The Special City Council Meeting of April 4, 2018 was called to order at 5:02 p.m.

MAYOR
Ron Reinhard

COUNCILMEMBERS
Susan Darst
Holly Holleway
Phil Howard
Jennifer Nottingham
Lynn Tiner

OTHERS
Shannan Kinsley
Ryan Henry
Madeline McCloskey
Lee Holleway

Mayor Reinhard declared a quorum with all Council members present. The meeting was started with the Pledge of Allegiance.

1. DISCUSS AND ACT ON APPOINTMENT OF CITY ATTORNEY FOR THE CITY OF GREY FOREST PURSUANT TO ORDINANCE NO. 79 DATED 10/02/79

Mayor Reinhard stated Council was advised at the February Council Meeting that our current City Attorney, Dana Jacobson is focusing on other law and doing less Municipal Law. The City started to act toward looking for his replacement as we need the coverage. We use the City Attorney for a number of things. City Administration is the primary point of contact so everything goes through the Mayor or City Secretary when dealing with the City Attorney. We use the City Attorney for general counsel type activities such as reviewing ordinances for form or content, advice on writing ordinances and questions about public information requests. It's extremely rare that we have any litigation but we want to be able to handle it should it ever occur. Our current arrangement with The Jacobson Law Firm is a $1,000 monthly retainer in which he typically handles everything under that. If it goes over the retainer, we're charged an hourly fee. Typically, we don't use the equivalent of an hourly fee and some months; we don't have any needs for the City Attorney. We were looking at changing the form to be more financially conscious of our legal activities. He received recommendations from Dana and looked at two firms; The McKamie Law Firm and The Law Offices of Ryan Henry. The McKamie Law Firm is handling the current litigation for the City. Although City Administration already knows Mick McKamie; he did conduct a couple of telephone interviews with him. The Law Offices of Ryan Henry also came highly recommended by both our City Prosecutor and City Attorney. He conducted a couple of telephone interviews with Ryan Henry and because we hadn't met him before, he brought Ryan to City Hall to meet him along with City Administration and Mayor Pro Tem Jennifer Nottingham. Both firms sent the City proposals for services, their resumes and rates. Both Ryan Henry and Mick McKamie stated the City will be well represented by choosing either firm and were complimentary of each other. Based on the discussions and proposals; he is recommending the Law Offices of Ryan Henry to be our City Attorney. One reason is Ryan does handle litigation but focuses more on general law aspects almost exclusively for municipalities or government entities. The McKamie Law Firm handles more litigation. In addition, in trying to be more cost effective; general counsel work for Ryan Henry is $175 per hour where McKamie's rate is $225 an hour. The hours are billed in 1/10 of an hour with invoices submitted monthly. He thinks this will be more cost effective in the long run than the retainer model we're currently under. Mayor Reinhard stated he asked Ryan Henry to be present this evening if City Council has questions. Ryan Henry stated he has known Mick McKamie for a long time and the City will be well served either way. He's known Darrell Dullnig and Dana Jacobson for many years as well. The needs in Grey Forest is the type of work he does every day. When looking at rates and how the City Attorney is used; he suggested this particular rate structure where you only pay for what you use. Your everyday general law will be covered and if something blows up requiring a lot of attention; then the different rate structure kicks in. Part of it is designed to prevent the big stuff from blowing up. Usually, it's much cheaper to solve something on the front end than fix it on the back. His office is set up to be essentially paperless. Everything is virtual in a cloud, encrypted and they have disaster recovery backup. Most of their communication is done electronically which is much more cost effective. He's been doing this for about 20 years and has available many example letters and ordinances that he hopes will be helpful to the City to speed things up for ordinance and letter drafting. His firm consists of himself, an associate attorney, two paralegals, law clerk and administrative assistant. The coverage will always be

there for the City. Council member Nottingham stated she was impressed that Ryan handles small cities and the majority are general law. She thinks that will be very helpful in addition to the cost structure. Council member Howard stated he likes that Ryan can represent people before the U.S. Supreme Court because not every attorney does that. Council member Tiner and Council member Darst stated their questions have been covered. Council member Holleway stated she's looking at the ordinance passed and approved on 10/02/1979 that states the Mayor shall appoint the City Attorney in May of each year. If there's a vacancy, the vacancy can be filled until May. Her question is will the new Mayor elected in May continue with the services of who Council picks tonight. Mayor Reinhard stated typically where there's only one month left, Council can entertain a motion to make the appointment through May 2019. If for some reason we didn't want Ryan's services anymore, Council could change the appointment. There's nothing that binds the City to the appointment. Ryan Henry stated he serves at the will of Council. Mayor Reinhard stated Council has to confirm this appointment and entertained a motion.

