

★ **Roll Call Number**

11-1580

**Agenda Item Number**

27

Date September 12, 2011

WHEREAS, Michael Palik, a Public Works employee, injured his sternum while working on January 21, 2009; and

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

WHEREAS, Mr. Palik has now received a rating and restrictions and left employment with the City of Des Moines; and

WHEREAS, the City has negotiated a settlement; and

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

BE IT RESOLVED by the City Counsel of the City of Des Moines, Iowa;

That payment of \$130,000 to Michael Palik and his attorney David Drake be made and the same is hereby approved and the Finance Director is authorized and directed to draw a warrant accordingly under Fund Codes PWK040400 Pub Wrks SP360.

FORM APPROVED:

*Angela T. Althoff*  
 Angela T. Althoff  
 Assistant City Attorney

MOVED BY *Mahaffey* TO ADOPT

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

*T. M. Franklin*  
 Mayor

*Diane Rauh*  
 City Clerk