

**OAK RIDGE CITY COUNCIL  
SPECIAL MEETING**  
Multipurpose Room, Central Services Complex

January 27, 2014—7:00 p.m.

AGENDA

I. ROLL CALL

II. RESOLUTION

A RESOLUTION APPROVING AN ORDER OF DISMISSAL IN *KAY LITTLEJOHN V. CITY OF OAK RIDGE* AND A SETTLEMENT IN THE AMOUNT OF \$75,000.00, WITH THE CITY'S PORTION OF THE SETTLEMENT AMOUNTING TO \$37,500.00.

III. ADJOURNMENT

\*\*The January 27, 2014 City Council Work Session will convene immediately following adjournment of the special-called meeting.

**ADMINISTRATIVE MEMORANDUM**  
**14-01**

DATE: January 21, 2014  
TO: Diana R. Stanley, City Clerk  
FROM: Mark S. Watson, City Manager  
SUBJECT: SPECIAL CITY COUNCIL MEETING

In accordance with Article II, Section 2, of the Charter of the City of Oak Ridge, you are hereby requested to call a special meeting of the Oak Ridge City Council for Monday, January 27, 2014, at 7:00 p.m. in the Multipurpose Room at the Central Services Complex, 100 Woodbury Lane, for consideration of:

- A RESOLUTION APPROVING AN ORDER OF DISMISSAL IN KAY LITTLEJOHN V. CITY OF OAK RIDGE AND A SETTLEMENT IN THE AMOUNT OF \$75,000.00, WITH THE CITY'S PORTION OF THE SETTLEMENT AMOUNTING TO \$37,500.00.

  
Mark S. Watson

LEGAL DEPARTMENT MEMORANDUM  
14-03

DATE: January 21, 2014  
TO: Mark S. Watson, City Manager  
FROM: Kenneth R. Krushenski, City Attorney  
SUBJECT: KAY LITTLEJOHN V. CITY OF OAK RIDGE – ORDER OF DISMISSAL, SETTLEMENT

Introduction

An item for the agenda is a resolution approving an order of dismissal and settlement in the above referenced lawsuit.

Funding

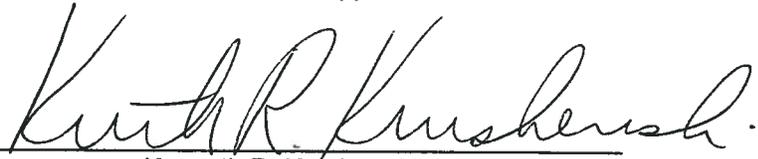
Funds are currently available in the FY14 Budget.

Analysis and Background

The plaintiff in the above referenced lawsuit filed claims of actual, compensatory, and punitive damages against the City in the amount of \$2,750,000.00. The parties agreed to participate in voluntary mediation of this lawsuit. As a result of mediation, a settlement was reached in the amount of \$75,000.00. The City's insurance carrier, the Tennessee Municipal League (TML) Risk Management Pool, has agreed to pay half of the settlement and all costs of the mediation. The City's portion of the settlement amount is \$37,500.00, which requires City Council approval.

Recommendation

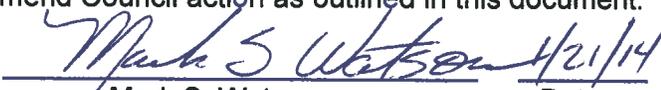
A resolution authorizing the City's portion of the settlement amount is attached. Approval of the attached resolution is recommended.

  
Kenneth R. Krushenski

Attachment: Resolution

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

  
Mark S. Watson                      4/21/14  
Date

**RESOLUTION**

A RESOLUTION APPROVING AN ORDER OF DISMISSAL IN *KAY LITTLEJOHN V. CITY OF OAK RIDGE* AND A SETTLEMENT IN THE AMOUNT OF \$75,000.00, WITH THE CITY'S PORTION OF THE SETTLEMENT AMOUNTING TO \$37,500.00.

WHEREAS, on March 21, 2013, Kay Littlejohn, the Plaintiff, filed a lawsuit against the City in Anderson County Circuit Court claiming actual, compensatory, and punitive damages in the amount of \$2,750,000.00; and

WHEREAS, the case was removed to federal court on April 16, 2013; and

WHEREAS, the parties participated in voluntary mediation and reached a settlement in the amount of \$75,000.00; and

WHEREAS, the City's insurance carrier, Tennessee Municipal League (TML) Risk Management Pool, has agreed to pay half of the settlement amount plus the cost of mediation; and

WHEREAS, the City's portion of the settlement is \$37,500.00; and

WHEREAS, the City Manager recommends approval of the settlement and dismissal of the lawsuit.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City hereby agrees to an order of dismissal in *Kay Littlejohn v. City of Oak Ridge* and approves a settlement in the amount of \$75,000.00, with the City's portion of the settlement amounting to \$37,500.00.

This the 27th day of January 2014.

APPROVED AS TO FORM AND LEGALITY:



\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Thomas L. Beehan, Mayor

\_\_\_\_\_  
Diana R. Stanley, City Clerk