



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2022-1838, **Version:** 1

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Andrickia Wiseman against the Metropolitan Government of Nashville and Davidson County in the amount of \$25,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on January 6, 2022, a Metro Fire Department engine, with lights and siren activated, attempted to brake on an icy and snow-covered Jefferson Street at the intersection of Jefferson Street and Third Avenue North, striking a WeGo Public Transit bus in which Andrickia Wiseman was a passenger, causing injury to Ms. Wiseman; 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 Andrickia Wiseman be compromised and settled for \$25,000.00, 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 Andrickia Wiseman, for the sum of \$25,000.00, 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 January 6, 2022, Andrickia Wiseman was a passenger on a WeGo Public Transit bus. A Nashville Fire Department ("NFD") engine was traveling north on Jefferson Street with emergency equipment activated. The WeGo bus was driving through the intersection of Jefferson Street and Third Avenue North on a green traffic signal when the NFD engine slid on ice, colliding with the right rear of the bus. The bus spun on the roadway and Ms. Wiseman struck her right shoulder on the bus window, causing the window to shatter. NDF previously paid MTA/WeGo for property damage to the bus in the amount of \$28,040.96.

Ms. Wiseman was transported to the hospital with right shoulder and neck pain. X-rays were taken and she was diagnosed with a right clavicle fracture.

The Metropolitan Department of Law recommends settlement of Ms. Wiseman's personal injury claim for \$25,000, which includes \$11,677.63 in medical expenses and \$13,322.37 in pain and suffering.

Disciplinary action against the NFD engine driver consisted of a ten-day suspension and additional driver training. Another NFD employee received a five-day suspension.

Fiscal Note: This \$25,000 settlement, along with the settlement per Resolution Nos. RS2022-1837, be the 13th

and 14th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$498,221. The fund balance would be \$15,745,091 after these payments.