

SPECIAL COUNCIL MEETING MINUTES

Friday, October 16, 2020 at 4:30 p.m.

VIA ZOOM

I. PLEDGE OF ALLEGIANCE

II. CONVENING OF MEETING

Mayor Judy Riggs called to order the Special City Council meeting at 4:38 p.m. Present were Council members Melissa Elmore, Tim Hall, Amanda Cavitt, Whitey Forsman and Judy Riggs. City staff present were City Manager Geoff Wullschlager, Assistant City Manager Lori Longfellow and Administrative Assistant 2 Laura Schmidt. City Attorney Christy Monson was present. There were unknown citizens present electronically.

III. NEW BUSINESS:

a. Ratification of City Manager's Severance Agreement

City Attorney Christy Monson explained the purpose of this special council meeting was to get ratification of the City Manager's Severance Agreement. Mayor Riggs asked council if there was a motion to be made. Cn. Hall questions what the motion was regarding. Mayor Riggs restated that it was to ratify the City Manager's Severance Agreement. Cn. Hall expressed he had not seen the agreement. Mayor Riggs explained it was attached to the meeting agenda. Cn. Hall clarified that he did see it and thought there was going to be a discussion regarding it because he thought it was unclear what was being offered in the agreement. Cn. Hall stated specifically it was unclear how many months were being offered. Cn. Hall also questioned when the discussion regarding the change happened and how this new arrangement came up. He recalled a discussion in July where City Manager was going to leave the city's employment in exchange for three months of severance, plus three months of health benefits.

City Attorney Monson recalled that there was an executive session and understood that Cn. Hall had questions. She explained that she went back and read verbatim minutes of the executive session where all the councilors advised, both her and the mayor, who were negotiating the agreement, that four months would be acceptable. She stated it was very clear that everybody agreed to four months and gave them permission to continue to negotiate the agreement.

Cn. Hall stated that it was under the stipulation that the City Manager was going to leave his employment on August 31.

City Attorney Monson further explained that she had reviewed the minutes to see if there were any conditions and found that in several parts of those Executive Session minutes it was made very clear that the date of his actual last day of work was still in the state of flux. She continued by saying that there was no discussion that his last day of work was tied to the amount of severance that would be offered. She stated she looked very carefully in the minutes that there was no contingency or expectation regarding that matter. She found that it was very clear that the date was still in a state of flux. Cn. Hall responded by stating that the contract Mr. Wullschlager signed for accepting the position of city manager stipulated that he would receive two months of severance plus benefits if he resigned. Cn. Hall stated he did not want to set a precedent by negotiating the contract with the city manager by deciding to give him twice the amount of money that that was in that contract.

City Attorney Monson stated that she did not have that contract he was referencing in front of her but in response to his statement she explained that she had advised the council that the did not owe any severance. Specifically, the council were advised that they didn't have to do the four month and council advised the negotiating team that four months was acceptable.

Cn. Hall stated he would like to see the transcript of that conversation because he did not recall offering four months.

Mayor Riggs stated she was looking at the printed transcript and when the city attorney asked for an informal consensus of whether everyone agreed with four months, Mr. Hall was the first one to respond. Mr. Hall confirmed that he was, but it was contingent upon the August 31 date.

Assistant City Manager Longfellow made the point that City Manager stayed to be helpful and was doing the City a huge favor by staying to get certain things done. It was not his intention to drag it on.

Mayor Riggs asked if there were any other questions. There were none. She then asked if there was a Motion and there was no response.

City Attorney Monson asked if the council had a question whether they agreed to ratify the agreement or if the council was wondering what form the motion might take. She offered the form of motion would simply be to move that the council ratify the attached agreement severance agreement. Mayor Riggs asked if council was clear on what was said. There were no questions or concerns.

Cn. Forsman made a MOTION to accept the severance agreement as ratified. Cn. Cavitt seconded. AYES: Elmore, Riggs, Cavitt, Forsman; NAYS: Hall. MOTION PASSED 4-1.

V. ADJOURNMENT

Mayor Riggs adjourned the special council meeting at 4:52 p.m.



Judy Riggs, Mayor

ATTEST:



Lori Longfellow, Assistant City Manager