Item 1

The City Council of the City of Wichita Falls, Texas met in regular session on the above
date in the Council Chambers of the Memorial Auditorium Building at 8:30 o’clock a.m., with the
following members present:

Bill Altman  - Mayor
Arthur Bea Williams - Mayor Pro Tem
Linda Ammons - Councilors
James Esther, Jr. -
Michael Norrie
Ray Gonzalez -
Charles Elmore -
James Berzina - City Manager
Bill Sullivan - City Attorney
Lydia Ozuna - City Clerk

Mayor called the meeting to order.

Item 2a

Dr. David Hartman, First Christian Church, gave the invocation.

Item 2b

Councilor Gonzalez led the Pledge of Allegiance.

Item 3

City Clerk, Lydia Ozuna and Mayor Bill Altman canvassed the returns of the Special
Municipal Election held in the City of Wichita Falls on February 5, 2005.

Item 4

ORDINANCE NO. 6-2005

ORDINANCE CANVASSING THE RETURNS OF THE SPECIAL MUNICIPAL
ELECTION HELD IN THE CITY OF WICHITA FALLS, TEXAS ON FEBRUARY 5,
2005; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS
ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY
LAW

Moved by Councilor Ammons that Ordinance No.6-2005 be passed.

Motion seconded by Councilor Gonzalez.

Councilor Ammons and Councilor Gonzalez agreed to amend the Ordinance to
insert the following figures in the blanks:

10564 voters voted
For the Recall received 7119 votes.
Against the Recall received 3445 votes.
Item 4 continued

Motion as amended carried by the following vote.

Ayes: Mayor Altman, Councilors Williams, Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

Mayor gave the reasons why he ran for office. I went to Texas A&M with the goal of becoming an Air Force pilot. As things happened by staying in school, getting married, going to graduate school and then law school I never had the opportunity to serve in the military. In 1996-1997 I began looking around and with S.A.F.B. here I reached a point where I decided to run for City Council for no other purpose than to be able to say I had served my time and I served my community and somewhat to pay back for all the wonderful things this community has meant to me and my family over the years. My original intent was to run for two or four years and then I could say I had participated and I would feel I had done my civic duty. Because of the situation that developed, I later ran for Mayor, which I had not intended to do originally. I ran for re-election this time only because there were some things that I had promised to do when I first ran for Mayor that had yet to be done. He thanked all those citizens for letting him work on their behalf and thanked those who supported him. He thanked his family. They are the ones who gave up my time to allow me to work very hard to do the best job I could of representing the citizens without favor, without prejudice, and that is what I have tried to do. With that in mind I have no regrets. I serve at the will of the people and am very proud to have had the privilege to represent all of you and to work very hard on your behalf. I feel I can hold my head high and say I have done my duty and served my time. I really appreciate all the support you have given me.

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City Council recessed at 8:50 a.m. and reconvened at 9:20 a.m.

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Mayor Pro-Tem Arthur Bea Williams presided over the meeting.

Item 6

The Minutes were approved as corrected.

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Mayor Pro Tem Williams announced that the hearings on the interim mayor would be conducted at 10:00 a.m. She set the order of the meeting for this morning.

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Items 7-8d

City Manager gave a briefing on the items listed under the Consent Agenda.

Moved by Councilor Ammons that the Consent Agenda be approved.

Motion seconded by Councilor Esther.

Councilor Gonzalez requested that Item 7a be moved to the regular agenda.

Moved by Councilor Norrie that the Consent agenda be approved with the exception of Item 7a.

Motion seconded by Councilor Esther and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None
Item 7b

RESOLUTION NO. 17-2005

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, ACCEPTING THE 2004 CDBG STREET REHABILITATION PROJECT (CWF04-204-14) AND AUTHORIZING FINAL PAYMENT TO ZACK BURKETT CO.; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

Item 7c

RESOLUTION NO. 18-2005

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, ACCEPTING THE UPPER WET WELL REHABILITATION PROJECT (CWF04-550-17) AND AUTHORIZING FINAL PAYMENT TO BOWLES CONSTRUCTION CO.; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

Item 7d

RESOLUTION NO. 19-2005

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, AUTHORIZING AWARD OF BID FOR THE CITY’S ESTIMATED ANNUAL REQUIREMENT OF POLYMER TO POLYDYNE, INC., IN THE AMOUNT OF $90,200.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

Items 8a-8d

Minutes of the following board and commission meetings were received.

a. Library Advisory Board – December 7, 2004
b. Animal Shelter Advisory Committee – August 19, 2004
c. Park Board – September 23, 2004

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Item 7a

RESOLUTION NO. 16-2005

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, TO APPROVE CHANGE ORDER NO. 1 TO AN AGREEMENT WITH SOUTHWESTERN BELL TELEPHONE, L.P. FOR RELOCATION OF TELEPHONE CABLES AFFECTED BY THE FAITH VILLAGE DRAINAGE IMPROVEMENT PROJECT, PHASE I; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

Moved by Councilor Ammons that Resolution No. 16-2005 be passed.

Motion seconded by Councilor Esther.

Councilor Gonzalez asked for clarification on why the City had to pay. City Attorney explained that there was a time when we had franchise agreements with utilities that said that if we ask them to relocate it would have to be at their expense. Those issues were superceded by the Legislature in 1999 as part of utility deregulation. There is a desire by some governmental entities to address that issue in the Texas Legislature. There was a presumption that those lines were put in public right of way and if there was a public need for them to move, the utility would bear that cost. The law changed that and now there is an effort to readdress that issue so that in the event utilities put lines in the public right of way and if we ask that those lines be moved for a public reason that those utilities bear the cost. That is not the way it currently is in the statutes and that is why we have to pay for this cost.
Item 7a continued

Motion carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

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Item 9a

A public hearing was held on hazardous structures.

