

MINUTES
CITY COMMISSION MEETING
August 20, 2012

The City Commission met this date in special session in the Commission Chambers. A quorum being present, the meeting was called to order at 6:00 PM with the following in attendance

Mayor	:	John B Arnold, Jr.
Commissioners	:	Heyward H. Strong, Jr.
	:	Joe Morgan
	:	Kay Hamilton
	:	Diane Kelly
Deputy Clerk	:	Della Rhodes
Police Chief	:	Joe Hart
City Attorney	:	Hayward Dykes

Other in attendance: Brenda Douglas (Court Reporter), Joan Mores (Camera), Mike Griffin (Bay Beacon)

EXECUTIVE SESSION

Mayor Arnold stated that the meeting was duly advertised. Mayor Arnold read aloud the “Notice of Special Meeting and Executive Session” concerning pending Litigation in Bradley VS. City of Valparaiso, Case No 2009-CA-001965. Anticipated Time is between 40 minutes. The Mayor declared the meeting recessed at 6:03PM.

Executive
Session

Bradley
Litigation

SPECIAL MEETING

The Special meeting resumed at 6:45 p.m. with the Mayor stated as a result of the Executive Session a motion is proper to direct our attorney Motion by Commissioner Kay Hamilton to direct our attorney to file a notice of appeal for the Bradley litigation and authorize him to investigate cost associated with Bradley Litigation seconded by Commissioner Joe Morgan, so carried by the Commissioners.

Commissioner Hamilton stated that she was very upset with Mr. Wyckoff and his directions given to the City, which was incorrect according to the Judge, she wanted to know if Mr. Wyckoff had any malpractice insurance. Mr. Dykes stated, he had spoken with Mr. Wyckoff, weather or not he had any type of insurance to cover any claims that the City may or may not make against him, and Mr. Wyckoff indicated he did not. Comm. Morgan asked if all City Attorneys have to be bonded and insured. Mr. Dykes stated that in his contract it is a requirement. He did not recall seeing that in Mr. Wyckoff’s contract. Mayor Arnold stated it was not. Mr. Dykes said he can explore and see if he has insurance.

Mr. Dykes stated that it would be prudent to hold off on any resolution with Mr. Wyckoff at this time. Sundstrum Bentley law firm has indicated to us that the City does not have to pay there bills at this point. They are not waiving their bills but the City did not have to remit payment at this time. We will need to decide eventually how we want to handle this. We will need to handle Mr. Wyckoff and the firm accordingly.

ADJOURN

There being no further business to be brought before the Commission, the meeting adjourned at 7:00 PM.

John B. Arnold, Jr.
Mayor

Heyward H. Strong
Chair, VCA

ATTEST:

Tammy Johnson, CMC
City Clerk

The DVD labeled August 20, 2012 contains the audio and video and will be kept as a permanent part of these minutes.