



Legislation Details (With Text)

File #: 090837 **Version:** 0
Type: Resolution **Status:** Passed
File created: 10/13/2009 **In control:** JUDICIARY & LEGISLATION COMMITTEE
On agenda: **Final action:** 11/3/2009

Effective date:

Title: Resolution to authorize settlement of benefit and interest claims made by Gregory Koesterling in Koesterling v. City of Milwaukee.

Sponsors: THE CHAIR

Indexes: FIRE AND POLICE COMMISSION, LITIGATION, SUITS PAYMENT, SUITS SETTLEMENT

Attachments: 1. City Attorney Letter.pdf, 2. Fiscal Note.pdf, 3. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
10/13/2009	0	COMMON COUNCIL	ASSIGNED TO		
10/19/2009	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
10/26/2009	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
11/3/2009	0	COMMON COUNCIL	ADOPTED	Pass	14:0
11/13/2009	0	MAYOR	SIGNED		

090837
ORIGINAL

THE CHAIR

Resolution to authorize settlement of benefit and interest claims made by Gregory Koesterling in *Koesterling v. City of Milwaukee*.

This resolution authorizes settlement of benefit and interest claims made by Gregory Koesterling in *Koesterling v. City of Milwaukee*, Case No. 08-CV-011518 in the amount of \$23,973.18 which represents payments for health and dental benefits and interest on unpaid back pay and the benefit payments from the time that Koesterling was deemed by the Milwaukee County Circuit Court to have been improperly discharged until the time that the Board of Fire and Police Commissioners once again discharged Koesterling.

Whereas, Gregory Koesterling filed an action seeking pay and benefits for that period of time from the date of his discharge from the Milwaukee Police Department until the date of a court-ordered rehearing of his discharge before the Fire and Police Commission; and

Whereas, The Circuit Court for Milwaukee County issued an order requiring that Gregory Koesterling be paid wages by the Milwaukee Police Department for the period of time between his first and second hearings before the Fire and Police Commission of the City of Milwaukee and that he be reimbursed for health and dental coverage he was required to purchase for the time in question and that he be paid interest on the amounts due to him until such time as he received the court-ordered pay and benefit reimbursements; and

Whereas, The Milwaukee Police Department has paid the wages and certain payroll benefits for the period of time in question on October 15, 2009; and

Whereas, The City of Milwaukee pursuant to the order of the courts continues to owe Gregory Koestering the reimbursement for the health and dental benefits he purchased as well as interest on the amounts due until paid; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it is expeditious and just to settle this lawsuit; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$23,973.18, payable to Gregory Koestering and the Trust Account of Cermele & Associates, S.C. which represents costs of the benefits purchased as well as the interest owed, upon receipt of a release of claims, approved as to form and execution by the City Attorney, and that these funds shall be charged to the Damages and Claims Fund, Account No. 0001 1490 S118 006300.

City Attorney

JAS

1032-2008-2539