



Roll Call Number

09-2185

Agenda Item Number

23

Date

December 7, 2009

WHEREAS, Jon Wille and Nancy Wille, filed a lawsuit against the City of Des Moines and Douglas Ames claiming personal injuries and loss of consortium arising out of a motor vehicle accident on February 26, 2007; and

WHEREAS, the Plaintiffs allege the City driver was negligent in the operation of the City vehicle in the accident; and

WHEREAS, the Plaintiffs are willing to settle the lawsuit for the amount of \$23,877.98 over and above the motor vehicle property damage previously paid by the City; and

WHEREAS, it is the opinion of the Legal Department that settlement of the lawsuit would be in the best interest 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 \$23,877.98 to The Trust Account of LaMarca and Landry, P.C., Jon Wille and Nancy Wille, be and is hereby approved for settlement of the lawsuit, and the Finance Director is authorized to draw warrants accordingly under fund code 529410, GE001, CDD161000.

MOVED BY Vlassis TO ADOPT

FORM APPROVED:

Steven C. Lussier

Steven C. Lussier
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin
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.

Diane Rauh

City Clerk