

Troy City Special Council Meeting No. 2
Council Chambers
April 14, 2011
5:45 pm

The meeting came to order at 5:45 pm. Present: Mayor Banning, Council: Phil Fisher, Fran McCully, Gary Rose, John Clogston, City and City Clerk Sandra Johnson.

GUESTS: Robert McLeod, Linda Rose, Heidi Desch, Janine Price, David Norman, Rachelle Garrison, Payton Norman, Clint Taylor, CT Beede, Susie Taylor, Tracy Rebo, Chris Hartzmann, Don Whedon, Denise Whedon, Heather McDougall, Marilyn McDougall, and Ron Rebo.

RIGHT TO KNOW: Peter Meloy Letter- Fran McCully made the Motion to have Peter Michael Meloy file a law suit to get the information the Council requested. Phil Fisher seconded the motion. Discussion: Phil Fisher referred to the return letter from the Mayor to Mr. Meloy stating that there will be no release of information until a City Attorney can review it. He asked; are we going to get information or are we not. Mayor Banning answered; you will if the City Attorney, when we get one, approves of it. Phil fisher said; we hired Meloy to take care of that, representing the City. Mayor Banning stated; He's not representing the City. Fisher replied; he represented us to get it resolved. Banning replied; no, he is representing the City Council. Fisher stated; the Council is part of the City. Mayor banning read aloud, the letter to the City from Peter Meloy. Time cards and time card work sheets including vacation, sick, comp, and overtime, and that the Council wouldn't intend to disclose any of this information to the public. Council also wants the settlement agreements for Haflich and Brown, Mayor Banning read his response to this letter. Phil Fisher asked; MMIA advised you to do this? Phil Fisher stated; any advice or information you get from these guys from now on, I want it in a black and white, written, letter showing where it came from, and who it came from. Mayor Banning stated; there are things in Meloy's letter that are contrary to State law and the City of Troy codes. Just as an example, "in order to properly discharge there exclusive rights to manage its business and direction of the work force". Banning states; there is no direction of the work force by the Council. The Council is legislative and that's it. John Clogston voiced his opinion that a City Attorney should have already been selected. Discussion followed regarding attorney Barnes rescinding his application. Mayor Banning advised that he will speak about that in the regular meeting. Mayor Banning called for the vote on the question. **Motion carried.** Phil Fisher – Y, Fran McCully – Y, Gary Rose – Y, and John Clogston – Y. The City Clerk wants it noted, that the settlements the council was discussing, was paid for with any City money. It was not taxes, or city reserves.

PUBLIC COMMENTS: Heather McDougall stated that the insurance rates are going to go up. Heather McDougall also stated that the case that Meloy referred to in his letter clearly establishes that it is public documents. Discussion followed. Fran McCully stated; at some point someone else will settle this for us.

Meeting adjourned 6:05 p.m.

Donald C. Banning, Mayor

ATTEST:

Sandra Johnson, City Clerk/Treasurer