

City of Glendale

5850 West Glendale Avenue
Glendale, AZ 85301



Meeting Minutes - Final

Tuesday, February 17, 2015

12:30 PM

Special Voting Meeting

Council Chambers

City Council

Mayor Jerry Weiers

Vice Mayor Ian Hugh

Councilmember Jamie Aldama

Councilmember Samuel Chavira

Councilmember Gary Sherwood

Councilmember Lauren Tolmachoff

Councilmember Bart Turner

CALL TO ORDER

Present: 7 - Mayor Jerry Weiers, Vice Mayor Ian Hugh, Councilmember Jamie Aldama, Councilmember Samuel Chavira, Councilmember Gary Sherwood, Councilmember Lauren Tolmachoff, and Councilmember Bart Turner

Also present were Michael Bailey, City Attorney; Pamela Hanna, City Clerk; and Darcie McCracken, Deputy City Clerk.

PLEDGE OF ALLEGIANCE**MOTION TO ENTER INTO AN EXECUTIVE SESSION**

A motion was made by Councilmember Chavira, seconded by Councilmember Aldama, to enter into Executive Session. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Sherwood, Councilmember Tolmachoff, and Councilmember Turner

EXECUTIVE SESSION

Meeting went into Recess at 12:42 p.m.

Meeting Reconvened at 1:45 p.m.

NEW BUSINESS

1. [15-147](#) **DISCUSS AND TAKE ACTION IN REGARD TO THE CITY MANAGER POSITION**

Staff Contact: Michael D. Bailey, City Attorney

Mr. Bailey went through the agreement and release for Brenda Fischer. He explained Ms. Fischer will be resigning her position as City Manager with notice to the city. He said the city will provide severance benefits to Ms. Fischer for her continued assistance to the city regarding information relating to her past duties. He said Ms. Fischer desires to accept those benefits and the terms of the agreement. He said Ms. Fischer's employment will be terminated at the end of the business day on April 3, 2015 and beginning on February 17th, Ms. Fischer will be available as a consultant to the city. He said Ms. Fischer will not receive a payout of accrued benefits, such as vacation and sick time. He said the city will pay for the remainder of any deferred compensation that is due in an approximate amount of \$2,200. He said the city agrees to pay Ms. Fischer an additional nine months' salary in the sum of \$152,981 to resolve any and all claims. In consideration of these, the city will receive a release and the city will provide a release of Ms. Fischer for any legal claims the city may have as of the date of this agreement. Ms. Fischer will remain available to the city from the date of this agreement until April 3, 2015 to answer any questions. If this city desires to use Ms. Fischer for any other consulting services, that will come before Council under a separate agreement. There are no admissions on the part of any party. The parties agree there is no reason to disparage one another. Ms. Fischer will receive her personal property and the city shall receive all city property in her possession from Ms. Fischer. He said both parties have the right to consult with an attorney and all parties will do whatever is necessary to carry out the terms of the

provisions.

Mr. Bailey said a critical component of this agreement is that Ms. Fischer is going to be resigning from her position, effective April 3, 2015 and beginning on February 17, 2015, she will serve as a consultant.

Councilmember Tolmachoff made a motion to accept Ms. Fischer's resignation, seconded by Vice Mayor Hugh.

Mayor Weiers asked if this motion was sufficient.

Mr. Bailey said his understanding was the Council was accepting Ms. Fischer's resignation under the terms of the agreement. He said if that is Council's understanding, it did not need to be restated.

A motion was made by Councilmember Tolmachoff, seconded by Vice Mayor Hugh, to accept the terms as outlined by City Attorney Bailey. The motion carried by the following vote:

Aye: 7 - Mayor Weiers, Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Sherwood, Councilmember Tolmachoff, and Councilmember Turner

2. [15-146](#)

COUNCIL DISCUSSION AND POSSIBLE APPOINTMENT OF ACTING CITY MANAGER

Staff Contact: Michael D. Bailey, City Attorney

Mr. Bailey said they will be reaching out to Mr. Bowers on behalf of the Council and will report back.

A motion was made by Vice Mayor Hugh, seconded by Councilmember Turner, to appoint Mr. Dick Bowers as temporary City Manager. The motion carried by the following vote:

Aye: 4 - Mayor Weiers, Vice Mayor Hugh, Councilmember Tolmachoff, and Councilmember Turner

Nay: 3 - Councilmember Aldama, Councilmember Chavira, and Councilmember Sherwood

COUNCIL COMMENTS AND SUGGESTIONS

There were no Council Comments.

ADJOURNMENT

The meeting was adjourned at 1:57 p.m.