

OFFICIAL PUBLICATION

City of Hartford
Minutes of Special Meeting
April 01, 2015

A special meeting of the Hartford City Council was held in the Council Chambers of Hartford City Hall, 150 W. Elm Street, Wednesday, April 01, 2015. Mayor Pro-tem Joe Hammond called the meeting to order at 6:31 P.M. Members answering roll call included Joe Hammond, Mark Goldsberry, Stefanie Johnson and Kim Dingeman. Member absent: Amanda Peterson

Staff members present included Zack Prickett Fire/Rescue Chief and Brad Herrold Clerk/Treasurer

Motion by Goldsberry and seconded by Dingeman TO APPROVE AGENDA AS WRITTEN. Roll call vote: Motion carried unanimously.

Public Comment – Mayor Pro-tem Hammond extended welcome to guests and asked for public comment Mike Rodman invited public to attend the meeting with Warren County Economic Development staff to be held on April 7, 2015 at 6:00 p.m. at city hall. Attorney Robert Benton stated 2 city council members may attend the meeting. Ken Schmitz inquired if the city has adequate funding to address ADA improvements required by OSHA. Representatives from OSHA are visiting small communities to investigate possible code violations.

Presentation – City Liability Insurance Compliance/Hopkins & Huebner P.C. City attorney Robert Benton requested attorneys Brent Hinders and Hugh Cain provide an overview of requirements with respect to risk management, council action and conduct and employee management. Benton stated Hopkins & Huebner is an outstanding law firm and stated the City would compensate them for their services. Hugh Cain discussed open meeting and open record laws and city officials must comply. Discussion was held regarding the reasons a council may go into closed session. An attorney must be present to enter into a closed session. Brent Hinders stated council members do not manage city employees ever. A closed session to discuss employee matters must be requested by the employee. Employee matters are the only topic that may be discussed during this closed session. No other matters ever. Council member Dingeman inquired as to which attorney must be present to hold closed session. An attorney must be present. Brent Hinders stated no voting may be done in closed session. Voting, if any on matters discussed in a closed session must be done in regular session of the council meeting. Act only on facts, not opinion. The attorneys' emphasized 1 council member should not email other council members. Official city business conducted on personal emails may be reviewed by legal staff for pending litigation. The attorneys strongly recommended no mass email activity among council members. Hugh Cain stated city officials should avoid texting and email between council members. Cain recommended communication to council members should come from the City Clerk. Mr. Cain advised using email as little as possible. Brent Hinders talked about walking quorums are acceptable, however this issue is being challenged in the Iowa Courts. Discussion was held regarding rules and requests for emails among city officials and city hall. The Iowa Information Board and city attorney can assist with requests by the public to obtain this information. Only a judge and Public Information Board may request closed session tape information. Mr. Hinders stated closed session information should not be disclosed to anyone. Closed session tapes or CD should be kept a minimum of 1 year. Written minute should be kept forever. As a general rule, all audio recordings by the entity should be kept 10 years to cover statute of limitations. Tapes should never be removed from city hall. Additional discussion about emails after meetings between council members.

Council Business – Discussion was held regarding potential candidates for appointment to the position of Mayor for the City of Hartford. Doug Phillips has expressed interest. Phillips stated he would prefer to serve on the council prior to assuming role of Mayor. Mike Rodman expressed interest in filling the position. Clarification with respect to the term of the position (dates) was made by Robert Benton. The required publication is sufficient and proper. Council member Hammond stated the City and council has

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had many challenges. Council members expressed appreciation for obtaining knowledge from the legal counsel. Hammond recommended Mike Rodman to assume position of Mayor. Hammond stated he would retain Mayor Pro-tem position upon Mayoral appointment. Motion by Dingeman and seconded by Hammond TO APPOINT MIKE RODMAN TO SERVE AS MAYOR FOR REMAINDER OF THE TERM REPLACING LARRY BOHLEN EFFECTIVE APRIL 02, 2015. Roll call vote: Motion carried unanimously. Robert Benton expressed appreciation to the council members for their efforts to serve the citizens of the community.

Motion by Goldsberry and seconded by Dingeman TO ADJOURN THE MEETING AT 7:47 P.M. Voice vote: Motion carried unanimously. Mayor Pro-tem Hammond adjourned the meeting.

Brad Herrold, Clerk/Treasurer

Attest: Joe Hammond, Mayor Pro-tem