

Minutes

BASEHOR CITY COUNCIL

May 19, 2008

6:00 p.m.

Basehor City Hall

Official Presiding: Mayor Chris Garcia

Members Present: Iris Dysart, Terry Hill, Keith Sifford, Jim Washington

Members Absent: (none- one vacancy)

**Staff Present: Carl Slauch, Mary Mogle, Gene Myracle, Dustin Smith,
Lloyd Martley, Patrick Reavey, David Lutgen**

Newspaper: Lara Hastings, *Basehor Sentinel*

WORK SESSION - 6:00 p.m.

The work session was called to order by Mayor Garcia. All members were present including the city attorney.

1. Discussion regarding in-house building permit audit (2002 to present).

Councilmember Washington stated the audit did not give him the information he was looking for. He indicated all he wanted to know was every excise tax collected and was anyone billed twice and suggested having a legitimate audit performed from 2002 to present. Mr. Slauch stated all the excise tax that was to be collected was collected explaining there were some minor errors. He explained on the commercial side, staff found that excise tax was paid twice on three different properties and that information has yet to be completed. Councilmember Washington stated he was willing to wait until the June 2 Council meeting to see the completed commercial audit.

Councilmember Washington stated there was another area that was rezoned and questioned what control measures have been put in place so that double collecting of excise tax would not occur in the future. Mr. Slauch noted until the report is finalized, no mechanism has been put in place.

Councilmember Dysart asked if Falcon Lakes impact fee was included in the Transportation Fund and questioned if it should be in a separate fund since it was not an excise tax. She noted the Falcon Lakes Subdivision Improvements states the City agreed to waive excise taxes in lieu of the impact fee.

2. Review proposed changes to Municipal Code.

Councilmember Washington suggested sending the revisions to the city attorney for review and then he forward to League of Kansas Municipalities.

3. 2009 Budget review – department requests

Discussion was deferred at this time.

4. Discussion regarding agenda items.

- e. *Consider petition for a benefit district to finance public improvements and Development Plan, as requested by Affinity Development, for Basehor Town Center. (deferred from 5/05/08)*

Greg Vahrenberg, Piper Jaffray, stated the City needed to consider Basehor Town Center project from two perspectives; (1) bond rating; and (2) purchase of bond insurance. He explained how the two items would affect the City in the future. Mr. Vahrenberg reported he did not see any problem with the City's bond rating, debt ratio, or debt limit against other cities of Basehor's size.

Councilmember Washington asked if KDHE State Revolving Loans counted against debt limit. Mr. Vahrenberg stated KDHE loans would not count against debt limit. Mr. Slauch asked if General Obligation (GO) Bond benefit districts would count against debt limit. Gary Anderson, bond counsel, stated the benefit districts would count against debt limit. Mr. Vahrenberg explained the bonding process noting in order to protect the city-at-large; a letter of credit could be requested from the developer. Councilmember Washington asked how many government agencies require a letter of credit. Mr. Vahrenberg stated a lot of cities he has worked with are starting to require a letter of credit (Paola, Lansing, Gardner) primarily because of the state of the economy.

Gary Anderson, Gilmore & Bell, reported when the City issues GO Bonds, the full faith line of credit is behind the project and the taxpayers are at risk. At times, a developer may be required to put additional dollars into the project. The letter of credit is intended to be a floating letter of credit that would deal primarily with infrastructure. He spoke in general explaining how a letter of credit would work with the developer being solely responsible unless he starts selling large tracts of land. The letter of credit would decrease once an assessed valuation of the property equals or exceeds the letter of credit. If someone else purchased the land, a letter of credit would not be necessary.

Council discussed the difference between general obligation bonds verses special assessment bonds.

Patrick Reavey asked bond counsel is they were comfortable with a two year letter of credit. Mr. Anderson stated the two years was a compromise and felt part of the issue was that it was possible that the project would take longer than two years to close;

however, it may take the developer longer to find someone to come in a market the property.

Councilmember Hill noted the purpose of this process was to mitigate liability for the City and questioned if the City should ask for a letter of a credit or a special obligation bond. Mr. Anderson stated a special obligation bond was better since there was no risk for the City and there was risk with a letter of credit.

Mayor Garcia asked where in the documents it states the six properties on 155th Street were exempt from assessments. Mr. Anderson stated the document states the developer would be responsible for the \$43,000 (3.02b, page 9) in assessments and a letter of credit could also be valuable.

