

**PROCEEDINGS OF THE SPECIAL WYOMING CITY COUNCIL MEETING
HELD AT CITY HALL, APRIL 25, 2018 AT 12:00 P.M.**

Present: Councilmembers Bolt, Burrill, DeKryger, Postema, Postler, Vanderwood, and Mayor Poll.

Staff: Galligan, Holt, Oostindie, Sall, Stowell and Vandenberg

Mayor Poll called the meeting to order at 12:02 p.m. in the West Conference Room.

City Manager Holt noted the purpose of the meeting is to discuss the City's legal services and distributed a packet of information. The Mayor and two councilmembers have approached the City Manager regarding legal services and the desire to explore service options. Currently, we contract with Sluiter, VanGessel, Carlson (SVC) for general and prosecution activities, Miller Johnson for labor services and additional firms as needed for other special legal services.

Holt outlined three options:

Option 1 – Legal services remain the same with a proposed budget of \$500,000.

Option 2 – Hire an in-house attorney as a City employee and an administrative support person at an estimated cost of \$486,800.

Option 3 – Seek proposals from area attorneys with an estimated cost of \$196,238-\$600,062, plus an additional \$100,000 for labor-related legal services.

Holt discussed some of the opportunities and challenges related to these three options. Holt asked for direction from Council on how to proceed, noting it is important to be strategic in what path is chosen as the choice could put an attorney in a precarious position with a current firm or client(s) if we are seeking the in-house option. Holt additionally noted the need to choose a direction and commit to it.

Mayor Poll reminded Council that the hiring of a City Attorney is the responsibility of the Council. There was brief discussion regarding Council's role in the actual hiring process. Burrill expressed interest in having the City Manager handle the process.

Bolt discussed costs of the current arrangement and the hours and costs involved versus the hours and costs of an in-house attorney. Bolt's inclination is to support an in-house attorney.

Holt explained some potential variations including moving some cases to MMRMA and the ability to change the process in which the City's prosecution cases are handled.

Vanderwood wished to have more information on why this change is being proposed. Burrill expressed concern with some of the guidance provided in recent years. The Mayor noted several situations where he felt the City was not well represented and a situation where the City paid out a large settlement.

Postler noted support of exploring an in-house attorney. DeKryger expressed concern that another attorney could make the same mistakes. Postema noted he has a lack of confidence in a recent legal opinion given by the City Attorney but struggles with the idea of removing Sluiter at this point.

Holt noted he did offer an in-house opportunity to Sluiter a couple of years ago, however he declined the offer.

There was brief discussion on the various legal services, use of special legal counsel and how it is determined how cases are handled. Mayor Poll noted the City Manager is here to run the city and feels it is significant when he is asking to have special counsel handle something. Council should listen to him on that. Holt clarified that with an in-house person; he would expect they would manage our legal activities and determine how cases are handled.

There was brief discussion on proposed costs and how a potential transition would happen and when.

There was consensus among the City Council to pursue option 2.

Vanderwood asked that the Mayor assist the City Manager in bringing forward a recommendation.

The meeting adjourned at 12:41 p.m.

Kelli A. VandenBerg
City Clerk