

**CITY OF SHEBOYGAN
DIRECT REFERRAL RESOLUTION 32-24-25
TO FINANCE AND PERSONNEL COMMITTEE**

BY ALDERPERSONS MITCHELL AND PERRELLA.

JUNE 24, 2024.

A RESOLUTION authorizing the City Attorney's Office to settle the matter of *Cities & Villages Mutual Insurance Company, et al. v. Jacob O. Smith*, Circuit Court Case No. 2022CV357.

WHEREAS, the law firm of Borgelt, Powell, Peterson & Frauen represents Cities & Villages Mutual Insurance Company ("CVMIC") in this matter and said law firm is recommending that the Common Council approve a settlement in this matter whereby Jacob O. Smith pays a lump sum for injury caused to the City of Sheboygan's employee in the course of the employee's duties as a police officer; and

WHEREAS, the City Attorney's Office has reviewed the litigation file and agrees with the CVMIC attorney's recommendation; and

WHEREAS, while the \$4,500 lump sum recommended does not represent the full amount of the loss, it represents the City's best option to receive any significant funds; and

WHEREAS, the Common Council needs to approve this settlement since CVMIC's workers' compensation insurance is a partially self-funded program.

NOW, THEREFORE, BE IT RESOLVED: That the City Attorney's Office is hereby authorized to settle the matter of *Cities & Villages Mutual Insurance Company, et al. v. Jacob O. Smith*, Circuit Court Case No. 2022CV357, by accepting a \$4,500 one-time lump sum payment to CVMIC from Jacob O. Smith.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

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Presiding Officer

Attest

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan