

COUNCIL BILL NO. 2003-036

ORDINANCE NO. 2003-185

AN ORDINANCE establishing a procedure to settle undisputed property damage and personal injury claims against the City of Joplin upon joint recommendation of the City Attorney and the Risk Manager, to the City Manager; and providing a procedure for public access to such claims upon conclusion.

WHEREAS, Section 2.16 of the Home Rule Charter of the City of Joplin prohibits the Council from compromising a disputed demand except after report and recommendation by the City Attorney, and by Ordinance subject to referendum; and,

WHEREAS, the City Council adopted Ordinance No. 98-159 in 1998 that established a procedure to allow payment of certain undisputed property damage claims; and,

WHEREAS, it is in the best interests of the City of Joplin to establish a procedure to allow the prompt payment of undisputed property damage and personal injury claims upon joint recommendation of the City Attorney and the Risk Manager, to the City Manager.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. Notwithstanding Section 2.16 of the Home Rule Charter of the City of Joplin, the Council of the City of Joplin does hereby designate and authorize the payment of undisputed property damage or personal injury claims, not to exceed Five Thousand Dollars (\$5,000.00) each, upon joint written recommendation of the Risk Manager and the City Attorney, to the City Manager. Such recommendations shall set forth the basis of liability of the City, and, the undisputed amount of property damage or personal injury so incurred. Any claim of property damage or personal injury in excess of Five Thousand Dollars (\$5,000.00), or any disputed claim, shall require approval by the Council by Ordinance.

Section 2. That upon conclusion of such claim, the same shall be a public record, in accordance with the provisions of Section 610.010, et seq., RSMo., and placed on file with the City Clerk.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this 20th day of October, 2003.

Richard Russell, Mayor

ATTEST: Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM: Brian W. Head, City Attorney