Mayor Pro-Tem declared the public hearing open.

Mr. Clark informed that there were 16 properties being presented today for consideration for demolition action. These structures have various problems. Video information was provided. He informed that if Council proceeds with demolition action, after 30 days if the property owner has not removed the structure, the City will place a lien against the property for the cost of demolition.

Mayor Pro Tem read the properties on the demolition list and called for public comments. The following properties were addressed.

**Property: 104 McLaughlin**

Owner: Mrs. Juanita Woodard, 1313 15th Street, requested an extension in order to have her brothers tear down the structure and clean the lot. She has the structure secured and has been working to clean it. This property burned in 2001 and there is fire damage.

Juanita Quintana, 100 McLaughlin, spoke for Mrs. Woodard, stating that the wiring is so old it needs to be redone as well as the plumbing. Mrs. Woodward has been cleaning the lot but the weather has not permitted her to complete the work.

Councilor Gonzalez asked for clarification on what Mrs. Woodard wanted to do, whether to remodel or demolish. Mrs. Woodard stated that if she could she would like to repair the structure.

Mr. Clark explained the Restoration Permit. That permit allows for additional time for the property to be repaired but assures a time frame set by City Council. If time frame requirements are not met the demolition order stands.

Moved by Councilor Norrie to allow Mrs. Woodard a total of sixty (60) days extension, under the Restoration Permit, thirty (30) days to obtain a building permit and thirty (30) days to show substantial progress after the initial thirty days.

Motion seconded by Councilor Elmore and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

**Property: 1406 Austin**

Owner: Federal Home Loan Mortgage Corporation. Councilor Ammons stated that the address goes to Option One Mortgage so the notice has been sent to the wrong person. She mentioned that Option One Mortgage is a third party company that handles Wells Fargo’s foreclosure but it is not the Federal Home Loan Mortgage Corporation.

Mr. David Clark suggested proceeding with the demolition. City Attorney agreed that Council follow Mr. Clark’s suggestion with the proviso that if it is determined that Option One Mortgage was a proper party and was not properly served that we withhold demolition and bring it back. If City Council leaves this property on the list let us proceed to make sure we are satisfied we gave proper notice to the proper party and if we did proceed on. If not, we would be allowed to hold it and bring it back at a later time.
Property: 2319 Vernon
Owner: Cruz G. Salazar
Reymundo Ramirez, 587 FM 1740, informed that he had purchased this property three years ago but it was never put in his name. The property owner’s family was supposed to sign a deed but to date has not.

Mr. Troy Inman assisted Mr. Ramirez and informed that Mr. Ramirez had a statement for legal services rendered - preparation of a warranty deed dated May 14, 2001. He informed that Mr. Ramirez is an acquaintance, and he told him that he gave the seller $7,000 for the property prior to going to an attorney. He has been mowing the property for years hoping to get this resolved. His intention is to repair the property and live in it. He is going to seek legal counsel in thirty days.

Moved by Councilor Elmore to allow Mr. Ramirez thirty days to obtain ownership and sixty days to show substantial improvement, for a total of ninety days under the Restoration Permit.

Motion seconded by Councilor Norrie and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore
Nays: None

Mayor Pro-Tem noted that it was past 10:00 a.m. and suggested that this item be tabled until the proceedings for the interim mayor are concluded.

Moved by Councilor Gonzalez to table this item until the interim mayor proceedings are concluded.

Motion seconded by Councilor Norrie and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore
Nays: None

Item 12c(1)

City Council consensus was to forego the Executive Session and discuss the appointment of the position of interim mayor in open session. No Executive Session was held under this item.

Item 12d(1)

City Attorney informed that it was up to the Council as to how they wished to proceed in setting a time limit for public comments or if they even wanted to allow public comments.

Mayor Pro Tem stated that citizens would be allowed to speak for up to five minutes.

Public Comment was heard on the appointment of Mayor.

Michael Lam, #10 Hyde Park, spoke in support of the appointment of Kay Yeager as interim mayor until the next election. He read a statement from Mrs. Kay Yeager agreeing to be considered for the position of interim mayor.

Kim McClellan, 2108 Miramar, spoke in support of Arthur Bea Williams as interim mayor. She asked that the spark of anger and separation be put out and help get the City back together again. She urged the Council to be the leaders and representatives of the people and let the people speak but let them speak at election time. Let’s heal this City.

William Adams, 2909 Crest, spoke in support of Arthur Bea Williams as interim mayor. She was appointed as Mayor Pro Tem by the City Council and she should stay in that same position to do her job until the day of election and then at that time the voters can determine whom they want in that seat.

