



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2021-925

**Type:** Resolution **Status:** Passed

**File created:** 4/22/2021 **In control:** Metropolitan Council

**On agenda:** 5/4/2021 **Final action:** 5/4/2021

**Title:** A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Tye Ebel against the Metropolitan Government of Nashville and Davidson County in the amount of \$31,636.60, with said amount to be paid out of the Self-Insured Liability Fund.

**Sponsors:** Kyonzte Toombs

**Indexes:**

**Code sections:**

**Attachments:** 1. RS2021-925 Letter to Metro Clerk

Date	Ver.	Action By	Action	Result
5/5/2021	1	Mayor	approved	
5/4/2021	1	Metropolitan Council	adopted	
5/3/2021	1	Budget and Finance Committee	approved	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of Tye Ebel against the Metropolitan Government of Nashville and Davidson County in the amount of \$31,636.60, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on January 26, 2021, employees of the Metropolitan Water and Sewer Department were cleaning the main sewer line when they encountered a clog that caused sewage to back-up inside Tye Ebel's property at 1704 Shelby Avenue, resulting in extensive property damage; and,

WHEREAS, after investigation, the Department of Law believes the settlement listed in Section 1 is fair and reasonable and in the best interest of the Metropolitan Government and recommends that the property damage claim of Tye Ebel be compromised and settled for a total of \$31,636.60, 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 property damage claim of Tye Ebel for the sum of \$31,636.60, 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 settles the property damage claim of Tye Ebel against Metro for the amount of \$31,636.60 to be paid out of the self-insured liability fund. On January 26, 2021, Metro Water Services employees were

working to repair a massive clog in the sewer line when sewage backed up into Mr. Ebel's home located at 1704 Shelby Avenue, causing significant damage to personal property and to several rooms in the home. The family was also displaced while the home was repaired.

This resolution settles the amount of the claim for the actual cost of the repair work plus lodging expenses and destroyed personal property. The total amount of the settlement is \$31,636.60, with \$15,177.49 going to Mr. Ebel and \$16,459.11 to his insurance carrier.

*Fiscal Note: This \$31,636.60 settlement would be the 31<sup>st</sup> payment from the Self-Insured Liability Fund in FY21 for a cumulative total of \$1,747,061. The fund balance would be \$1,192,517 after these payments.*