

★ **Roll Call Number**

10-1468

Agenda Item Number

33C

Date September 13, 2010

WHEREAS, Stan Mitchell, a former Parks Department employee, sustained injuries to his back, knee and ankle in 2007 and 2008; and

WHEREAS, Mr. Mitchell incurred these injuries within the course and scope of his employment; and

WHEREAS, a proposed settlement for \$153,000.00 has been reached as a result of the injuries; and

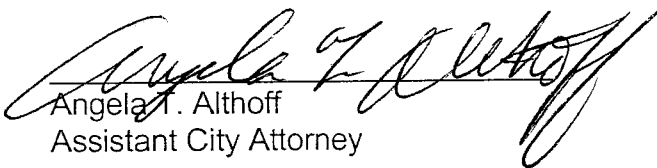
WHEREAS, it is the opinion of the Legal Department that payment of the settlement agreement would be in the best interest of the City of Des Moines; NOW, THEREFORE,

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

That payment of \$153,000.00 to Stan Mitchell and his attorney, Jason D. Neifert, Max Schott & Associates, P.C., 6611 University Ave., Ste. 200, Des Moines, IA 50311, 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 GE001 PKS040700.

FORM APPROVED:

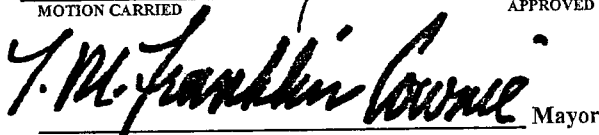
MOVED BY Hensley TO ADOPT


Angela T. Althoff
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

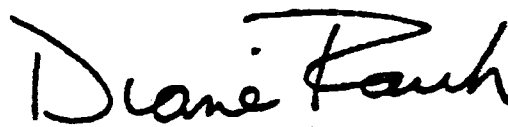
APPROVED


T. M. Franklin Cownie
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