Gerri Ann Klein, 6710 Kit Carson, objected to the appointment of Arthur Bea Williams as Mayor for the City. The reasons are that I worked with Ms. Williams with the Weed & Seed Grant in December 2003. During that time the Department of Justice had begun an investigation, an audit into the management of Weed & Seed. Ms. Williams had been the chair of the Weed & Seed Committee. She had been on the Executive Committee and Finance Committee, also
Item 12d(1)

known as the Board. Mr. Esther was also involved; he was on the Board for many years. The Board had approximately 10-15 people. During this time when the audit was begun Mr. David Clark told me not to tell the Department of Justice what we were finding and Ms. Williams was also present when he told me this, and she thought nothing of it. Mr. Clark also told me to minimize the financial problems and the meeting minutes, which I did not do. The Department of Justice is currently conducting a full-blown investigation and audit. The Office of the Inspector General is involved and will be out once again this week. Considering the role of Arthur Bea Williams during that time period, she was well aware of the problems and I apprised her of the same in writing. She advised me to go ahead and issue payment authorizations when finances were in such a mess. Ultimately the Finance Office is responsible as a fiscal agent. Considering the mismanagement that was ignored, and I am confident when the Department of Justice Report audit is completed the truth will come out. There is also documentation to show there were fund misappropriations, and contrary to what is being said by some departments the investigation and audit was not prompted by unfounded allegations by former employees. So, for these reasons I object to the appointment of Arthur Bea Williams as Presiding Officer of our City.

Ken Birck, 1801 Club View, was not speaking for anyone but for the City itself. I am somewhat alarmed with what has transpired. I am concerned for the image that these actions are creating, an image that speaks of an unstable government. One that cannot solve its problems through talking discourses but rather bickering and recall. We have been brought to this point by the actions of a few. Ken Coughlin came before this Council many weeks ago I believe with an agenda. It was not only his agenda but he had accomplices. I am not saying they are not well intended I just do not see them like that at this point. One does not leave a job of police chief in a city of 100,000 people without a higher agenda. You just don’t do that. I feel the development of a power group, a political power group, one with influence and one with lots of money. Those two ingredients can be something to fear. We have business leaders here and a strong Board of Commerce & Industry that are working to promote this city to present a positive image. This power group has experienced success. It has removed a mayor, if you please - impeachment. It did not stop there, but also issued threats publicly recorded in the newspaper to other officials. That is alarming. It said that you must be more responsive to the citizens’ pleas, complaints and needs. It would be a perfect situation that any time a citizen comes before you and says I need this or this is wrong, that you can strike a magic wand and get it done. There would be no need for ordinances, just a magical world. It is not that way. It is wrong for the power group to remove one mayor and influence the installation of another. Kay Yeager is more than qualified for the position of mayor. In conclusion he asked the Council to vote their conscience not threats that you may have received by phone or otherwise.

Barry Macha, 2605 San Simeon, spoke in support of his good long time friend Arthur Bea Williams. I would be remiss if I did not appear today and speak on her behalf. We campaigned together 20 years ago and I will never forget those days in working with her and my father. I will admit at the outset that I am biased. She is like family to me. My wife, my little girl, and my two brothers and I think the world of Arthur Bea. She is a great woman. She is currently serving as Mayor Pro Tem and is serving as Councilor At Large. She won a decisive victory in a race that was open to the entire Wichita Falls electorate and she won convincingly. In fact she has won every race she has entered. She has earned and deserves the opportunity to be our City’s interim mayor. One of the prior speakers mentioned Arthur Bea’s involvement in the Weed and Seed, and I too was involved in Weed & Seed and I am completely unaware of the remotest wrongdoing on the part of Arthur Bea or Mr. Esther. They had absolutely no involvement in any wrongdoing in regard to Weed & Seed. These are trying times and difficult circumstances. When you make your decision I ask that you remember the words of a great Texan - Sam Houston, “Do right, risk consequences”.

City Council recessed at 10:40 a.m. and reconvened at 10:50 a.m.

Item 12d(1)

Public comments on the appointment of interim mayor continued.

Ken Coughlin, 4307 Craigmont, stated that he had no intention of speaking but after listening he would like to make some comments. I am here to endorse Kay Yeager as interim mayor and that is not an indictment against Arthur Bea Williams whom I have a lot of respect for. My reason for feeling that is based on this – we have been through a very divisive time and some difficult times and the City Council is clearly divided and has been for some time. To support that a gentleman stood here and talked about what my agenda had been. I served this country in the Air Force, the Army Reserve and 26 years as a police officer. This is a divisive issue because
during this process of expressing my opinions, which I understand differ from yours, I have been called a political terrorist and in this day and time to call anyone a terrorist is a pretty strong indictment, one I do not think I deserve. I do not deserve to be talked about that I had accomplices as though I am involved in some kind of criminal activity. The activity I have been involved with is my God given right to express my ideas and feelings before the governing body and by doing that I get attacked and attacked personally. I know the attacks have gone both ways. I do not think anyone in our group has done anything but try to promote a better Wichita Falls. Right now there is division in the Council and the reason I want to see Kay Yeager lead our City is because she has stayed out of this fight. I think someone that can come in that has not been a party to either side would be the best person to help lead and bond this group. She has already garnered the support of both groups and has brought two opposing groups together that were diabolically opposed for one common good – to improve things in Wichita Falls. I do not think that this City needs any more division and I am personally not going to be a party to any further activities politically. I have never been a political person prior to this. I believe I have a right to stand up for what I believe in. I served my country for at total of 13 years and I believe I have earned that right. During the petition drive I spoke to a lot citizens, and it is their interest and their expressions that they told me that we need change in our City government. That is why I am here today, not because I had an agenda. My agenda truly would have been to serve this community 28 years and then retire, not to leave my job early and walk away from 40% of my retirement. I stood up for what I believed in. The majority of the people at the Police Department would say that they believe that I stood for what I believed in and that was the true reason I made my stand. Whether it was right or wrong I did what I believed was right. I do not think anyone needs to be tying me in with words like accomplice or calling me a terrorist. We live in a free society and we should have the right to express ourselves as such.

