

PUBLIC WORKS AND UTILITIES COMMITTEE

08-0691R

RESOLUTION APPROVING SETTLEMENT OF CLAIM OF PAUL AND PEG
PODEMSKI IN THE AMOUNT \$12,461.63.

CITY PROPOSAL:

RESOLVED, that the proper city officials are authorized to pay to Paul and Peg Podemski the sum of \$12,461.63 in full and final settlement of the claim which arose out of a blockage in the municipal sanitary sewer near 205 102nd Avenue West on August 16, 2008; payment to be made from Self-Insurance Fund 610, Agency 036, Organization 1653, Object 5841.

Approved:

Approved for presentation to council:

Department Director

Chief Administrative Officer

Approved as to form:

Approved:

Attorney

Auditor

PW&U/ATTY DD:blj 11/4/2008

STATEMENT OF PURPOSE: On August 16, 2008, a blockage occurred in the municipal sanitary sewer. As a result of that blockage, sewage flowed into the basement of the house located at 205 102nd Avenue West. This home is owned by Paul and Peg Podemski. The overflow event caused damages to the home and to personal property.

The city's liability is based upon the duties and obligations to maintain the public sewers and keep them free of debris.

Proper notice of claim was given. The city of Duluth has investigated this claim and verified the damages and expenses. The civil division of the city attorney's office analyzed the city's loss exposure. The city attorney's office recommends settlement of this claim in the amount of \$12,461.63.