



Roll Call Number

11-2053

Agenda Item Number

20

Date December 5, 2011

WHEREAS, Robert Van Cleave, a Public Works employee, injured his shoulders, knee, back and neck while he was a passenger in a truck that tipped over; and

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

WHEREAS, Mr. Van Cleave has received a rating from an independent medical exam of 9% to the neck; and

WHEREAS, the City is required by law to pay this rating; and

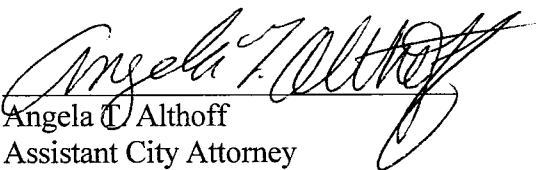
WHEREAS, it is the opinion of the Legal Department that payment of the rating and a small amount of industrial disability would be in the best interest of the City of Des Moines; NOW, THEREFORE,

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

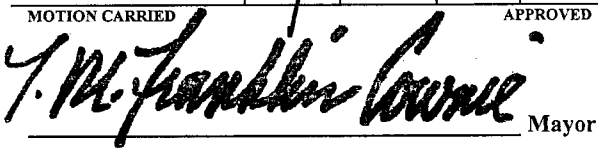
That payment of \$28,041.00 to Robert Van Cleave and his attorney, Jim Lawyer, Lawyer, Lawyer, Dutton & Drake, L.L.P., 1415 Grand Ave., West Des Moines, IA 50265, be made and the same is hereby approved and the Finance Director is authorized and directed to draw a warrant accordingly under Fund Codes 529810 SP360 PWK040400.

FORM APPROVED:

MOVED BY Mahaffey TO ADOPT.


Angela T. Althoff
Assistant City Attorney

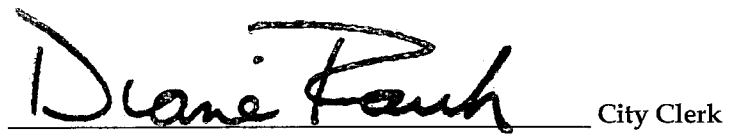
COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED 7 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