



Legislation Details (With Text)

File #: O-183-22 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 3/31/2022 **In control:** Law Department
On agenda: 4/12/2022 **Final action:** 4/12/2022

Title: Authorizing the settlement of the lawsuit of Kelly Molter in Case No. CI 21-1002 captioned Kelly Molter v. City of Toledo, et al., pending in the Lucas County Common Pleas Court before the Honorable Lindsay Navarre for the total sum of \$278,500.00 in settlement of the claims of Plaintiff; and authorizing the expenditure of \$278,500.00 from the Risk Management Fund; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Audio: City Council Meeting 4/12/2022

Date	Ver.	Action By	Action	Result
4/12/2022	1	City Council	Suspension	Pass
4/12/2022	1	City Council	Emergency	Pass
4/12/2022	1	City Council	Passage	Pass

Molter, Kelly
Department of Law
T. Mohler x2408

Authorizing the settlement of the lawsuit of Kelly Molter in Case No. CI 21-1002 captioned *Kelly Molter v. City of Toledo, et al.*, pending in the Lucas County Common Pleas Court before the Honorable Lindsay Navarre for the total sum of \$278,500.00 in settlement of the claims of Plaintiff; and authorizing the expenditure of \$278,500.00 from the Risk Management Fund; and declaring an emergency.

SUMMARY & BACKGROUND:

Mrs. Molter filed a lawsuit in Lucas County Common Pleas Court on December 31, 2020 alleging injury as a result of an auto accident that she was in with a City of Toledo employee here in Lucas County Ohio.

A proposed agreement has been reached in the amount of \$278,500.00 to settle all claims stemming from the incident described above without constituting an admission of liability for any violation of state law.

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

SECTION 1. That payment of \$278,500.00 in settlement of the claims in Case No. CI 21-1002 captioned *Kelly Molter v. City of Toledo, et al.* against the City of Toledo and its individual police officer is hereby approved.

SECTION 2. That payment of these claims is contingent upon the execution of a proper release.

SECTION 3. That the Director of Finance is hereby authorized and directed to draw his warrant or warrants to Kelly Molter and the law offices of Pamela A. Borgess, Esq. in the amount of \$278,500.00, against Account No. 7095-12000-1157001stdstd upon presentation of the proper vouchers therefore.

SECTION 4. That this ordinance being an emergency measure shall be in force and effect from and after its passage. The reason for this 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 administrator.

Vote on emergency clause: yeas 12, nays 0.

Passed: April 12, 2022, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

April 13, 2022
Wade Kapszukiewicz
Mayor