Councilmember Washington asked staff if there had been past discussion with the developer about moving 155th Street east so that no other easements would be necessary. Mr. Slauch stated that has been considered as an option. Councilmember Washington stated he preferred that option and would like additional information from the planning director.

Five-minute break. (6:55 p.m.)

REGULAR MEETING – 7:00 p.m.

ROLL CALL BY MAYOR CHRIS GARCIA AND PLEDGE OF ALLEGIANCE

All present including the city attorney

FILL VACANCY ON THE CITY COUNCIL

Mayor Garcia submitted the name of Roger McDowell to fill the vacancy of former Councilmember Terry Thomas.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to approve the appointment of Roger McDowell. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

City Clerk Mary Mogle administered Oath of Office to Mr. McDowell.

ELECTION OF COUNCIL PRESIDENT

A motion was made by Councilmember Washington and seconded by Councilmember McDowell to nominate Councilmember Dysart as Council President. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

Councilmember Dysart stated she appreciated the opportunity to serve and Council's support.

PUBLIC HEARING REGARDING SEWER AND SOLID WASTE DELINQUENTS

Staff Comments:

City Clerk Mary Mogle reported from the time Council received the list of delinquent account to present; there have been a number of accounts pay. She reported any delinquent property billed to renters would be sent to State Setoff for collection. At this time she thought only one property would be affected.

Citizen Comments:

There were no citizen comments.

Council Comments:

Councilmember Washington stated he wanted to make sure changes to the code included the new state laws regarding landlord obligations. The city clerk reported the city attorney was in the process of drafting those changes.

Mayor Garcia announced this item would be acted on under Business Item "a".

The public hearing was closed.

PUBLIC HEARING REGARDING THE ANNEXATION OF PROPERTY LOCATED AT 19249 158th STREET

Staff Report:

Mr. Smith reported annexation of property located at 19249 158th Street was involuntary and would not need approval from the county commissioners since it adjoined city limits. He reported the address was a county address and would need to be changed in the future. Mr. Smith reported he followed all necessary notification requirements.

Citizen Comments:

There were no citizen comments.

Council Comments:

There were no council comments.

Mayor Garcia announced this item would be acted on under Business Item "g".

The public hearing was closed.

PUBLIC HEARING REGARDING THE ANNEXATION OF PROPERTY LOCATED AT 16101 PARALLEL ROAD.

Staff Report:

Mr. Smith reported the annexation was involuntary and would not need approval from the county commissioners since it adjoined city limits. He reported the address was a county address and would need to be changed in the future. Mr. Smith reported he followed the necessary notification requirements.

Citizen Comments:

Property owner Ray Breuer requested Council delay annexation for two years to allow him to make improvements to his residence. He explained it would be cheaper to make those changes as a county resident versus a city resident since the City would charge him an excise tax. He vowed to voluntarily annex once his improvements were made.

No other citizen comments.

Council Comments:

There were no council comments.

The city attorney announced the planning director provided the city council with an Annexation Plan along with annexation criteria.

Mary Lou Isnard, 1907 166th Street in Prairie Gardens, spoke in favor of both annexations.

Councilmember Washington reported the annexation adjoined the city on three sides. He explained in the past Basehor Town Center was required to annex their entire property and Prairie Gardens should be required to do the same in the future.

CONSENT AGENDA

(Consent Agenda Items will be acted upon by one motion unless a Council Member requests an item be removed for discussion and separate action.)

- a. Approve Minutes
 1. May 5, 2008 Work Session & Regular Meeting
 2. May 12, 2008 Work Session (Matter of Record-No meeting held due to lack of quorum)
- b. Approve Treasurer's Report & Vendor Payments
- c. Approve investment recommendations
- d. Approve calendar of events

Prior to the meeting Councilmember Dysart requested the statement "stinky stinky deal" (page 6) be changed to read "sneaky stinky deal". Councilmember Washington requested the word "drugged" (page 5) be changed to "dragged".

A motion was made by Councilmember Sifford and seconded by Councilmember Hill to approve the Consent Agenda with aforementioned corrections. A roll call vote was taken with all members voting in favor. Motion passed 5-0 with McDowell abstaining.

