



CITY COUNCIL EXECUTIVE SESSION
 Monday, April 2, 2012
 Lorraine H. Morton Civic Center
 Aldermanic Library

Present: Alderman Braithwaite Alderman Burrus
 Alderman Holmes Alderman Fiske
 Alderman Tendam Alderman Grover
 Alderman Rainey

Absent: Alderman Wynne and Alderman Wilson

Others Present: City Attorney Grant Farrar, City Manager Wally Bobkiewicz,
 Robert Gustafson, Safety & Worker's Compensation Manager,

Presiding: Mayor Elizabeth B. Tisdahl

Mayor Tisdahl called the meeting to order at 7:05 pm.

WORKERS COMPENSATION RESOLUTIONS

Matthew George Case – The City's recommendation is to begin negotiations at the lowest reasonable dollar amount and settle for under, or as close to, \$44,131.53 as possible. *All aldermen in attendance were in agreement.*

David Oshana Case – The City's recommendation is to begin negotiations at the lowest reasonable dollar amount and settle for under, or as close to, \$38,119.26 as possible. *All aldermen in attendance were in agreement.*

City Attorney Grant Farrar updated Council on a case resulting from a vehicle collision on May 12, 2006 between a Utilities Department employee and Marilyn Nadulek. He explained that Council previously authorized \$25,000 to settle before an agreed-upon binding arbitration hearing. However, the Plaintiff's attorney canceled two hearing dates and hired a medical expert who will testify the accident caused fibromyalgia. Mr. Farrar said we could hire someone to attack the medical opinion but he cautioned that it would probably be difficult to do. Since some of the exposure has increased, he is asking for a slight increase in authority to settle somewhere between \$35,000 and \$40,000. He went on to say that if we can't settle then we will go to trial.

After some questions and answers regarding the medical expert and the complaint in general, Mr. Farrar explained that the case is not as strong as he would like it to be but we need to either settle or go to court. *Aldermen present agreed to allow Mr. Farrar to try to settle with a maximum of \$35,000.*

MINUTES

Motion was made and seconded to approve Minutes of the March 19, 2012 Closed Session Meeting. They were approved in a unanimous decision.

Meeting adjourned at 7:30 pm.

Respectfully submitted by Elaine Autwell, Deputy City Clerk.

DRAFT