David Brock, 320 Hill Top, stated that he supported the recall and voted for it but he is here to support Arthur Bea Williams as interim mayor for two reasons. One, Arthur Bea and I have a long time friendship. Secondly, I support her because of some of the things that have happened since the election. I think it is time to begin making peace and for the remaining Council members to work together. The recall should have awakened everyone up that there are some problems here. There are people that are dissatisfied for different reasons and the vast majority of the people feel that there has been a lack of response when citizens come before the Council and a lack of ability to talk to the Council. Arthur Bea and I do not always agree but she has always been fair and just to me. I heard that some of the Council members were being threatened with recall if you did not bend one way or the other, and that is not what I wanted to see happen from the election. I want everyone to come together and work together and begin representing what we want whether it is the police training or who is in charge of a different department, or crime in my neighborhood or issues that concern me. I ask that you start being the peacemakers today and allow Arthur Bea, as the Mayor Pro Tem, to assume the duties of interim mayor. It will be a historical event but it will be the right choice for the City of Wichita Falls. Do not give in because the political terrorists are the ones who are threatening other people into scarng them to change their vote and not vote their conscience. I voted my conscience when I chose to support the recall. I want everyone to come together and work together and begin representing what we want.

Robert Entrekin, 1012 Wesley Drive, stated that he did not stand behind anyone running for mayor, but wanted to express his discontent in Arthur Bea Williams being appointed interim mayor. The Council for many reasons is divided. I was a proponent for the recall and do not feel badly about this. I feel it is my God given right to express my opinion and using the laws that govern this country and City. It is nothing personal against Ms. Williams. I do not think that it is in the best interest of Wichita Falls. I think there is division in the Council and we need to stop the division. The Council needs to understand that the citizens are the City and I do not think we should be deemed ignorant and feel intimated when we come before the Council and City officials. We are not political terrorists; we are exercising our rights as citizens.

Wayne Pharries, 2539 Shepherd’s Glen, said that he has the utmost respect for Ms. Williams. She has been very helpful to me when I asked questions but I think she is biased against the recall and should not be appointed interim mayor. The voters voted for change. I endorse Kay Yeager. She has stayed out of this and she has experience and the strength to bring the City back together.

Mayor Pro Tem Williams stated that she too wanted the position of interim mayor and has no intention to run in the May election. Having been elected unanimously by the Council as the Mayor Pro Tem I feel that at one point they felt I was competent to do it. I did use an expression that was probably intemperate but I do not know that it was incorrect, for that I apologize. The one thing I do say, strongly, is that I have never inferred that the citizens of this town were stupid, I think an interpretation of my expressions were relayed to the public as though they were speaking for me. What I said was that I was surprised because I thought the vote would be closer, but it
Item 12d(1) continued

wasn’t. I know for a fact that there were people who voted who thought they were voting because of the Sheriff’s issue. I did not comment because I thought it would be a self-serving thing that a lot of people voted because they thought that I would immediately become Mayor. If you will recall at all times during this confrontation even though I felt the recall was not the way to go about it, that it would have been better to take care of it during the May election. I said that the recall was available to the citizens and they have every right to use it. I never said they should not use the recall even though I did not think that was the way to go. When I was asked who should pay for the election I said the Mayor should not pay for it because he and I maintain that he has done no wrong. Any citizen who has a right should exercise it and not be charged for doing it. I am not talking about people who circulated a recall petition but there are people who threatened members of this Council that if they did not fire Jim Berzina and Jan Stricklin and help to get rid of Bill Altman that they would be recalled. That is a very serious thing. I have never in my life knowingly broken the law, not ever. Being on the Weed & Seed Committee with the Chief of Police, the District Attorney, and Councilor Esther, never have I knowingly broken the law. I don’t have the slightest idea what that is. Since my name is being considered for interim mayor, it is important that you know that I do not care who has made the accusations of my being the person who has done or who is capable of doing an illegal act, it is not so. That is one reason I wanted to make certain that this is recorded in the minutes. What ever this Council does is fine with me. If I am appointed interim mayor it will be a promotion, and what will not change is that I will be Councilor At large and Mayor Pro Tem until May 17. I just want them to be sure that they feel comfortable with what they do; they are not going to hurt my feelings if they do not appoint me. What does hurt my feelings is that people who do not know me have stood publicly and presumed to speak for me, and people who do not know me personally have accused me of not misfeasance or malfeasance, of an illegal act. They need to think about that. Whatever happens I will do the best for Wichita Falls. I have lived here 61 years and I will do the best I can. The Council is free to do what they want and I will still be here until the votes are canvassed May 17. I will continue to speak out for what I think is wrong. I might not say things as strongly even though I might believe them, but I will not go gentle in that good night, because if there is a wrong or an injustice I cannot in good conscious let it go unchallenged. Whatever happens I will do the best for Wichita Falls. I have lived here 61 years and I will do the best I can. The Council is free to do what they want and I will still be here until the votes are canvassed May 17. I will continue to speak out for what I think is wrong. I might not say things as strongly even though I might believe them, but I will not go gentle in that good night, because if there is a wrong or an injustice I cannot in good conscious let it go unchallenged. Whatever happens will happen, but I think we all need to be honest to make sure that we are talking about who isn’t biased and who does not have an opinion. I have an opinion that I have publicly stated but I also have an ability of long standing to work for the greater good of anything that I am connected with and nothing will change between now and May 17.

