

November 17, 2016

**CITY OF BARRON
MINUTES AND PROCEEDINGS OF THE BARRON CITY COUNCIL
SPECIAL MEETING
WEDNESDAY, NOVEMBER 16, 2016 – 6:30 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 6:30 p.m on Wednesday, November 16, 2016, pursuant to due notice. Roll call: Councilpersons Rod Nordby, Kevin Haller, Tony Allen, and Mike Dietrich were present. Councilpersons Mark Thompson and Maureen Tollman were absent. A quorum of was confirmed. Also present were City Administrator-Clerk/Treasurer Bob Kazmierski, City Attorney Andy Harrington and members of the public.

2. Public Comments

No public comment

3. Discussion and possible action for purchase of used tanker for the Fire Department

Fire Chief Romsos presented opportunity to purchase 1999 E-One 3200 Gallon Tanker Truck with 20,000 miles from Salem, WI, Fire Department. Tanker has three valves, aluminum body with steel tank. Tank is baffled to reduce swaying on the road. Cost is \$30,000 and is upgrade from current Tanker Truck that is dated 1980. Town of Barron and Town of Maple Grove have approved purchase and costs will be shared 1/3 respectively. Motion by Haller toward payment of \$10,000 toward purchase of 1999 E-One 3200 Gallon Tanker Truck, in which the City of Barron will pay the entire \$30,000 and invoice the Towns of Barron and Maple Grove \$10,000 each, seconded by Dietrich, roll call vote:

Voting in Favor: Nordby, Haller, Allen, and Dietrich

Voting against: none

Absent: Thompson and Tollman

4 ayes, 0 naves, Motion carried.

4. Discussion of alternative options and associated costs for Parking Lot Storm Water Pond and site construction
City Attorney Andy Harrington shared with the Council negotiation process to date.

5. Consider closed session under §19.85(1)(e), as follows: Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; specifically discussions concerning Rolling Oaks Restaurant and parking lot issues, and settlement of the same.

a. Enter Closed Session

Motion by Haller to enter Closed Session, seconded by Dietrich, roll call vote:

Voting in Favor: Nordby, Haller, Allen, and Dietrich

Voting against: none

Absent: Thompson and Tollman

4 ayes, 0 naves, Motion carried.

b. Reconvene in Open Session

Motion by Haller to reconvene in Open Session, seconded by Dietrich, voice vote:

All Ayes, motion carried

c. Action from Closed Session

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Motion by Allen to approve settlement agreement and mutual release of claims to include additional language: *'That, in further consideration of the terms, covenants, agreements, and/or promises set forth in this agreement, the City agrees to indemnify and hold harmless Mr. Olson for any and all claims, suits, causes of action, judgments or damages which may arise out of or from any accidents or other occurrences on or about Mr. Olson's property while the City is carrying out its obligations under the agreement which cause injury to any person or person's property. The parties stipulate and agree that "accidents" and/or "occurrences" covered by this agreement shall be defined to only include those claims, suits, causes of action, judgments or damages that occur during the period of time the City is performing its obligations under this agreement, and/or which are both actually caused (caused-in-fact) and proximately caused by (foreseeable from) the City's performance of its obligations.'* Seconded by Haller, voice vote:
All Ayes, motion carried.

6. Adjournment- Duly moved to adjourn by unanimous consent at 7:02 p.m.

These minutes were taken at a regular meeting held on November 16, 2016 and entered in this record book, December 14, 2016:

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

APPROVED