



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2023-87, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Roger Z. Bell against the Metropolitan Government for \$55,000.00 with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on December 1, 2022, an officer with the Metro Nashville Police Department (MNPD), while operating a vehicle owned by the Metropolitan Government, was traveling east on Wedgewood Avenue when he attempted to turn left onto Hillside Drive. Roger Bell was traveling west on Wedgewood Avenue on his Harley-Davidson motorcycle. Mr. Bell did not have enough time to stop and struck the passenger side of the MNPD vehicle sending him airborne and onto the pavement, causing him extensive personal injuries.

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 the personal injury claim of Roger Z. Bell be compromised and settled for \$55,000.00, 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 Roger Z. Bell for the sum of \$55,000.00 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

On December 1, 2022, a Metropolitan Nashville Police Department officer was driving east on Wedgewood Avenue when he attempted to turn left onto Hillside Drive. The officer was not en route to a call and did not have his vehicle's lights or sirens activated. When making the turn, the officer did not see Roger Bell, who was riding his motorcycle in the opposite direction on Wedgewood Avenue. Mr. Bell did not have enough time to stop and struck the passenger side of the officer's vehicle

Mr. Bell was taken to the emergency room, where he underwent x-rays and a CT scan. He was diagnosed with a C7-T1 facet fracture. Mr. Bell was recommended to wear a cervical rigid collar to restrict neck movement and released from care after a follow-up visit.

The Department of Law recommends settlement of Mr. Bell's personal injury and property claims in the amount of \$55,000, which includes his hospital and medical bills, property damage, and pain and suffering.

Disciplinary action against the MNPD officer involved consisted of a written reprimand.

Fiscal note: This \$55,000 settlement, along with the settlements per Resolution Nos. RS2023-73, RS2023-81,

RS2023-85, RS2023-86 and RS2023-91 would be the 10th, 11th, 12th, 13th, 14th, and 15th payments from the Self-Insured Liability Fund in FY24 for a cumulative total of \$724,800. The fund balance would be \$15,906,418 after these payments.