



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2020-647, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of William Kehoe against the Metropolitan Government of Nashville and Davidson County in the amount of \$60,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on February 15, 2020, William Kehoe fell on a sidewalk gap at 213 Broadway resulting in an ankle fracture; and,

WHEREAS, after investigation, the Metropolitan Department of Law believes that the settlement listed in Section 1 is fair and reasonable and in the best interest of the Metropolitan Government and recommends that any and all claims or causes of action brought or that could have been brought by William Kehoe related to the events detailed above, be compromised and settled for \$60,000.00, and that this amount be paid from the Self-Insured Liability Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: The Metropolitan Department of Law is authorized to compromise and settle the personal injury claim of William Kehoe for the sum of \$60,000.00 with said amount to be paid from the Self-Insured Liability Fund.

Section 2: This resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This resolution authorizes the Department of Law to settle the personal injury claim of William Kehoe against the Metropolitan Government for the amount of \$60,000 to be paid out of the self-insured liability fund. On February 15, 2020, Mr. Kehoe broke his ankle after tripping on the sidewalk at 213 Broadway while visiting Nashville from Chicago. Metro Public Works had recently worked on the sidewalk in the area and had installed a ramp that was not properly tapered to the sidewalk leaving a lip on the ramp. Mr. Kehoe was treated for the broken ankle in Nashville and sought further treatment in Chicago. He couldn't work for several months after the fall, and is likely to require further treatment. His medical bills total \$28,675.43.

The Department of Law recommends settling this claim for the amount of the medical bills plus \$31,324.57 in pain and suffering/lost wages. Metro would be found to be at fault since it installed the dangerous or defective condition.

Fiscal Note: This \$60,000 settlement, along with the settlements per Resolution No. RS2020-645 and Resolution No. RS2020-646, would be the 17th, 18th, and 19th payments from the Self-Insured Liability Fund in FY21 for a cumulative total of \$1,195,369. The fund balance would be \$1,902,060 after these payments.