CALL TO PUBLIC

Members of the public are welcome to use this time to comment about any matter relating to City business that is listed on this Agenda. The comments that are discussed under "Call to Public" may or may not be acted upon by the Council during this meeting. There is a five-minute time limit. (Please wait to be recognized by the mayor then proceed to the podium; state your name and address).

a. Citizen Comments Regarding Agenda Items

Dennis Mertz (2905 N. 155th St.) asked Council consideration concerning Basehor Town Center agenda items. It was his opinion the benefits would exceed the risks and felt the two options presented by bond counsel would be suitable against the City's bond limits.

Public portion of the meeting closed.

SCHEDULED DISCUSSION ITEMS

None

BUSINESS***a. Consider authorizing city clerk to certify delinquent sewer and solid waste accounts with Leavenworth County Clerk to be added to tax rolls and assessment of administrative fees.***

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to authorize the city clerk to certify delinquent sewer and solid waste accounts with Leavenworth County Clerk to be added to the tax rolls and assessment of administrative fees. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

b. Consideration of the Final Plat and Subdivision Improvement Agreement for Basehor Town Center, 1st Plat., as requested by Affinity Development

Planning Director Dustin Smith reported Basehor Town Center, 1st Plat included platting of the right-of-way for the elementary school and approximately 17 acres. The Planning Commission recommended approval with six conditions as stipulated in the staff report. Mr. Smith noted most of the conditions have been addressed on the final plat.

A motion was made by Councilmember Washington and seconded by Councilmember McDowell to affirm the actions of the Planning Commission. A roll call vote was taken with all members voting in favor including Mayor Garcia. Motion passed 6-0.

c. Consideration of the Final Development Plan for Basehor Town Center Elementary School to be located on Lot 1 of Basehor Town Center, 1st Plat, as requested by Unified School District #458.

Mr. Smith reported the Planning Commission recommended approval with one condition as stipulated in the staff report. He explained there was a storm water issue that being a lack of detention; which has been resolved. The revised plan shows a temporary stormwater detention pond to be located on the north side of Basehor Boulevard that will detain runoff from the majority of the site. Protective measures have been provided on the east side of the property to control the discharge from the underground pipe that drained approximately three acres of the total site area; which would reduce erosion to the east of the site prior to the runoff entering the existing pond. Easements are pending approval from the city engineer.

A motion was made by Councilmember Washington and seconded by President Dysart to approve the Final Development Plan for Basehor Town Center Elementary School located on Lot 1 of Basehor Town Center, 1st Plat. A roll call vote was taken with all members voting in favor including Mayor Garcia. Motion passed 6-0.

d. Consider approval of a letter of engagement with Gilmore and Bell for the creation of an improvement district for Basehor Town Center project.

Councilmember Washington asked Mr. Anderson if the \$250 hour fee schedule included associates and partners. Mr. Anderson stated it was strictly attorney hours.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to approve the letter of engagement with Gilmore and Bell for the creation of an improvement district for Basehor Town Center project. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

e. Consider petition for a benefit district to finance public improvements and Development Plan, as requested by Affinity Development, for Basehor Town Center. (deferred from 5/05/08)

Mayor Garcia reported in past discussion, Council asked that Basehor Boulevard extend from 155th Street east to 147th Street. Mr. Anderson explained there are two benefit district petitions, 1) 155th Street improvements [construction of approximately 1400 linear feet of 155th Street from Hickory to 1400' South at collector street standards]; and 2) parcel east of 155th in the sewer district and Basehor Boulevard extended to the elementary school [construction of approximately 2,430 linear feet of Basehor Boulevard from 155th to approximately 2500 feet East].

A motion was made by President Dysart and seconded by Councilmember Washington to approve the petition for a benefit district to finance public improvements and Development Plan as submitted. A roll call vote was taken with members Sifford and

Hill voting no and members McDowell, Dysart, and Washington voting in favor. Motion passed 3-2.

f. Consider resolution requesting the Board of County Commissioners of Leavenworth County, Kansas to make certain findings regarding the annexation of the property located at 14210 Fairmount Road, also known as the Field of Dreams Athletic Complex, into the City of Basehor.

