

CLARKSTONCITY COUNCIL MINUTES
March 25, 2013

CALL TO ORDER: Mayor Warren, 7:00 P.M.

COUNCIL:

<input type="checkbox"/> Beadles, excused	<input checked="" type="checkbox"/> Nash
<input checked="" type="checkbox"/> Provost	<input checked="" type="checkbox"/> Baumberger
<input checked="" type="checkbox"/> Smith	<input checked="" type="checkbox"/> Blackmon
<input checked="" type="checkbox"/> Manchester	

STAFF:

<input checked="" type="checkbox"/> Chief Hastings	<input checked="" type="checkbox"/> Chief Cooper	<input checked="" type="checkbox"/> PWD Martin
<input checked="" type="checkbox"/> Clerk Storey	<input checked="" type="checkbox"/> City Attorney Grow	

AGENDA CHANGES: Mayor Warren added an executive session for litigation.

APPROVAL OF MINUTES: MOTION BY NASH/SMITH to approve the minutes of the March 11, 2013, Regular Meeting. Motion carried.

COMMUNICATIONS:

- A. From the Public**
- B. From the Mayor**
- C. From Staff**

PWD Martin explained that we are in need of additional yardwaste totes. He requested permission to use some of the funds budgeted for new regular garbage containers. MOTION BY PROVOST.NASH to authorize use of approximately \$6,000 of the budgeted funds to purchase an additional 100 totes. Motion carried.

COMMITTEE REPORTS:

Finance Committee: Councilmember Provost reported all bills have been audited and approved. MOTION BY PROVOST/MANCHESTER to authorize payment of the bills, total expenditures for March 25, 2013 of \$752,393.19. Motion carried.

Public Safety: Councilmember Baumberger reported that the two items discussed by committee are on the agenda for action.

Public Works: No meeting.

Admin Committee: Councilmember Manchester said committee met on March 25 and discussed the letter of support for Tri State and the Keller Engineering agreement.

Community Development: No meeting.

UNFINISHED BUSINESS:

NEW BUSINESS

A. Resolution No. 2013-02, Surplus for Auction

Resolution No. 2013-02 was read by title. MOTION BY BAUMBERGER/NASH to approve Resolution No. 2013-02. Motion carried.

B. Cruzin to Clarkston, Permission for Street Closure

MOTION BY BAUMBERGER/NASH to approve the request by Cruzin to Clarkston to close

streets for the car show on June 22 as requested. Motion carried.

C. Letter of Support for USDA Rural Development Funding, Tri State Hospital

MOTION BY MANCHESTER/SMITH to authorize a letter of support for Tri State Hospital's funding application. Motion carried.

D. Keller Engineering, Design Modification Agreement

MOTION BY MANCHESTER/NASH to authorize an agreement with Keller Engineering for \$9,860 for design expense to relocate the head works building. Motion carried.

COUNCIL COMMENTS:

MEDIA QUESTIONS:

EXECUTIVE SESSION:

Council adjourned to executive session at 7:12 p.m. to discuss litigation. Anticipated length of session is 10 minutes. Action is anticipated as a result of the executive session.

Council returned to open session at 7:22 p.m.

City Attorney Grow stated that the city has been sued over a public records request. The lawsuit states that public records were requested and the city did not provide all related records. He said he believes the City performed a search and provided the requested records. Grow recommended that the City contract with an attorney who has expertise in the field of public records litigation. Councilmember Provost commented that the city attorney will assist in the defense. MOTION BY SMITH/NASH TO contract with Menke Jackson Beyer to assist in the defense of the public records lawsuit. Motion carried.

ADJOURNMENT:

Meeting adjourned at 7:25 p.m.

Vickie Storey, City Clerk

Kathleen A. Warren, Mayor

Total Fund Expenditures, 3/25/13	CK #53388-53439, Feb Excise	\$630,475.57
Total Payroll, 3/15/13	CK #53365-53387	\$121,917.62