

**CITY OF BIRCHWOOD VILLAGE
SPECIAL CITY COUNCIL MEETING
July 10, 2017**

MINUTES

MEMBERS PRESENT: Mayor Mary Wingfield; Council Members: Trilby White, Randy LaFoy and Megan Malvey. Councilmember Kevin Woolstencroft was absent.

STAFF PRESENT: Tobin Lay, City Administrator

OTHERS PRESENT: None

Mayor Wingfield called the special meeting to order at 6:00 p.m.

CITY BUSINESS - REGULAR AGENDA

Mayor Wingfield: She called for a motion to close the meeting after stating: “the purpose of the closed meeting is to talk about the performance review of Tobin Lay. This is his choice; by law he is entitled to have this in a private forum; he has chosen to do so.”

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO CLOSE THE MEETING FOR THE PURPOSES STATED. ALL AYES. MOTION PASSED.

- A. Staff Performance Review:** This portion of the meeting was closed to discuss the performance review of Tobin Lay, Interim City Administrator.

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO REOPEN THE MEETING TO THE PUBLIC. ALL AYES. MOTION PASSED.

Mayor Wingfield: She explained that during the closed portion of the meeting the Council discussed the performance review of Tobin Lay.

**On July 10, 2017 the City Council conducted a “performance evaluation” of Administrator Lay. The discussion lasted approximately 25 minutes and the following were observations and conclusions made:*

- *Mr. Lay started with the City in November 2015 as its Treasurer.*
- *Mr. Lay started with the City in November 2016 as its City Administrator and has spent approximately 8 months in the office.*
- *The Council has not conducted a performance evaluation before.*
- *The Council uniformly lauded Mr. Lay’s preparation, dedication and attention to detail as well as openness/willingness to help the public/residents.*
- *Decision-making regarding agenda items and their inclusion/exclusion was discussed.*
- *Time management and efficient use of time while in the office was discussed and Mr. Lay acknowledged that he will prioritize going forward (this was a concern for a work-life balance for him).*

* This summary was added during the August 8, 2017 regular City Council meeting (*in Italics*).

- *Succession-planning through documentation of processes and procedures so-as to not “re-invent” the wheel was covered and the Council appreciated the hard work that Mr. Lay has put into that initiative.*
- *Council asked Mr. Lay if there was/were anything(s) that they could do to assist him in his work and Mr. Lay indicated that he was quite satisfied with the Council and their clear direction to him as well as their own progress in working together as a new “team.”*
- *Council was uniform in their assessment that Mr. Lay should be encouraged to stay in his role and that a new long-term contract be negotiated.*

B. Staff Compensation and Employment Agreement:

Mayor Wingfield: She explained to the Council that Tobin had spoken to her and Councilmember LaFoy, separately, about compensation figures. She was not aware of the terms discussed between Tobin and Councilmember LaFoy but explained the terms she had discussed with Tobin. She recommended that Council move forward with the salary rate and terms as explained and request City Attorney Kantrud work out the remaining details of the contract with Tobin directly.

Councilmember LaFoy: He agreed with the Mayor’s recommendation.

Mayor and Council Members: They discussed and asked questions about the recommendations.

MOTION WAS MADE BY MAYOR WINGFIELD AND SECONDED BY COUNCILMEMBER LAFOY TO AUTHORIZE CITY ATTORNEY ALAN KANTRUD TO ENTER INTO CONTRACT NEGOTIATIONS WITH TOBIN LAY WITH SPECIFIC PARAMETERS THAT IT INCLUDE PAY UP TO \$65,000 ANNUALLY FOR TWO YEARS. COUNCIL MEMBERS WILL PROVIDE INFORMATION TO KANTRUD AS TO SPECIFICS THAT ANY COUNCIL MEMBER WOULD LIKE TO BE CONSIDERED. ATTORNEY KANTRUD WILL THEN COME FORWARD WITH A COMPREHENSIVE PACKAGE THAT IS SUITABLE FROM HIS PERSPECTIVE FOR BOTH THE CITY AND TOBIN LAY AT THE AUGUST 8, 2017 CITY COUNCIL MEETING TO BE APPROVED RETROACTIVE TO AUGUST 1, 2017. ALL AYES. MOTION PASSED.

ADJOURN

MOTION WAS MADE BY COUNCILMEMBER LAFOY AND SECONDED BY COUNCILMEMBER WHITE TO ADJOURN THE MEETING. ALL AYES. MOTION PASSED. MEETING ADJOURNED AT 6:40 P.M.

ATTEST:

Mary Wingfield
Mayor

Tobin Lay
City Administrator-Clerk

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