

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

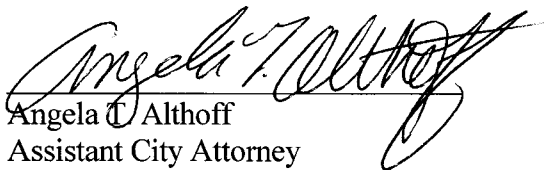
WHEREAS, the City is required by law to pay this rating; and

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 _____ TO ADOPT


 Angela T. Althoff
 Assistant City Attorney

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