



## Legislation Details (With Text)

**File #:** O-109-24      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 2/15/2024      **In control:** Law Department  
**On agenda:** 3/13/2024      **Final action:** 3/13/2024  
**Title:** Authorizing the settlement of the claims of Barbara Nerswig for the sum of \$350,000; authorizing the expenditure of \$350,000 from the Risk Management Fund; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/13/2024	1	City Council	Suspension	Pass
3/13/2024	1	City Council	Emergency	Pass
3/13/2024	1	City Council	Passage	Pass

B. Nerswig Proposed Settlement  
Department of Law  
J. Charles (x1020)  
Revised

**Authorizing the settlement of the claims of Barbara Nerswig for the sum of \$350,000; authorizing the expenditure of \$350,000 from the Risk Management Fund; and declaring an emergency.**

### SUMMARY & BACKGROUND:

On September 1, 2022, Barbara Nerswig was in an auto accident with a City of Toledo employee. Ms. Nerswig sustained several severe injuries and incurred monetary damages as a result of the auto accident.

After extensive negotiations, a proposed agreement has been reached in the amount of \$350,000 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 \$350,000 in settlement of Ms. Nerswig's claims against the City of Toledo and its employee 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 expenditure of \$350,000 is authorized from the Risk Management Fund Account Code 7095-12000-1157001STDSTD for the settlement authorized in Section 1.

SECTION 4. That the Director of Finance is authorized to draw their warrant or warrants to Barbara Nerswig and her attorneys, Cubbon & Associates, in the sum of \$350,000 against the above Account Code upon presentation of the proper vouchers.

SECTION 5. 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 \_\_\_\_\_, nays \_\_\_\_\_.

Passed: \_\_\_\_\_, as an emergency measure: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

\_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council