

Date..... September 11, 2006

WHEREAS, Justin Maschke, a Public Works Department employee, sustained bilateral carpal tunnel syndrome over the course of his City employment from frequent use of forestry tools; and

WHEREAS, following surgery, Mr. Maschke still has some remaining symptoms, and the surgeon has assigned impairment ratings of 3% to the left arm and 5% to the right arm; and

WHEREAS, Mr. Maschke, through his attorney, is willing to settle his workers' compensation claim by agreement for settlement with payment of 27.5 weekly payments at a weekly rate of \$426.06, all in lump sum; and


WHEREAS, it is the opinion of the Legal Department that this settlement, representing a 5.5% disability, is in the best interests of the City of Des Moines; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

That payment in the amount of \$11,716.65 in lump sum to Justin Maschke be and is hereby approved, subject to approval of an agreement for settlement by the Workers' Compensation Commissioner, and the Finance Director is authorized to draw warrants accordingly.

MOVED BY _____ TO ADOPT

FORM APPROVED:


 Steven C. Lussier
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 Mayor

 City Clerk