

**City Council – Special City Council Meeting
December 4, 2012**

Mayor Johnson called the Special City Council meeting to order at 7:02 PM

Upon roll call the following members were present: Irons, Tremblay, Howard, Leggett and Boyle Barrett. Council member Montgomery was absent. Also in attendance was City Administrator Schmidt.

Council member Tremblay moved to excuse Council member Montgomery. Council member Boyle Barrett seconded the motion. Motion carried.

Mayor Johnson stated that because tonight's meeting is a special meeting, we cannot add or change any items on the agenda, but we can delete an item if anyone wishes. There were no changes.

MAIN AGENDA

City Council Candidate Interviews

Mayor Johnson explained to the candidates how the process would work. Each Council member drew a number which would be used to determine the order of nominations after the questioning was complete. All three candidates had received a copy of the twelve questions in advance of this evening's interview.

There were three candidates participating in the interview process for City Council Position #1, Marvin Sundstrom, Steve Britton and Lyn Rose. Council members took turns asking the candidates questions, and the candidates took turns answering first. Following the interview questions, each candidate was given five minutes for a closing statement.

Prior to beginning the nomination process, Council member Tremblay provided a brief closing statement, basically thanking the candidates for their willingness to serve the community and stating that we cannot go wrong with any of these candidates.

Council member Irons drew #1 and would make the first nomination; however, he chose to defer to whoever chose #2. Council member Leggett was #2, and he nominated Lyn Rose for the Council position. There were four (4) votes in favor, and Lyn Rose was selected and appointed to fill vacant City Council Position #1. Mayor Johnson stated that Ms. Rose will be sworn in at next week's City Council meeting on Tuesday, December 11, 2012.

The Council congratulated Lyn Rose on being selected to fill Council Position #1.

Mayor Johnson thanked all the candidates for participating in our interview process, and complemented them all on doing a great job.

City Council retreated into Executive Session at 8:25 PM for approximately 20 minutes to discuss Spiketown Ditch litigation, with possible action to follow.

City Council returned from Exec Session and reconvened the Special City Council Meeting at 8:46.

Spiketown Ditch Litigation Settlement Proposal

Council member Boyle Barrett moved to accept the CR2A Agreement with Toman as discussed in Executive Session. Council member Tremblay seconded the motion. Motion carried with a 5 – 1 vote.

Ongoing Discussion of Prior Workshop Issues

City Administrator Schmidt said this will be a discussion on the sale of the gas system RFP, as well as the ranking sheet. Council members were given a copy of the ranking sheet based on what they had identified in the past as their primary priorities, and City Administrator Schmidt asked that they complete the ranking sheet of priorities and return them to City Hall as soon as possible. He will tally the rankings and develop a list based on that. This information will be used to develop the final RFP. Council members were provided with a draft RFP.

A lengthy discussion ensued regarding development of the final RFP, how the process would be handled, whether or not potential bidders would be provided the Council's priority ranking ahead of time, who our potential bidders might be, and holding a pre-bid/solicitation meeting to include all potential bidders. City Administrator Schmidt stated that originally when we talked about putting an RFP together we had said we would send it to interested parties to look at for their input into it. The Utilities Committee, at their last meeting, decided that they didn't think that was the appropriate way to go, and to instead keep it confidential. City Administrator Schmidt said he now has one of those companies hounding him wanting to take a look at it. So, he is looking for guidance from the Council. If the Council as a whole is not going to let it out prior to advertising, then he needs to know that. Council member Tremblay, as Committee Chair, stated their concern in the Utilities Committee is that by allowing one of the potential bidders to pretty much assist in writing the RFP, to him it opens up the potential issue, if we end up awarding to that bidder, that the RFP was designed for that bidder. So, the suggested method discussed in Committee is that we develop the best RFP we can, given the examples that we have, and that we hold a pre-bid/pre-solicitation meeting inviting all of the potential bidders, and at that time we take input, suggested changes, things that don't make sense to them, things that allow it to be more competitive, etc, but at that point anyone who is interested can do that. After that we would put out an addendum after that comment session that would cover any changes that we made. The Committee felt that was fair rather than appearing to be in bed with any of the providers. Council

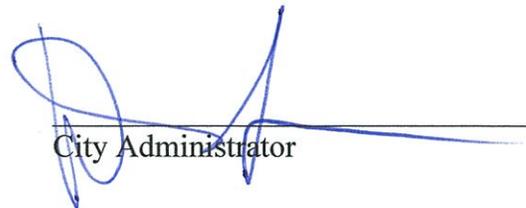
member Howard said I think we agreed at our meeting that we would share our criteria but not the way we ranked them, so they would get the list but there wouldn't be any particular order, so they wouldn't know how we were going to grade their bids. Council member Howard said the concern is that if they know our ranking they will tailor their reports to meet our highest goals and ignore some of the other stuff that we didn't rank very high, but if we just tell them these are our priorities then they are going to write a thorough report and address all our concerns, which gives us a better tool to evaluate. Discussion continued regarding the ranking sheets and how we plan to evaluate the bids.

Council member Howard moved to adjourn. Council member Tremblay seconded the motion.

With nothing further the meeting was adjourned at 9:06 PM.



Mayor



City Administrator