Entered – 4-25-05 sb
CL 05L0332 - GWENDOLYN BURNS

05-R-1145

CLAIM OF: **SAMUEL W. KIGHT**
430 Brookview Circle, NW
Atlanta, Georgia 30339

For property damages allegedly sustained when a driveway was broken up and never repaired in an attempt to locate a water meter on February 15, 2005 at 430 Brookview Circle, NW.

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 **SAMUEL W. KIGHT** the sum of **$1,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for property damages allegedly sustained when a driveway was broken up and never repaired in an attempt to locate a water meter on February 15, 2005 at 430 Brookview Circle, NW as is more particularly set forth in the within claim; said sum taken from and charged to account **2J01/529017/Q30001**.

APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

BY: _____
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADOPTED BY
COUNCIL
JUL 05 2005

JUL 05 2005

MUNICIPAL CLERK

FAVORABLE REPORT
PUBLIC SAFTEY &
LEGAL ADMINISTRATION COMMITTEE
DATE: 6/28/05
CHAIR:

MAYOR

MUNICIPAL CLERK
ATLANTA, GEORGIA

05-R-1145

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 **Samuel W. Kight** in the sum of **$1,000.00** 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 driveway was broken up and never repaired in an attempt to locate a water meter on February 15, 2005 at 430 Brookview Circle, NW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 2J01/529017/Q30001, Settlement of Suits and Claims, Department of Law.

A true copy,

Deputy Clerk

ADOPTED by the City Council JUL 05, 2005
APPROVED by the Mayor JUL 12, 2005

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 05L0332 Date: June 14, 2005

Claimant /Victim SAMUEL W. KIGHT
BY: (Atty) (Ins. Co.)
Address: 430 Brookview Circle, NW, Atlanta, Georgia 30339
Subrogation: _____ Claim for Property damage $ 1,000.00 Bodily Injury $ _____
Date of Notice: 4/18/05 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 2/15/05 Place: 430 Brookview Circle, NW
Department WATERSHED MANAGEMENT Bureau: Drinking Water
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant sustained property damages when a city crew failed to repair his driveway after breaking the driveway up to locate a water meter.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ 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,

INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay $ 1,000.00 Adverse Account charged: 1A01 _____ 2PO1 _____ 2J01 X 2H01 _____
Claims Manager: _____ Concur/date 06/15/05
Committee Action: _____ Council Action _____

FORM 23-61

RCS# 6810
7/05/05
3:03 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 5-19 EXCEPT 05-R-1140

ADOPT

YEAS:	13
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	3
EXCUSED:	0
ABSENT	0

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

CONSENT I

		7/05/05
ITEMS ADOPTED ON CONSENT	**ITEMS ADOPTED ON CONSENT**	**ITEMS ADVERSED ON CONSENT**
1. 05-O-1198	31. 05-R-1142	43. 05-R-1153
2. 05-O-1071	32. 05-R-1143	44. 05-R-1154
3. 05-O-1050	33. 05-R-1144	45. 05-R-1155
4. 05-O-1051	34. 05-R-1145	46. 05-R-1156
5. 05-O-1206	35. 05-R-1146	47. 05-R-1157
6. 04-O-1364	36. 05-R-1147	48. 05-R-1158
7. 05-O-1058	37. 05-R-1148	49. 05-R-1159
8. 05-O-1059	38. 05-R-1149	50. 05-R-1160
9. 05-O-1083	39. 05-R-1150	51. 05-R-1161
10. 05-O-1092	40. 05-R-1151	52. 05-R-1162
11. 05-R-0113	41. 05-R-1152	53. 05-R-1163
12. 05-R-1213	42. 05-R-1238	54. 05-R-1164
13. 05-R-1007		55. 05-R-1165
14. 05-R-1046		56. 05-R-1166
15. 05-R-1048		57. 05-R-1167
16. 05-R-1088		58. 05-R-1168
17. 05-R-1137		59. 05-R-1169
18. 05-R-1138		60. 05-R-1170
19. 05-R-1139		61. 05-R-1171
20. 05-R-1141		62. 05-R-1172
21. 05-R-1196		63. 05-R-1173
22. 05-R-1239		64. 05-R-1174
23. 05-R-1136		65. 05-R-1175
24. 05-R-1124		66. 05-R-1176
25. 05-R-1125		67. 05-R-1177
26. 05-R-1130		68. 05-R-1178
27. 05-R-1193		69. 05-R-1179
28. 05-R-1197		70. 05-R-1180
29. 05-R-1212		71. 05-R-1181
30. 05-R-1237		72. 05-R-1182
		73. 05-R-1183
		74. 05-R-1184
		75. 05-R-1185
		76. 05-R-1186
		77. 05-R-1187
		78. 05-R-1188
		79. 05-R-1189
		80. 05-R-1190
		81. 05-R-1191