Councilor Norrie stated that he is prepared to discuss this item in open session. Everything that has happened has been distracting and we are ready to get back and refocus. We had a paramount election and the citizens have said they want a change. We had a 2-1 margin. It is important for me not to hold grudges and not show favoritism, but do what is in the best interest of the City. It is very important for this Council not to endorse a candidate for the May Election. I encourage voters to get out and decide who they want by voting in May. I have not been called by anyone to endorse someone and Arthur Bea has said she is interested. We could keep Arthur Bea as Mayor Pro Tem until May 17, business as usual. We have some other issues that are coming up and we have a lot of disruptions and we have a lot to do for the City until the May 17. He put Mayor Pro Tem Arthur Bea Williams as a candidate for interim mayor. Councilor Williams is well respected throughout the City, throughout zip codes, and race. I want our citizens to vote on a clean slate for our next Mayor. The fact that Arthur Bea will not run in May made it a lot easier for me. This would be a nice sendoff for her to complete her tenure as Mayor for a couple of meetings. I have not heard if Kay is going to run in May and that is a very important factor.

Councilor Esther seconded the motion.

Councilor Ammons nominated Kay Yeager stating that she did not think Mrs. Yeager has any desire to run in the May Election.

Councilor Elmore seconded the motion.

Moved by Councilor Ammons to cease nominations.

Councilor Norrie seconded the motion and it carried as follows.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

Motion to appoint Mayor Pro Tem Williams as interim mayor failed by the following vote.

Ayes: Mayor Pro Tem Williams, Councilors Norrie and Esther

Nays: Councilors Ammons, Gonzalez, and Elmore
Item 12d(1) continued

City Attorney informed that it takes a majority of four Council members to make the appointment of Mayor.

Motion to appoint Mrs. Kay Yeager as interim mayor failed by the following vote.

Ayes: Councilors Ammons and Gonzalez

Nays: Mayor Pro Tem Williams, Councilors Esther, Norrie, and Elmore.

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Item 9a

Moved by Councilor Elmore to remove Item 9a from the table.

Motion seconded by Councilor Gonzalez and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

The public hearing on hazardous structures resumed at this point.

Property: 1801 Tenth Street
Owner: Ray Barnes, 2422 Brentwood, stated that Barnes Maintenance was the owner and that the taxes were paid, the property was secured and mowed. He requested that this be taken off the demolition list. He intends to sell this property when the market is right.

Mr. Dave Clark and Mr. Bobby Teague informed that this is a dangerous structure because of the holes in the first and second floors. Also part of the roof is missing. From the outside the structure is not a hazard but from the inside it is.

Mayor Pro Tem suggested that this be taken off the list since Mr. Barnes is complying with keeping it secured and clean.

Moved by Councilor Esther that this property be removed from the demolition list.

Motion seconded by Councilor Elmore and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

Property: 2007 Harriet
Owner: Robert C. Lyon

Mr. Bobby Teague requested that this property be removed from the demolition list, noting that the current ownership is being changed.

Moved by Councilor Esther that this property be removed from the demolition list.

Motion seconded by Councilor Elmore.

Gary Goodin, 3207 Seymour Road, spoke in favor of leaving this property on the demolition list. It has been different things for transients, drug addicts, and alcoholics. That place needs to be demolished. If that place is sold I think it is going to be more of the same as it has been for the last thirty years.

Mr. Teague noted that there are two structures on that address. The property owner’s intention is to demolish the structures.

Councilor Norrie asked if the ownership has actually changed. Mr. Teague replied that ownership has not changed yet. He requested that the Council give the property owner a little more time.

Mayor Pro Tem Williams expressed concern that the owner was not present and they could not ask what specific abilities they have in regards to this property. Mr. Teague informed that the property owner and prospective owner had been notified and they are aware of this notice and meeting.
Item 9a continued

Moved by Councilor Elmore that a total of 90 days be allowed, 30 days to obtain title and building permit and 60 days for substantial progress. If this time frame is not accomplished within the first 30 days, the City will proceed to demolish.

Property: 2411 Ellingham
Owner: Jared T. Cabelka, et al., 232 N.E. 46th Street, Lawton, Oklahoma, informed that this property is in ownership litigation and has been since before the fire of May 2004. He requested 60 additional days to get this resolved. He said they would pay the taxes and penalties first and then clear the title. He plans to rebuild the structure.

Moved by Councilor Elmore to allow an additional 60 days to pay the taxes, clear title and obtain a building permit or demolish the structure.

Motion seconded by Councilor Ammons and carried by the following vote.

Ayes: Mayor Pro Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

Property: 1233 35th Street
Owner: Paul Mark Scheuller.
Thomas Schueller, 1233 35th Street, spoke on behalf of Paul Mark Scheuller as his attorney. He requested that this item be removed from the demolition list. He informed that his son, Paul Mark Scheuller, could renovate this structure; it only needs a new roof and he already has some boys lined up to do the work.

Mr. Larry Wilkinson, Jr., Code Enforcement Officer, informed that there is foundation, roof, and fire damage.

Mr. Scheuller asked for 90 days to roof it and repair the holes in the floor. He requested that this item be removed from the demolition list so he could get the utilities turned back on.

Councilor Ammons stepped out of Council Chambers.

