Drive Stone Mountain, Georgia 30083

Subrogation:            Claim for Property damage \$ 5,911.52 Bodily Injury \$           

Date of Notice: 04/07/04 Method: Written, proper X Improper           

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

Date of Occurrence 02/07/04 Place: Moreland Avenue and Moreland Drive

Department Police Services Bureau:            Division:           

Employee involved Johnny L. Smith Disciplinary Action: 2-day suspension without pay

NATURE OF CLAIM: The driver of a city vehicle failed to yield right-of-way upon entering the intersection striking the claimant's vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee X Claimant            Others            Written X Oral           

Pictures X Diagrams            Reports: Police X Dept Report X Other           

Traffic citations issued: City Driver X Claimant Driver X

Citation disposition: City Driver            Claimant Driver           

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial           

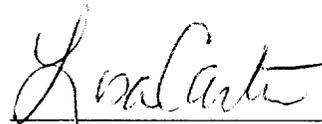
Improper Notice            More than Six Months            Other            Damages reasonable           

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 - LISA CARTER

RECOMMENDATION:

Pay \$ 5,514.89 Adverse            Account charged: 1A01 X 2J01            2H01           

Claims Manager: *[Signature]* Concur/date 09/30/04

Committee Action:            Council Action

RCS# 6139  
10/18/04  
2:33 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 6-18, EXCEPT:04-O-1369  
04-R-1764 04-R-1765  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

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

CONSENT I

10-04-04 Council Meeting		
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1570	38. 04-R-1772	48. 04-R-1783
2. 04-O-1586	39. 04-R-1773	49. 04-R-1784
3. 04-O-1667	40. 04-R-1774	50. 04-R-1785
4. 04-O-1669	41. 04-R-1775	51. 04-R-1786
5. 04-O-1670	42. 04-R-1776	52. 04-R-1787
6. 04-O-1671	43. 04-R-1777	53. 04-R-1788
7. 04-O-1672	44. 04-R-1778	54. 04-R-1789
8. 04-O-1658	45. 04-R-1779	55. 04-R-1790
9. 04-O-1807	46. 04-R-1780	56. 04-R-1791
10. 04-O-1810	47. 04-R-1781	57. 04-R-1792
11. 04-O-1813		58. 04-R-1793
12. 04-O-1817		59. 04-R-1794
13. 04-O-1850		
14. 04-O-1651		
15. 04-O-1654		
16. 04-O-1808		
17. 04-R-1472		
18. 04-R-1751		
19. 04-R-1798		
20. 04-R-1485		
21. 04-R-1759		
22. 04-R-1760		
23. 04-R-1761		
24. 04-R-1797		
25. 04-R-1824		
26. 04-R-1825		
27. 04-R-1762		
28. 04-R-1754		
29. 04-R-1755		
30. 04-R-1756		
31. 04-R-1757		
32. 04-R-1827		
33. 04-R-1799		
34. 04-R-1768		
35. 04-R-1769		
36. 04-R-1770		
37. 04-R-1771		