Mr. Smith reported Basehor Athletic Association has requested to voluntarily annex into the City of Basehor after being connected to the City's sanitary sewer system. This item would require approval of a resolution from the Board of County Commissioners since it was an island annexation. If approved by the Board of Commissioners, an ordinance would be brought before the Council for final action.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to approve the resolution requesting the Board of County Commissioners make certain findings regarding the annexation of property located at 14210 Fairmount Road. President Dysart asked if the City would be liable for maintenance of Fairmount Road. Mr. Smith reported the legal description does not include the roads. She questioned the zoning classification. Mr. Smith reported the closest zoning would be "PUD" Planned Urban Residential zoning classification. Mr. Reavey noted as previously stated, Kansas Supreme Court said to leave at the county zoning. The City could not change the zoning until the City or property owner initiates a rezoning or changes the use of the property. Mr. Smith was unsure how the City would bring in at a County zoning unless the City adopted a county zoning. Mr. Reavey reported De Soto administers the County zoning regulations unless issues arise. Councilmember Washington suggested adding a category for parks. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

e. Consider petition for a benefit district to finance public improvements and Development Plan, as requested by Affinity Development, for Basehor Town Center. (deferred from 5/05/08)

Note: Refer to page 7 for original motion.

Mr. Slauch asked that petitions for Basehor Town Center be handled with two separate motions.

A motion was made by Councilmember Washington and seconded by President Dysart to move for reconsideration on Business Item "e". Mr. Reavey clarified the reason for reconsideration was the fact that the agenda did not list the item correctly. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

A motion was made by Councilmember Washington and seconded by President Dysart to approve Item #1, Basehor Boulevard Benefit District as shown on the screen. Councilmember Sifford asked for clarification on what the Council was approving.

Councilmember Washington stated the Council was approving the formation of the benefit district. Mr. Anderson stated this action did not obligate the City to any general obligation bonds. Councilmember Hill asked what risk the City had with passing the benefit district. Mr. Anderson stated the City had no risk at this point. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

A motion was made by Councilmember Washington and seconded by President Dysart to approve the 155th Street Benefit District. A roll call vote was taken with members Dysart and Washington voting in favor and members Sifford, McDowell, and Hill casting a no vote. Motion failed 2-3.

Council discussed how the previous vote affected the Development Agreement. Mr. Anderson reported the Development Agreement was amended earlier in the day that added an option for Special Obligation bonds rather than requiring a letter of credit. Pete Heaven, Affinity Development, reported they looked into alternatives that would reduce the City's risk. He felt the City would be fully protected with Special Obligation Bonds. Mr. Reavey asked if there was any thing in the development agreement that would prohibit the developer from acquiring a letter of credit. Mr. Heaven explained they were struggling with some banks regarding the letter of credit. Mr. Anderson stated since the 155th Street issue failed, they would remove it from the Development Agreement and letter of credit. The obligation (i.e. special assessments) would not go in placed until the improvements are completed. During the term of the notes, there would not be any special assessments and City could have potential risk exposure.

Councilmember Washington asked when the repayment of temporary notes would commence. Mr. Anderson reported generally notes are issued for a two to three year period and interest payments are included in the note and no cash flow was necessary. Councilmember Washington did not feel the City had risk exposure. Mr. Anderson said there were a number of things that would have to occur prior to the City being held liable for payments.

Councilmember Sifford reported Piper Jaffray, Gilmore & Bell, and Affinity Development all stated there was some risk to the taxpayers of Basehor. He went on to explain, in the past, developer Mike Duncan stated he was prepared to finance the project himself; therefore, it was his opinion the City should let the developer pay for improvements. Councilmember Hill was concerned about the City's debt ratio and was under the impression Affinity Development was going to finance the project. Mr. Heaven explained it was the construction of the school that forced the developer to move forward sooner than anticipated. He explained roads in front of schools would not count against bond indebtedness. Mr. Anderson said he thought the bonds would be about \$3.5 million and increase the City's debt ratio by about 30%.

Councilmember Washington asked the school superintendent what impact the school district would have if the City did not approve the petition. School Superintendent Dr. Albers stated he would not be able to comment at this time. It may cost the school district approximately \$100,000 per month.

Councilmember Sifford sympathized with the school district and supports the district; however, the City was in a situation that he felt was not in the best interest of the taxpayers at-large. Councilmember Hill asked if there was another location the school could locate if this did not go through. Mr. Albers stated there was another piece of property; however, the school board felt this was the best location and they had already invested dollars into this location.

