

JAMESTOWN CITY COUNCIL
SPECIAL MEETING, AUGUST 23, 2022
OFFICIAL MINUTES

The special meeting of the City Council was called to order by Mayor Heinrich at 5:38 P.M.

The Pledge of Allegiance to the flag was recited.

Roll Call showed the following members present: Mayor Heinrich, Council Members Kamlitz, Buchanan, Steele, City Attorney Ryan, Assistant City Attorney Geroux, Deputy Auditor Sveum, and City Administrator Hellekson. Absent: Schloegel.

Council Member Steele moved a resolution to convene in executive session rather than in an open meeting to consult and discuss risks and negotiating strategy in a legal matter regarding the employee position of Operations Director with legal counsel, which discussion in public would have an adverse fiscal effect on the City. Seconded by Council Member Kamlitz. Roll Call No. 1: 4 ayes, 0 nays, 1 absent.

Mayor Heinrich stated the purpose of the executive session is for the City Council to consult with legal counsel and discuss risks and negotiating strategy in a legal matter, which discussion in public would have an adverse fiscal effect on the City. The legal authority for closing this portion of the meeting is N.D.C.C. §44-04-19.1 and 19.2. The executive session will be recorded as required by N.D.C.C. §44-04-19.2 subsection 5, by electronic, audio or video means and retained for a minimum of six months after this date, and will not be available to the public.

Mayor Heinrich reminded Council members to limit the discussion during the executive session to the announced topic. Any collective decision, collective commitment, or other final action by the City Council must occur after it reconvenes in an open meeting, unless final action is specifically required by law to be taken during the executive session. Because this executive session is closed under N.D.C.C. §44-04-19.1, the prohibition on taking final action during the executive session does not apply to providing guidance or instructions to the city attorney.

The City Council convened the executive session at 5:40 P.M. in a separate room. The executive session was adjourned at 6:10 P.M. and the public was invited to return to the City Council meeting in open session.

Council Member Kamlitz moved a resolution to direct City Attorney Ryan to proceed as discussed during the executive session with authority up to \$25,000 to conclude the separation package. Seconded by Council Member Steele. Roll Call No. 2: 4 ayes, 0 nays, 1 absent.

Council Member Steele moved a resolution authorizing the Mayor to sign the agreement negotiated by City Attorney Ryan. Seconded by Council Member Kamlitz. Roll Call No. 3: 4 ayes, 0 nays, 1 absent.

Deputy Auditor and HRO Sveum stated that it is the intent of staff to review the needs of the departments, consider the best interest of the City, and not advertise the Operations Director position at this time. Council Member Buchanan asked Sveum to return with options, variations and a plan when appropriate.

Council Member Steele moved to adjourn at 6:17 p.m. Seconded by Council Member Kamlitz. Unanimous aye vote. Carried.

ATTEST:
SARAH HELLEKSON, City Administrator

APPROVED:
DWAINE HEINRICH, Mayor