The motion to engage the Law Offices of Ryan Henry as the City Attorney for the period starting now until May, 2019 was made by Council member Howard and seconded by Council member Nottingham. The motion passed with 4 YES and 1 OPPOSED by Council member Holleway.

2. DISCUSS AND ACT ON BID PROPOSALS TO REPLACE AIR CONDITIONER AT THE GREY FOREST COMMUNITY CENTER

Mayor Reinhard stated before renovations of the Grey Forest Community Center (GFCC) started, the air conditioner was making noises so we had it looked at. Basically, the system has completely failed and needs to be replaced. It's pretty old and maintenance on it has been sporadic over the years. Replacement of the air conditioner was not part of the renovation budget. The City does have a Contingency Fund for capital items like this that aren't budgeted. We've received several quotes. He asked Council member Tiner to look at the quotes as his career was working with air conditioner systems for large and small buildings. In addition, Council member Tiner is on the Grey Forest Community Board (GFCB) as the Council Representative and has actually looked at the system. Council member Tiner stated they were going to look at gas but where the system is located; it wouldn't be a good thing because of the exhaust from the gas. They will have to go with heat pumps. Burkholder was the cheapest with Christianson being next. He loves the idea of putting mini splits in there because they are more efficient than a standard unit. Mini splits have a condensing unit mounted outside and the evaporator is mounted on the wall inside, up high where it's out of the way. The problem is; it's $18,000 for the amount we need. He doesn't think that's going to work as it's three times the cost of the others. There's going to be a savings but because the mini splits wouldn't run all the time; the savings will be there but not nearly what it would be on your house where it's always running. Air Authority quoted (2) 3 ton mini splits and is still about double the cost. Air Tek bid (4) 2 ton mini splits and comes with a CPS rebate. Air Tek is looking at Mitsubishi which is probably one of the best there is. This also doesn't include running electrical for it. Christianson bid a Trane standard unit which isn't his favorite brand. If we go with a standard unit; the quotes are to connect to the existing duct work which could be a problem. He's not sure if the existing duct work is worth keeping as it's pretty nasty and may be an additional cost to replace. Council member Howard stated he has mini splits and loves them. They're quiet with minimal maintenance. Council member Nottingham stated Burkholder installed the new air conditioning unit at the Fire Department and they are not happy with the work. It might be the cheapest but you get what you pay for. Council member Holleway stated from her experience with ductless; we won't need (4) units in that one main room. That seems like overkill. Mayor Reinhard asked Council member Tiner for his recommendation. Council member Tiner stated personally he thinks the best option is (4) 2 ton Mitsubishi mini splits with Air Tek but knows it also has the highest initial cost and doesn't know if we want to spend that. Mayor Reinhard stated he would like to entertain a motion to see if Council agrees to engage Air Tek to install (4) 2 ton 20.5 SEER units at the clubhouse for the amount listed. As part of the motion; we need to allocate an amount for the electrical work. We can engage Valla because they have the electrician out there or we can get a quote by someone of our choice.

Council member Nottingham made the motion to go with Air Tek and (4) 2 ton 20.5 SEER mini splits for $17,795. The motion was seconded by Council member Holleway and passed unanimous.

Council member Nottingham made the motion to allocate up to $2,000 on the electrical work needed to get the units installed. The motion was seconded by Council member Howard and passed with 4 YES and 1 ABSTAINING by Council member Darst. Mayor Reinhard stated Council member Darst doesn't need to abstain from this action as there is no personal gain from it but she would like to because Council is talking about involving Valla.

There was no further business. Mayor Reinhard adjourned the Regular Council Meeting at 5:53 p.m.

These minutes were written/recorded by Shannan Kindley.

These minutes were approved as ~~written~~/amended on the 25th day of September, 2018.

Signed: Phillip A. Howard

Phillip A. Howard, Mayor