



## Legislation Details (With Text)

**File #:** SC-1819-4    **Version:** 1    **Name:** Special Claim from Anatole at Norman  
**Type:** Special Claim    **Status:** Passed  
**File created:** 11/14/2018    **In control:** City Council  
**On agenda:** 11/27/2018    **Final action:** 11/27/2018  
**Title:** SPECIAL CLAIM SC-1819-4: SUBMITTED BY ANATOLE AT NORMAN IN THE AMOUNT OF \$6,034.87 FOR DAMAGE TO A METAL SWING GATE AS A RESULT OF AN INCIDENT WITH A SANITATION TRUCK AT 3700 WEST TECUMSEH ROAD ON OCTOBER 24, 2018.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Text File, 2. Memo from City Clerk, 3. Notice of Tort Claim, 4. Estimate of Damage and Repair, 5. Photograph

| Date       | Ver. | Action By    | Action | Result |
|------------|------|--------------|--------|--------|
| 11/27/2018 | 1    | City Council |        |        |

SPECIAL CLAIM SC-1819-4: SUBMITTED BY ANATOLE AT NORMAN IN THE AMOUNT OF \$6,034.87 FOR DAMAGE TO A METAL SWING GATE AS A RESULT OF AN INCIDENT WITH A SANITATION TRUCK AT 3700 WEST TECUMSEH ROAD ON OCTOBER 24, 2018.

**BACKGROUND:** A claim was filed by Anatole at Norman in the amount of \$6,034.87 for damage to a metal swing gate when it was struck by a City sanitation truck on October 24, 2018 at 3700 West Tecumseh Road.

**DISCUSSION:** This incident was investigated by Casey Sides, Utilities Supervisor. On October 24, 2018, a City employee was driving a sanitation truck and servicing commercial dumpsters located at the Anatole at Norman apartment complex on 3700 West Tecumseh Road. After the employee completed services, he drove toward the exit gate to leave the property. The gate began to swing open and the employee drove through the exit however he did not allow the gate to open fully and the left rear portion of the sanitation truck struck the gate.

Anatole at Norman provided three (3) estimates to replace the bent metal gate and electronic operator with the lowest estimate totaling \$6,034.87. As indicated above, there appears to be possible negligence on the part of the City in this matter and consequently potential liability on the City. Anatole of Norman's claim in the amount of \$6,034.87 appears reasonable.

**RECOMMENDATION:** Based upon the above and foregoing, it is the recommendation of the City Attorney's office that the claim of Anatole of Norman, in the amount of \$6,034.87 as set forth above, be approved.