Mr. Bobby Teague informed that TXU had cut off the electricity and it would require an inspection and it would have to meet Code.

Moved by Councilor Esther that Mr. Scheuller be allowed a total of 90 days under the Restoration Permit Program. He is to obtain a building permit within 30 days from today and within 60 days from today show substantial improvement. It was noted that he needed to show that complete restoration was imminent.

Motion seconded by Councilor Elmore and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Esther, Norrie, Gonzalez, and Elmore

Nays: None

Mayor Pro-Tem called for additional public comments. There being none, Mayor Pro-Tem declared the public hearing closed.

Councilor Ammons returned to Council Chambers.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, CLOSING PUBLIC HEARING AND FINDING CERTAIN BUILDINGS AND/OR STRUCTURES TO BE DANGEROUS; COMMANDING PROPERTY OWNERS TO DEMOLISH SAID BUILDINGS AND/OR STRUCTURES WITHIN THIRTY (30) DAYS OF THE DATE OF THIS ORDINANCE AND DECLARING AN EMERGENCY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

Moved by Councilor Esther that Ordinance No. 7-2005 be passed.

Motion seconded by Councilor Norrie and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore
Item 9a continued

Nays: None

City Council recessed at 12:00 p.m. and reconvened at 12:15 p.m.

Item 10a

ORDINANCE NO. 8-2005

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, WAIVING SECTIONS 82-62 AND 82-63 OF THE CODE OF ORDINANCES TO PERMIT SALES AND THE POSTING OF SIGNS IN LUCY PARK BY THE LEUKEMIA AND LYMPHOMA SOCIETY DURING THEIR BICYCLE POKER RUN FUND RAISING EVENT MARCH 26, 2005, FROM 9:00 A.M. TILL NOON; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

Moved by Councilor Elmore that Ordinance No. 8-2005 be passed.

Motion seconded by Councilor Esther and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

Item 10b

A proposed ordinance was presented renaming Fisher Road to Ray Clymer Boulevard.

Moved by Councilor Esther that proposed ordinance be passed.

Motion seconded by Councilor Norrie.

Jim Chilcott, 4426 Bonita, felt that this was an insult to Mr. Clymer to have his name on such a small road. This should be reconsidered for a longer road.

Mayor Pro Tem asked for information on the person for whom Fisher Road was named. Mr. Clark informed that they researched that. The Fisher family owned property there and that is why it was named Fisher Road. In the future this will become a freeway exit with signage from the Expressway and it will be a divided boulevard and may be extended to the south.

Tm Chase, BCI, spoke in favor of the name change noting that the significance is quite substantial because of the contributions Mr. Clymer has made to our City’s economy. To have his name associated with economic development with the entrance to the business park carries more significance than naming another street in his name. This is going to be the welcome to Wichita Falls. He also mentioned that they are in contact with those persons who were supposed to have lived out there.

Councilor Gonzalez asked for other alternatives. Mr. Chase replied that Production Road could be changed to Fisher Road, which would leave the name of that family out there.

The issue of address changes for the businesses in that area was discussed.

Mayor Pro Tem said she would like to see this tabled and have those who are adverse to it join with us in this name change.

Moved by Councilor Ammons to table this item until the next Council meeting.

Motion seconded by Councilor Esther.

Mayor Pro Tem asked that staff obtain input from the Fisher family and resolve the inconvenience to the businesses out there. In addition that Mr. Ray Clymer be contacted.
Item 10b continued

Motion carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

Item 10c

ORDINANCE NO. 9-2005

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, CLOSING, ABANDONING, AND VACATING A THIRTY (30) FOOT WIDE BY APPROXIMATELY FIVE HUNDRED TEN (510) FOOT LONG PARTIALLY PAVED STREET IN THE HAVEN PARK SUBDIVISION, WICHITA FALLS, WICHITA COUNTY, TEXAS; BEGINNING AT THE EAST RIGHT-OF-WAY LINE OF THE 2800 BLOCK OF HOLLIDAY ROAD, AND CONTINUING EAST TO HOLLIDAY CREEK, AS INDICATED ON ATTACHMENT "A", AND RESERVING A UTILITY EASEMENT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

Moved by Councilor Ammons that Ordinance No. 9-2005 be passed.

Motion seconded by Councilor Elmore.

Moved by Councilor Ammons that Section 3 of the proposed ordinance be amended by inserting the figure $2,212.00 in the blank and that the written figure of One Hundred Fifty be corrected to read Two Hundred Fifty”. Section 3 would read: “In consideration of the receipt of $2,212.00 Dollars for the fair market value of the property and Two Hundred Fifty and No/100 ($250.00) Dollars for the appraisal fee, this ordinance shall authorize the City Manager to execute a quitclaim deed for the City’s interest in the property.”

Motion seconded by Councilor Elmore and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

Main motion as amended carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

Item 10d

ORDINANCE NO. 10-2005

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, AMENDING THE CODE OF ORDINANCES AT SECTION 90-128, COMMERCIAL LANDFILL AND TRANSFER STATION CHARGES; TO ASSESS A FEE FOR THE HAULING OF LOOSE MATERIALS TO SUCH FACILITIES; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

Moved by Councilor Ammons that Ordinance No.10 -2005 be passed.

Motion seconded by Councilor Esther and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None
City Council recessed for lunch at 12:45 p.m. and reconvened at 1:20 p.m.

