

**CITY OF BARRON
MINUTES AND PROCEEDINGS OF THE BARRON CITY COUNCIL
SPECIAL 'Good Cause' MEETING
WEDNESDAY, OCTOBER 19, 2016 – 5:00 PM
CITY HALL, 1456 E. LaSALLE AVE, BARRON WI 54812**

1. Call to order

Mayor David Vruwink called a Special Meeting of the City of Barron Common Council to order at 5:00 p.m on Wednesday, October 19, 2016, pursuant to due notice. Roll call: Councilpersons Rod Nordby, Kevin Haller, Mark Thompson, Maureen Tollman and Tony Allen were present. Councilperson Mike Dietrich was absent. A quorum of was confirmed. Also present were City Administrator-Clerk/Treasurer Bob Kazmierski, Sterling Bank President Aaron Weber, and CBS2 Consultant Sheryl Claflin.

2. Public Comments

There was no public input

3. Establishment of Ground Rules

Mayor Vruwink established ground rules for effective and efficient meeting discussion

4. Presentation by CBS2 consultant Sheryl Claflin of alternative options and associated costs for Parking Lot Storm Water Retention Pond and site construction

CBS2 consultant Sheryl Claflin presented the Council with options toward the storm water retention pond redesign. A meeting had taken place with all stakeholders to discuss options. Option 1) 2:1 slope with rock, fabric, fence, regrading & sand. Also included is restoration and relocation of structures. This option will fit within 20 ft construction easement. Total cost: \$26,250.00. Option 2) Boulder wall with fence along adjacent property owner's property line. This option also includes restoration, regrading and sand. Total cost: \$18,100. Mrs. Claflin also went through a list of parking lot cost savings that include:

Removal of rock wall	-\$26,100.00
Replace with rock wall	\$10,500.00
Replace with curb and gutter	\$1,980.00
Remove sidewalk through parking	-\$6,144.00
Replace with asphalt	\$1,660.00
Remove sidewalk along restaurant	-\$3,840.00
Replace with curb and gutter	\$880.00
Remove electrical transformer and conduit for sign	-\$1,200.00
 Total Savings	 -\$22,264.00

CBS2 consultant Sheryl Claflin also went through list of demands and offer from adjacent landowner and his lawyer. The landowner's lawyer discussed a proposal and resolution to the encroachment and other issues to his property, including:

1. His sidewalk and entrance will be replaced within twenty (20) days;
2. The piles of dirt, etc. will be removed from his property within ten (10) days;
3. His existing parking lot will be extended an additional ten (10) feet to the north per the drawing provided by Cheryl;
4. His parking lot and driveway will be graded, paved and parking stalls painted by 11/11/16;

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5. There will be no further encroachment, damage or use to his property;
6. He will transfer the property surrounding the existing retention pond (Approx. 8400 sq. feet) to the City. The City or some other third party will be responsible for survey and transfer costs and fees;
7. He will receive a cash payment in the amount of \$42,000.00;
8. There will be a release of all claims he may have against the City and other third-parties associated with the encroachment.

She mentioned the copper water line and sewer services have been upgraded for the adjacent landowner at no cost to him.

City Attorney Andrew Harrington argued that the easement agreement is valid, grants property access rights, and is signed by all parties. The agreement states that the retention pond would be part of the project. Councilperson Tollman: opposed to paying for the paving of landowner's parking lot. Councilperson Haller: Who is responsible? How did this happen? Mrs. Clafin accepts responsibility for the error, and states she was not aware or, or did not have, the April, 2016 easement agreement. Haller doesn't agree with landowner's demands and Council should have been aware of easement agreement. Harrington informs the Council that in the April 19th Common Council minutes reflect that the City approved easement agreement. Councilperson Thompson states that 20 ft easement should not have become 60 ft easement and he supports option #2. Thompson suggests that adjacent landowner be given option to expand parking lot to the north using Mrs. Clafin's parking lot layout (\$2-3,000 value) and available gravel. Councilperson Allen states that adjacent landowner needs to be compensated for loss of business. This project should not burden Cobblestone project. Councilperson Nordby pointed out that the \$42,000 request is the value of the existing lot if 8,200 square feet is transferred to the City.

5. Consideration of options for Parking Lot Storm Water Pond and site construction

Motion by Nordby, seconded by Tollman to authorize City Attorney Harrington to respond to proposal by adjacent landowner and his lawyer and make a counterproposal that would agree to items 1, 2, 3, and 8, voice vote:

Ayes-5	Nays-0	Absent-1	Motion carried.
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Motion by Haller, seconded by Thompson to accept all cost savings, as proposed, to equate to \$22,264.00, voice vote:

Ayes-5	Nays-0	Absent-1	Motion carried.
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6. Adjournment- Duly moved to adjourn by unanimous consent at 5:59 p.m.

These minutes were taken at a regular meeting held on October 19, 2016 and entered in this record book, November, 2016:

Prepared by Bob Kazmierski, City Administrator-Clerk/Treasurer
City of Barron

APPROVED