

Date: November 9, 2009

WHEREAS, Michelle Mills, a former Public Works employee, sustained a back injury on October 8, 2004; and

WHEREAS, Ms. Mills incurred these injuries within the course and scope of her employment; and

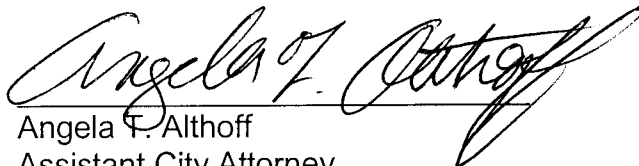
WHEREAS, a proposed settlement for 85% to the body as a whole has been reached as a result of the back injury; and

WHEREAS, it is the opinion of the Legal Department that payment of the settlement agreement would be in the best interest of the City of Des Moines, which after credit for previous payments made equals \$168,054.37; NOW, THEREFORE,

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

That payment of \$168,054.37 to Michelle Mills and her attorney, Tom Werner, 1441 29th St., Ste. 111, West Des Moines, IA 50266, be made and the same is hereby approved and the Finance Director is authorized and directed to draw a warrant accordingly under Fund Codes 529810 EN101 PWK074044.

FORM APPROVED: _____ MOVED BY _____ TO ADOPT


 Angela T. Althoff
 Assistant City Attorney

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

MOTION CARRIED APPROVED

.....
Mayor

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.

 City Clerk