Item 11a

RESOLUTION NO. 20-2005

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, AUTHORIZING THE PURCHASE OF TORO GROUNDMASTER MOWERS THROUGH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS COOPERATIVE PURCHASING PROGRAM FROM PROFESSIONAL TURF PRODUCTS, IN THE AMOUNT OF $117,501.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

Moved by Councilor Ammons that Resolution No. 20-2005 be passed.

Motion seconded by Councilor Gonzalez and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

Item 11b

RESOLUTION NO. 21-2005

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, AUTHORIZING THE PURCHASE OF THREE STANDARD ¾-TON PICKUPS AND ONE 4-WHEEL DRIVE ¾-TON PICKUP TO HERB EASLEY MOTORS IN THE AMOUNT OF $66,895.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

 Moved by Councilor Ammons that Resolution No. 21-2005 be passed.

Motion seconded by Councilor Norrie.

Charles Bowden, 4006 ½ Boren, Herb Easley Motors, requested that the 3% rule be invoked and bid be awarded to Herb Easley. Mr. Bowden informed that the benefits to the City are that they have 136 employees with wages of $4.6 million plus, they paid property taxes in the amount of $121,000, and ad valorem taxes in the amount of $121,164.00 in 2004.

Mrs. Peggy Gahagan explained that the 3% rule allows the bidders a 3% preference. There was a $1,535.72 difference from the low bidder and Herb Easley.

Moved by Councilor Elmore to approve the low bidder, Four Stars Motors, Henrietta, TX.

Motion seconded by Councilor Gonzalez and failed by the following vote for lack of majority.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, and Norrie

Nays: Councilors Esther, Gonzalez, and Elmore

Moved by Councilor Ammons to invoke the 3% rule and award the bid to Herb Easley Motors.

Motion seconded by Councilor Norrie and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, and Gonzalez

Nays: Councilor Elmore
RESOLUTION NO. 23-2005

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, ACCEPTING THE FAITH VILLAGE DRAINAGE IMPROVEMENT PROJECT PHASE I, (CWF03-552-03) AND AUTHORIZING FINAL PAYMENT TO EARTH BUILDERS, INC.; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

Moved by Councilor Ammons that Resolution No. 23-2005 be passed.

Motion seconded by Councilor Elmore and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

Item 11d

RESOLUTION NO. 24-2005

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, ACCEPTING A GRANT FOR THE PURCHASE OF GLASS RECYCLING EQUIPMENT IN THE AMOUNT OF $16,000.00; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

Moved by Councilor Elmore that Resolution No. 24-2005 be passed.

Motion seconded by Councilor Norrie and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

Item 11e

RESOLUTION NO. 25-2005

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, AUTHORIZING THE PURCHASE OF A DIGITAL LOGGING RECORDER IN THE AMOUNT OF $83,155 FROM NICE SYSTEMS, INC.; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

Moved by Councilor Norrie that Resolution No. 25-2005 be passed.

Motion seconded by Councilor Gonzalez and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

This concludes the televised segment.
**Item 13**

Mayor Pro Tem moved the public comments to be heard at this time.

Lulanger Washington, 2011 Brown Street, mentioned that the City had not competed work on his house under the Home Again Program since 2003 and requested that the work be completed and that it be done right.

Mayor Pro Tem informed Mr. Washington that the Council could not discuss this but that someone would look into this.

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Televized segment resumed.

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**Item 12a**

Councilor Ammons requested that Council consider allowing the public comments at 8:30 a.m. and that they be limited to five minutes and that they be televised.

Councilor Ammons informed that Joey Seber, Tyler Mayor, will be speaking on what our City needs to look at in the next ten years. He is nationally recognized as one of seven mayors that have made a difference in their town. She invited everyone to attend. The luncheon will be held at the Wichita Club on February 21.

Councilor Gonzalez expressed a concern of how the citizens are treated by some departments. He suggested that we look into the possibility of conducting interpersonal skills classes for our employees.

Councilor Esther mentioned that Mr. Gerner, a property owner along Loop 11, was taking some sand out from the bridge on Loop 11 and Seymour Highway. The City had told him that he could not remove that sand and he was told that the authority was the City government. He asked Mr. Gerner to put his need in writing. Councilor Esther asked that staff look into this.

Councilor Esther agreed with Councilor Gonzalez on the need for interpersonal skills classes for our employees. We need to show respect for everyone. I believe in “on the spot correction”.

Councilor Esther mentioned that earlier someone mentioned about exercising our rights. It is important that we do that as citizens of a free country and a free society. But that does not give us the right to destroy someone’s good name. It is important that we realize that, and anything other than that is a mob mentality because then you get havoc and anarchy. As your representatives we are here to obey the law. No one has the right to intimate anyone to initiate an action against his moral values but this is happening. No one has the right to threaten someone who has offered their services to this community to say if they do not do what they say they will be recalled. No one will run for office. Our conduct has an effect on our City throughout this State and Nation. If you do not care about this City, leave it, but if you do you should uphold the values that folks long ago fought for. We are instruments of God’s peace, if you love this community and want to save it you want to continue to build. It is in giving that we receive. It is in pardoning that we are pardoned. It is in dying that we are born to eternal life.

Councilor Elmore thanked those who came to Kate Haynes last night. The building was locked but we met on the stairs. The next meeting will be at 7:00 p.m. at City View High School.

Mayor Pro Tem requested that the Council agree that we put on the agenda a public meeting, with an independent moderator, within the next 30 days. The citizens and employees call tell us who, what, and when, so we can address those concerns. And so we can get an idea what the real issues are. She asked that Council think about this.

