

Date June 22, 2009

WHEREAS, David Melling has a workers' compensation claim against the City arising out of a December 12, 2006 work injury; and

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

WHEREAS, Mr. Melling has been assigned an impairment rating of 13% to the body as a whole, which has been paid; and

WHEREAS, the Legal Department has negotiated a settlement of the industrial disability; and

WHEREAS, it is the opinion of the Legal Department that the 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 of \$15,555.54 to David Melling and his attorney, David Drake, Lawyer, Lawyer, Dutton & Drake, LLP, 1415 Grand Avenue, 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 EN000 PWK071001.

FORM APPROVED:

MOVED BY _____ TO ADOPT

Angela T. Althoff
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, MEYER, VLASSIS, and TOTAL.

MOTION CARRIED

APPROVED

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