A motion was made by Councilmember Washington and seconded by President Dysart to approve the negotiated development agreement. Councilmember Washington amended his motion to also authorize the mayor to sign the agreement. A roll call vote was taken with member Washington and Dysart voting in favor and members Sifford, McDowell, and Hill casting a no vote. Motion failed 2-3. *(Tape 2, Side A)*

Mr. Slaugh asked Mr. Anderson if the City should move forward with the Development Agreement. Mr. Anderson stated if the City was not going to issue any bonds or temporary notes, the City would have standard police powers to review the plans and specifications as for any other project. Mr. Slaugh asked if the City approved the benefit district for sewer, wouldn't it also imply acceptance of the Development Plan. Mr. Anderson stated it would be a separate action by the Governing Body.

Mr. Slaugh asked for Council direction as to what should be included in the Development Agreement. Mayor Garcia stated it was his understanding the majority of the Council wants the developer to pay for the improvements. Mr. Anderson suggested the City leave the benefit districts in place giving the developer the opportunity to come back at a later date with another proposal.

g. Consider ordinance annexing property located at 19249 158 Street into the City of Basehor.

A motion was made by Councilmember Sifford and seconded by Councilmember Dysart to approve the ordinance annexing property located at 19249 158th Street as presented. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

h. Consider ordinance annexing property located at 16101 Parallel Road into the City of Basehor.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to approve the ordinance annexing property located at 16101 Parallel Road as presented. Discussion followed. Councilmember Hill stated he was not arbitrarily opposed for additional time; however, Mr. Breuer could make improvements if he was in the City as well. Mr. Breuer stated, if annexed into the City, he would be required to pay additional excise taxes. Mr. Smith confirmed that Mr. Breuer would be required to pay excise tax if improvements exceeded a certain amount. A roll call vote was taken with all members voting in favor with the exception of Councilmember Hill. Motion passed 4-1.

i. Appeal to Planning Commission determination on the lot split for Lot C-5, Pinehurst North Subdivision relating to the condition for shared access.

Mr. Smith reported this was an item proposed by the property owner related to lot split for Lot C-5, Medicine Store. Easements are required to surround the property to include two access points and parking lots on both sides. Pinehurst Drive has become a reserve frontage road which was not anticipated during development.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to affirm action of the Planning Commission.

Mark Breuer, Schlagel & Associates, representing the owner of the project reported they went through the development plan without consideration to an additional access. He did not feel it was an appropriate time to make changes since they had already moved forward with construction. He explained the property had about a 4% grade and would require significant filling of the adjacent lot. To change now would be a significant cost to the property owner through grading and filling of dirt. Mr. Smith stated the Planning Commission did not anticipate that the access would line up with the existing road and was not aware of the lot split at the time of approval.

Councilmember Washington stated Council was provided with a Master Development Plan and generally follow through with the plan; however, it was up to the Council to assure there was a natural flow of traffic.

A roll call vote was taken with members Dysart and Hill voting no and members Washington, McDowell, and Sifford voting in favor. Motion passed 3-2.

Five-minute break (8:35 p.m.)

k. Consider purchase of pumps for Sewer District #12 lift station.

Mr. Myracle explained Sewer District No. 12 lift station was approximately twelve years old and has two submersible pumps. About three weeks ago, a pump failed and was too costly to repair. To replace both pumps by city staff it would cost about \$7,200.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to approve purchase of pumps to service the lift station on Skaggs property not to exceed \$7,500.00. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

l. Consider approval of payment for repairs at 163rd Street lift station.

Mr. Myracle reported he has not received all the invoices for the repairs and requested this item be tabled until the June 2nd meeting.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to table this item until June 2, 2008. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

m. Consider proposed changes to Municipal Code

Councilmember Washington wanted to make sure the changes made to rescind various charter ordinances would be included in the revisions of the municipal code. Mr. Slaugh explained a charter ordinance would need to be adopted rescinding those particular ordinances.

A motion was made by Councilmember Washington and seconded by President Dysart to approve the updated list of changes with the condition that the city attorney approve the changes prior to submission to the League of Kansas Municipalities. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

m. Consider changes to Lieutenant's job description.

Chief Martley reported minor changes to the job description.

