



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

<b>File #:</b>	RS2023-2077	<b>Name:</b>	
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	3/8/2023	<b>In control:</b>	Metropolitan Council
<b>On agenda:</b>	3/21/2023	<b>Final action:</b>	3/21/2023
<b>Title:</b>	A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Jeffery Wilson against the Metropolitan Government for \$27,700.00, with said amount to be paid out of the Self-Insured Liability Fund.		
<b>Sponsors:</b>	Kevin Rhoten		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Letter to Metro Clerk		

Date	Ver.	Action By	Action	Result
3/23/2023	1	Mayor	approved	
3/21/2023	1	Metropolitan Council	adopted	
3/20/2023	1	Budget and Finance Committee	approved	
3/14/2023	1	Metropolitan Council	filed	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Jeffery Wilson against the Metropolitan Government for \$27,700.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on October 6, 2022, Jeffery Wilson had exited I-65 North and stopped his vehicle in the far-left turn lane at the intersection of the I-65 North exit ramp and Trinity Lane West. When the traffic signal turned green, Mr. Wilson proceeded to initiate a left turn onto Trinity Lane West. An NDOT truck, driven by a Metro employee, was east bound on Trinity Lane and failed to stop at the red traffic signal at the intersection of Trinity Lane and the I-65 North exit ramp, colliding with Mr. Wilson's vehicle and, causing injury to Mr. Wilson; 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 the personal injury claim of Jeffery Wilson be compromised and settled for \$27,700.00, 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 Jeffery Wilson for the sum of \$27,700.00 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 October 6, 2022, Jeffrey Wilson was driving on I-65 and began existing onto West Trinity Lane. He was in the far-left double turn lane and started to proceed through the intersection with a green traffic signal. An employee of the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT") was driving an NDOT truck east on Trinity Lane when the traffic signal turned red. The NDOT employee was pulling a flatbed trailer with a mini excavator, with a combined weight of approximately 29,000 pounds. The NDOT employee was unable to stop at the red light and collided with the driver's side of Mr. Wilson's vehicle, pushing it into the vehicle on his right. Metro previously paid \$7,723.74 to Mr. Wilson's insurance carrier related to his vehicle.

Mr. Wilson was taken by ambulance to a hospital with complaints of head, neck, and left shoulder pain. X-rays and a CT scan were taken. He was diagnosed with a concussion, cervical strain, and left shoulder contusion. He followed up with his primary care physician and was referred for physical therapy.

The Department of Law recommends settlement of Mr. Wilson's personal injury claim for \$27,700, which includes \$12,774.21 in medical costs, \$1,047.18 in lost wages, and \$13,878.61 in pain and suffering.

The NDOT employee involved resigned on October 19, 2022.

*Fiscal Note: This \$27,700 settlement, along with the settlement per Resolution Nos. RS2023-2080 would be the 23<sup>rd</sup> and 24<sup>th</sup> payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$820,340. The fund balance would be \$17,216,100 after these payments.*