Mayor Pro Tem stated this has been a trying day and I think we will get past this. There are some things that have been said here today that are quite disturbing but we will get to that as well. Right now I ask for the citizens patience, as well as the Council’s, and I will do the best that I can for as long as I can, even after May 17 as a citizen of Wichita Falls. I am not here by accident I am here by choice.
Item 12b

Mr. Scott Taylor gave a presentation on water rates.

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Item 12c

City Council went into Executive Session at 2:33 p.m. as authorized by Section 551.074 of the Texas Government Code.

City Council reconvened at 3:43 p.m.

Mayor Pro-Tem announced that no votes were taken during Executive Session.

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Item 12d(3)

RESOLUTION NO. 25-2005

RESOLUTION NOMINATING A REPRESENTATIVE TO THE NORTEX 911 COMMUNICATIONS DISTRICT BOARD OF MANAGERS FOR THE PARTICIPATING MUNICIPALITIES; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Moved by Councilor Gonzales to appoint Councilor Norrie to the Wichita-Wilbarger 9-1-1 District with term to expire May 15, 2007.

Motion seconded by Councilor Elmore and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

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Item 12d(4)

RESOLUTION NO. 26-2005

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, AUTHORIZING THE EXECUTION OF A SEVERANCE AGREEMENT WITH CITY MANAGER JIM BERZINA; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

City Manager Jim Berzina stated that he had requested that this item be placed on the agenda because he felt that this governing body needed to have the vehicle to be able to discuss it and freely discuss how they feel. It is no secret that I have retirement plans for sometime in 2006. It seemed like the appropriate topic and if I have some difficulties in the community, the Council needs to be able to resolve that. We had a good discussion. This Council is interested in moving forward and will be quite active in how they bring the community together. It is with that in mind and my meeting with the City Council that I am submitting my resignation effective April 15, 2005. They have agreed in principle to a separation agreement that would take effect after April 15, 2005. I agree to what we talked about and I will retire April 15, 2005.

Moved by Councilor Norrie that Resolution No. 26-2005 be passed.

Motion seconded by Councilor Elmore.

Councilor Norrie expressed appreciation to City Manager Berzina for his integrity and what he is doing. Knowing you has made me a better person. I appreciate you and Carol.

Councilor Esther commented that we have been serviced well by a talented man. I hope all that has been accomplished those many years has not been for naught. He always focused on how to move this City forward. I hope he does not let his talents go to waste now that it is needed more than ever.
Item 12d(4)

Councilor Gonzalez stated that he has seen a lot of good things happen in Wichita Falls and a lot of things that have moved forward. We are slow but we are getting there. I did not notice things about local city government until the 1980’s but I have seen a lot of good changes since then and those were due to our City Manager Jim Berzina and the staff that he put together. I think we are going to move forward from here and work to serve our community.

Mayor Pro Tem thanked City Manager Berzina for what he has done for the City and what he will continue to do in the future days and weeks to come. I find it difficult to preside over this. We will proceed. I thank you for what you have done and respect you absolutely to act in the capacity in which you have. Thank you.

Motion carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

Mayor Pro Tem announced that Council did not get to Item 12d(5) and at this time would go into executive session.

Item 12c(3)(b)

City Council went into Executive Session at 4:05 p.m. as authorized by Section 551.074 of the Texas Government Code.

City Council reconvened at 4:33 p.m.

Mayor Pro Tem announced that no votes were taken in Executive Session.

Item 12d(5)

RESOLUTION NO. 27-2005

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WICHITA FALLS, TEXAS, AUTHORIZING THE CITY ATTORNEY TO NEGOTIATE A SEPARATION AGREEMENT WITH DIRECTOR OF ADMINISTRATIVE SERVICES JAN STRICKLIN; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW

Moved by Councilor Elmore that Resolution No. 26-2005 be passed.

Motion seconded by Councilor Gonzalez and carried by the following vote.

Ayes: Mayor Pro-Tem Williams, Councilors Ammons, Esther, Norrie, Gonzalez, and Elmore

Nays: None

Vincent Wisely, Staff Attorney for CLEAT, asked if this was a voluntary resignation on the part of Mr. Berzina, why are we contemplating a separation agreement. There is no need for a separation agreement where an employee serves at the will of the Council. This could only cause an additional expense to the taxpayers for someone who is already leaving.

City Attorney stated that he had the right to ask that question. With regard to whether Mr. Berzina had an existing employment agreement there were issues related to that and as counsel for the City Council, I asked them to discuss those issues with them and they took action in part based upon my advise. I am satisfied with the advice that was given. On that basis that indeed a separation agreement based on the documents that were out there was a valid and appropriate instrument for them to authorize, whether to Mrs. Stricklin for me to negotiate or for the Council to execute with Mr. Berzina.

Mr. Wisely commented that this will establish precedence for the City if there are future employees that resign under same or similar circumstances and they will also expect a severance package or separation agreement. When they separate from the City, if you move forward with that plan of action, you should be informed that it will establish precedence and if the employees
who separate from the City under same or similar circumstances do not receive similar separation packages/agreements they have a claim and should pursue that claim.

City Council adjourned at 4:40 p. m.

PASSED AND APPROVED this ______day of ______________, 2005.

__________________________________
ARTHUR B. WILLIAMS
MAYOR PRO-TEM

ATTEST:

__________________________________
Lydia Ozuna
City Clerk