



Legislation Details (With Text)

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Title: To authorize and direct the City Attorney to settle the lawsuit of William Crandell vs. the City of Columbus, et al. pending in the Franklin County Court of Common Pleas; to authorize the expenditure of the sum of \$60,000.00 in settlement of this lawsuit; and to declare an emergency. (\$60,000.00)

Sponsors:

Indexes:

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Attachments:

Date	Ver.	Action By	Action	Result
6/22/2016	1	CITY CLERK	Attest	
6/21/2016	1	ACTING MAYOR	Signed	
6/20/2016	1	COUNCIL PRESIDENT	Signed	
6/20/2016	1	Columbus City Council	Approved	Pass

This Ordinance is submitted to settle the lawsuit known as *William Crandell v. The City of Columbus, et al.*, Case No. 15CV-07-5864 in the Court of Common Pleas, Franklin County, Ohio, in the amount of sixty thousand dollars (\$60,000.00). On July 10, 2013, Mr. Crandell was in the course of his employment when his vehicle was struck by a City-owned truck driven by Clifford Manausa, an employee of the Department of Public Service. Mr. Crandell sustained injuries that required surgery and lost earnings as a result of the accident.

Funding for this expenditure will come from the Street Construction Maintenance and Repair Fund, Fund number 2265.

To authorize and direct the City Attorney to settle the lawsuit of *William Crandell vs. the City of Columbus, et al.* pending in the Franklin County Court of Common Pleas; to authorize the expenditure of the sum of \$60,000.00 in settlement of this lawsuit; and to declare an emergency. (\$60,000.00)

WHEREAS, following the evaluation of the claims in the lawsuit known as *William Crandell v. The City of Columbus, et al.*, Case No. 15CV-07-5864 in the Court of Common Pleas, Franklin County, Ohio, and the risk of continued litigation, the settlement of this lawsuit against the City of Columbus and Clifford Manausa in the amount of Sixty Thousand Dollars (\$60,000.00) to be paid by the City was deemed acceptable by the Department of Public Service, along with dismissal of the case with prejudice and a release of the City of Columbus and its employees from any further liability; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Service in that it is necessary for this ordinance to be effective immediately in order for the parties to effectuate the settlement of this lawsuit, which is in the best interest of the City, and to pay the agreed to sum without delay; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the City Attorney be and hereby is authorized and directed to settle all claims against the City of Columbus, its officers, agents, and employees pending in the case known as *William Crandell v. City of Columbus, et al.*,

Case No. 15CV-07-5864, in the Court of Common Pleas, Franklin County, Ohio, by payment of sixty thousand and 00/100 dollars (\$60,000.00) as a reasonable and fair amount and in the best interest of the City of Columbus.

Section 2. That the City Attorney, in order to pay for this settlement for the Department of Public Service, is hereby authorized to spend up to Sixty Thousand and 00/100 U.S. Dollars (\$60,000.00) from the existing financial document BRDI000399, previously established for this purpose.

Section 3. That the City Auditor be and is hereby authorized to draw a warrant upon the City Treasurer one for the sum of Sixty Thousand and 00/100 Dollars (\$60,000.00) payable to William Crandell and his attorneys Scott W. Schiff & Assoc. Co. LPA upon receipt of a voucher and a release approved by the City Attorney.

Section 4. That for the reasons stated in the preamble hereto, which is made a part hereof, this ordinance is hereby declared to an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.