

CLAIMS COMMITTEE
March 18, 2008

Chairperson Coplien called the meeting to order.

A. Roll call

Present at roll call were Alderpersons Coplien, Hanson, Kallembach, and Alt. Henke. Also present were Admin. Vahlsing, Water Suprv. Kennison, WWTP Director Ellefson, Mayor Marsh, City Attorney Ewald, Police Chief Kelley, Alderpersons Ingwell, Lefevre, and Koch, Dan & Barb Hauge, Scott & Melinda Blumer, and Tere Dunlap of the Monroe Times.

B. Correction of Minutes

None

C. Business:

1. Review Claim from Dan & Barb Hauge and take action

Much discussion took place. Barb Hauge said that their insurance premiums would be raised if they filed this claim with their homeowner's insurance. Alderperson Henke said that homeowner's insurance should come after the City for subrogation. Alderperson Hanson said that the full Council should decide this matter and that it was wrong to send the claimants to their own insurance company. Alder Kallembach said he is torn, but feels he needs to look out for the City's interest, and also feels it is best to send this matter to full Council. Motion made by Alderperson Hanson and seconded by Alderperson Kallembach to send this to full Council without a recommendation either way. Motion carried. Alder Henke voted no, but his vote will not count as he is only an alternate and all other members were present.

2. Review Claim from Scott & Melinda Blumer and take action

Much discussion took place. This claim is a result of the same water main break as the Hauge's claim. Alder Hanson said that some of the items included in the Blumer claim were not brand new and that an insurance company may not give full replacement cost. Melinda Blumer said their insurance company only paid them \$500.00 after the \$500.00 deductible was subtracted. Alder Coplien said that case studies have been done on this type of claim and that

cities are not held responsible for this type of thing, as it is an act of God. Mayor Marsh said the City is not negligent and therefore there should not be a claim and said the Council needs to look out for the whole city. Admin. Vahlsing cited CVMIC's response which stated that this could set a very serious precedent and strongly urged the City not to pay claims we are not liable for. Alder Hanson said the City needs to be run like a business and this should be handled like a good will thing. Alder Kallembach said the City is not negligent and has no duty to pay the claim. Motion made by Alderperson Hanson and seconded by Alderperson Kallembach to send this to full Council with no recommendation. Motion carried.

D. Business presented by members

None

E. Adjournment

Motion made by Alderperson Hanson and seconded by Alderperson Kallembach to adjourn. Motion carried.

Carol J. Stamm, CMC, WCMC
City Clerk