

Troy Council Special Meeting No. 2
Council Chambers
May 29, 2012
7:00 pm

The meeting came to order at 6:45 pm. Present: Council President: Phil Fisher, Fran McCully, Joe Arts, and Crystal Denton, and City Clerk Tracy Rebo.

GUESTS: Michael McKinzie, Dawna McKinzie, Josie Fisher, Danette Fisher, Jayne Brown, Donna Rugani, Joyce Welch, Bob Welch, John Brown, Kristin Smith, John Clogston, Craig Stevens, Scott Sullivan, Sandi Sullivan, Karen Hubbard, Bill Hubbard, Heather McDougall, Clint Taylor, Susie Taylor, Melissa Rebo, Nancee Tallmadge, Rick Tallmadge, Tony Brown, June Hirst, and Alan Gerstenecker.

REORGANIZATION OF CITY GOVERNMENT: Discussion: Phil Fisher explained that the discussion was for Council to decide what to do for a Mayor since the recall of Don Banning. Fisher stated this needs to be decided as a whole body, and asked for suggestions from council. Crystal Denton asked if a new mayor would be interim or to complete the term. Fisher said it would be to complete the term. Joe Arts stated he felt it would make a great leap forward if we were to find a mayor that was totally impartial, and not for one side or the other. Fisher agreed, and stated that he would be willing to be mayor but, if there were anybody else that would like to be mayor, there are no qualifications but he feels it should be somebody that has experience with local government. Fran McCully agreed with Fisher. McCully asked about the procedure to choose a replacement. Fisher explained the City has 30 days from the date of recall and as of today there are 25 days left. Arts suggested placing an ad in the papers. Fisher stated those that are willing will need to submit letters of interest. Tony Brown stated that he would be interested. Arts asked him if he felt impartial. Brown answered yes, I have no axes to grind. I would operate on advice and consent of the Council. Heather McDougall stated her feelings that advertising in the news papers would take too long and just posting it at the City Hall, post office would get action started faster. McCully stated; I don't think we legally have to advertise it, only post it. Rebo advised that there is time to do both the posting and the advertising. John Brown suggested advertising for two weeks that the position is open; then have a meeting to decide. McCully stated; it pushes us too close to the 30 days. Fisher would like a seven day notice. Rebo advised that it could go in to the paper twice by then. It was decided that June 7th at 5:00 pm would be the deadline for the letters of interest and the next meeting will be June 8th. McCully asked if they could speak with the current people that they know who are interested. Rebo advised that the discussion should take place at the meeting, not before. Denton asked if the notice could be posted on the website and at the grocery store. Rebo answered; yes. Discussion followed. McDougall stated; so it is my understanding that you are the acting Mayor until June 8th. Fisher answered; yes. Sandi Sullivan asked; as acting mayor, does that mean you do not have a council vote. Fisher answered; no. Sullivan replied; so you are still President of Council, you just chair the meetings. Fisher replied, I take on the Mayor's duties. Sullivan replied; but the mayor has no council vote. Fisher stated that right in the MCA's, it states; I take over the mayor's duties, but until there is a new mayor, I still have my vote as council. John Brown asked if there is a tie vote in council regarding the mayor position, how would you break the tie. Rebo answered you don't, it just dies, and if they can't decide, I believe it goes to the County Commissioners. Discussion followed. Denton asked; if a council

member is selected to be the Mayor. Would it go through the same process to select a new council member? Fisher answered; yes. McDougall asked; can you put it out there for a new council member and a mayor, since we are so short of time. Fisher answered; no because we are not short a council member.

PUBLIC COMMENTS:

Fisher brought up the City Attorney vacancy, and recommended to split the duties between two attorneys. He stated that he has not approached either Reintsma or Evans, but he suggested Evans do the city side and Reintsma do the court, with the expense also split between them. Denton asked; for how long, the remainder of the contract? Fisher answered; it would be two years because the other contract was kicked out. Fisher stated that it would solve a claim that would be thrown out, I do know that. It was consensus of Council to follow through. Rebo made the suggestion to appoint them at the next regular meeting, so there doesn't have to be a special meeting. McCully asked; with the thought that they will do this. Rebo answered; yes. Denton stated that she would like to be involved with the discussion with the attorneys. McCully asked if it would be a quorum if there were three of them since Fisher is acting Mayor. Rebo answered; yes. Discussion followed regarding dates of meetings.

Heather McDougall announced a seminar on September 11, 2012 regarding the "right to know". Discussion followed.

ADJOURNMENT: 7:25 p.m.

Phil Fisher, Council President

ATTEST:

Tracy Rebo, City Clerk/Treasurer