



Legislation Details (With Text)

File #: O-559-23 **Version:** 1 **Name:**
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File created: 9/22/2023 **In control:** Law Department
On agenda: 10/10/2023 **Final action:** 10/10/2023
Title: Authorizing the settlement of the claims of Cherie and Robert Sartin in Case No. CI 22-2556 captioned *Sartin, et al. v. City of Toledo Fire Department, et al.* pending in the Lucas County Court of Common Pleas for the state of Ohio for the sum of \$60,000; authorizing the expenditure of \$60,000 from the Risk Management Fund; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Video: Agenda Review 10/3/2023

Date	Ver.	Action By	Action	Result
10/10/2023	1	City Council	Suspension	Pass
10/10/2023	1	City Council	Emergency	Pass
10/10/2023	1	City Council	Passage	Pass

Sartin
Department of Law
T. Mohler (x2408)
Revised

Authorizing the settlement of the claims of Cherie and Robert Sartin in Case No. CI 22-2556 captioned *Sartin, et al. v. City of Toledo Fire Department, et al.* pending in the Lucas County Court of Common Pleas for the state of Ohio for the sum of \$60,000; authorizing the expenditure of \$60,000 from the Risk Management Fund; and declaring an emergency.

SUMMARY & BACKGROUND:

On December 22, 2021, Plaintiff Cherie Sartin was in an auto accident with a Toledo Fire & Rescue Deputy Chief. She and her husband Robert then brought suit against the City of Toledo Fire Department and a now retired DC alleging that she was injured and incurred monetary damages in that auto accident.

Following a mediation and additional negotiations, a proposed agreement has been reached in the amount of \$60,000 to settle all remaining claims without constituting an admission of liability for any violation of state or federal law.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That payment of \$60,000 in settlement of Cherie and Robert Sartin's claims against the defendants in Case No. CI 22-2556 captioned *Sartin, et al. v. City of Toledo Fire Department, et al.* pending in the Lucas County Court of Common Pleas for the state of Ohio is approved.

SECTION 2. That payment of these claims is contingent upon the execution of the proper releases by the claimants.

SECTION 3. That the Director of Finance is authorized to draw a warrant or warrants to Cherie and Robert Sartin and their attorney, Michael A. Dzienny, in the sum of \$60,000 against Risk Management Account Code 7095-12000-1157001STDSTD upon presentation of the proper vouchers.

SECTION 4. That this Ordinance being an emergency measure shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that this ordinance is necessary for the immediate preservation of the public peace, health, safety and property and for the further reason that this ordinance must be immediately effective in order to implement the settlement in accordance with the conditional agreement of the administration.

Vote on emergency clause: yeas 11, nays 0.

Passed: October 10, 2023, as an emergency measure: yeas 11, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

October 10, 2023
Wade Kapszukiewicz
Mayor