

REPORT TO THE CITY COUNCIL FROM
THE CLAIMS COMMITTEE
STANDING COMMITTEE OF THE MINNEAPOLIS CITY COUNCIL
October 6, 2015

A regular meeting of the committee was convened at 1:32 p.m. on this date.

Members Present: Council Members Lisa Goodman (Chair), John Quincy, Kevin Reich, Cam Gordon, Barbara Johnson and Elizabeth Glidden (Quorum 4)

Tim Skarda, Assistant City Attorney, was asked to brief committee members on what should be considered when reviewing a claim. The Committee should consider whether there was negligence on the part of the City and whether an injury was the result of an act, or failure to act, and could have been reasonably foreseen. The claimants have full appeal rights to conciliation court or district court in the county of Hennepin.

Matters listed below are hereby submitted with the following recommendations; to-wit:

1. Mymique Baxter claim: 202 Valley St, Mankato, MN ([15-01235](#))

Considering appeal filed by Mymique Baxter, 202 Valley St, Mankato, MN, from the decision of the Staff Claims Committee denying a claim in the amount of \$156, relating to a towed vehicle.

Staff presentation by Tim Skarda, Assistant City Attorney, and Ellen Velasco-Thompson, Director of Risk Management and Claims.

The meeting was opened for comment by the appellant and/or their representative. The following person spoke on behalf of the appeal:

1. Mymique Baxter

On motion by B. Johnson, carried on voice vote, the appeal was denied.

2. Amelia Douglas claim: 1411 Newton Ave N, Minneapolis, MN ([15-00524](#))

Considering appeal filed by Amelia Douglas, 1411 Newton Ave N, Minneapolis, from the decision of the Staff Claims Committee denying a claim in the amount of \$283, relating to a towed vehicle.

Postponed from Claims Committee on April 28, 2015.

Staff presentation by Tim Skarda, Assistant City Attorney.

The meeting was opened for comment by the appellant and/or their representative. No one was present to speak on behalf of the appeal.

On motion by Goodman, carried on voice vote, the appeal was denied.

3. Stacey Hicks claim: 8842 Danton Way, Eden Prairie, MN ([15-01237](#))

Considering appeal filed by Stacey Hicks, 8842 Danton Way, Eden Prairie, MN, from the decision of the Staff Claims Committee denying a claim in the amount of \$138, relating to a towed vehicle.

Staff presentation by Tim Skarda, Assistant City Attorney; Jeff Miller, Department of Regulatory Services/Traffic Control; and Mike Kennedy, Department of Public Works/Director of Transportation Maintenance & Repair.

The meeting was opened for comment by the appellant and/or their representative. The following person spoke on behalf of the appeal:

1. Stacey Hicks

On motion by Quincy, carried on voice vote, the appeal was denied.

4. Muriel Jorvig claim: 4223 Highland Road, Minnetonka, MN ([15-01238](#))

Considering appeal filed by Muriel Jorvig, 4223 Highland Road, Minnetonka, MN, from the decision of the Staff Claims Committee denying a claim in the amount of \$18,239.60, relating to personal injury.

Staff presentation by Tim Skarda, Assistant City Attorney; Mike Kennedy, Department of Public Works/Director of Transportation Maintenance & Repair; and Ellen Velasco-Thompson, Director of Risk Management and Claims.

The meeting was opened for comment by the appellant and/or their representative. The following person spoke on behalf of the appeal:

1. Muriel Jorvig

On motion by Reich, carried on voice vote, the appeal was sent forward without recommendation. Claims staff was directed to negotiate a proposed settlement for the claim.

Chair Goodman afforded the courtesy of the floor to Rico Rogers, Tort Claims Coordinator, who presented a revised staff recommendation for payment of the claim in the amount of \$8,257.10.

Reich's motion to forward without recommendation was reconsidered.

On motion by Goodman, carried on voice vote, the claim was approved for payment in the amount of \$8,257.10.

5. Larry Kutzler claim: 1418 Adams St NE, Minneapolis, MN ([15-01239](#))

Considering appeal filed by Larry Kutzler, 1418 Adams St NE, Minneapolis, MN, from the decision of the Staff Claims Committee denying a claim in unspecified amount relating to property damage.

Staff presentation by Tim Skarda, Assistant City Attorney, and Mike Kennedy, Department of Public Works/Director of Transportation Maintenance & Repair.

The meeting was opened for comment by the appellant and/or their representative. The following person spoke on behalf of the appeal:

1. Larry Kutzler

On motion by Reich, carried on voice vote, the appeal was denied.

6. Tort Claims Summary Report ([15-01240](#))

Receiving Tort Claims Summary Report for 2015, 3rd Quarter.

On motion by Goodman, carried on voice vote, the matter was received and filed.

7. Claims Committee right of appeal process resolution ([15-01265](#))

Passage of Resolution amending the City Council action of June 27, 1997, establishing a Staff Claims Committee with right of appeal to a City Council Claims Committee by rescinding the right of appeal to the City Council Claims Committee (**Refer to W&M**).

Staff presentation by Ellen Velasco-Thompson, Director of Risk Management and Claims.

On motion by Glidden, carried on voice vote, the matter was approved and referred to W&M Committee.

With no further business to transact, the meeting adjourned at 2:36 p.m.

Reported by Irene Kasper, Committee Coordinator