A motion was made by Councilmember Sifford and seconded by President Dysart to approve changes to the Lieutenants job description as submitted. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

n. Appointments of City Officials

Mayor Garcia presented the following slate of appointments for Council consideration:

City Attorney - Patrick Reavey
City Engineer – Joe McAfee, MHS Solutions
Municipal Judge – William Pray
City Prosecutor – Mike Mogenson
Court Appointed Attorney – Roger Horsky
Municipal Court Clerk – Traci Dockery

A motion was made by Councilmember Washington and seconded by President Dysart to amend the agenda and consider each appointment individually. A roll call vote was taken with members Sifford, McDowell, and Hill voting no and members Dysart and Washington voting in favor. Motion failed 2-3.

A motion was made by Councilmember Hill and seconded by Councilmember Sifford to approve the slate of appointments as presented. Discussion followed. Councilmember Washington had no objection to the slate; however, he was opposed to consider as a single slat. Each office has different requirements and good people should not be voted against just because of one or two positions.

A roll call vote was taken with members Sifford, McDowell, and Hill voting in favor and members Washington and Dysart casting a no vote. Motion passed 3-2.

o. Consider city administrator contract changes in regards to vacation policy, sick leave and severance pay. (deferred from March 17)

The city attorney requested this matter be discussed in a fifteen minute Executive Session under Attorney-Client Privileged Matters pertaining to personnel.

A motion was made by Councilmember Washington and seconded by Councilmember McDowell to discuss this item in executive session not to exceed 15 minutes. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

CITY ADMINSTRATOR REPORT

- May 20 - Pre-selection meeting for engineering firms interested in Leavenworth County Air and Business Park feasibility study, 3:00 p.m.
- May 22 - Monthly WWTP progress meeting with Burns & McDonnell, 9:00 a.m.
- May 22 - Basehor Chamber of Commerce membership luncheon at Basehor Library, 12:00
- June 7 - Dairy Days
- June 14 - City Wide Garage Sale
- Health Insurance Renewal – Insurance rates increased 27.3%. Budget currently allows for a 26% increase. The city administrator will provide more information at the June 2 meeting.

Councilmember Sifford felt the City should remain with Blue Cross Blue Shield based on past experience. Councilmember Washington suggested looking into a designated risk manager in the future.

- The planning director reported Chris Dunn, Leavenworth County Planner has offered to present the County's Comprehensive Plan to the Planning Commission or City Council. Council agreed to meet in a combined work session and directed the planning director to schedule the meeting.
- Chief Martley reminded council to buckle up....Click-It or Ticket program was in operation at this time.

MAYOR'S REPORT

- Mayor Garcia announced he received an acknowledgement from the National Codes Council for building inspector Mark Lee's efforts in promoting "National Building Safety" week.
- Attended Holy Angels ground breaking ceremony on May 18th and felt the new church would be an asset to the community.

COUNCIL MEMBER REPORTS**Jim Washington**

Councilmember Washington announced he attended the new Library's ribbon cutting dedication and commended the committee for securing the Full Colonel of the army as a bartender. Great Facility!

EXECUTIVE SESSION**a. *City Administrator Annual Evaluation and Contract Review***

A motion was made by Councilmember Washington and seconded by Councilmember Hill to convene into executive session for twenty-minutes to discuss Business Item "o" and City Administrators annual evaluation and contract review under Attorney-Client Privileged Matters and personnel. A roll call vote was taken with all members voting in favor. Motion passed 5-0. The city attorney was included in the session. (9:05 p.m.)

At 9:30 p.m. the regular meeting was called back to order. The following action was taken based on the Executive Session discussion.

o. Consider city administrator contract changes in regards to vacation policy, sick leave and severance pay. (deferred from March 17)

A motion was made by Councilmember Washington and seconded by Councilmember Hill to authorize the mayor to sign an agreement as negotiated with the city administrator by the city attorney to increase vacation to the equivalent of a ten year employee with a minimum of fifteen days with accruals as stated in the city personnel handbook and to include a severance agreement equivalent to seven pay periods. Councilmember Sifford stated he would like to see the numbers on a ten year employee. A roll call vote was taken with all members voting in favor with the exception of President Dysart. Motion passed 4-1.

ADJOURNMENT

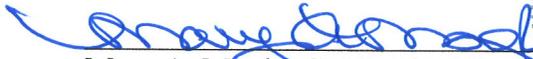
A motion was made by Councilmember Sifford and seconded by Councilmember McDowell to adjourn the May 19, 2008 regular meeting. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

Submitted for Council approval with/without corrections or additions this 2nd day of June, 2008.



Chris Garcia, Mayor

Attest:


Mary A. Mogle, CMC, City Clerk

