

## Special Council Meeting Minutes

March 10, 2014

The City Council of the City of Audubon Park held a special meeting under (KRS 61.823) on Monday, March 10, 2014, at 3340 Robin Road, with the following present: Mayor Dorn Crawford and Council Members Joanne Bader, Vince Osbourn, Mark Stevens, Nancy Zinner, and Cary Campbell. Also present were Police Officer Brian Fredricks, City Attorney Steve Emery, and City Clerk Janette Mercer.

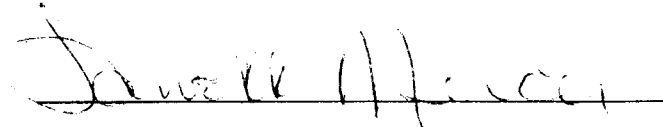
### Call to Order

Mayor Crawford called the meeting to order at 7:00PM.

The Mayor asked for a motion to discuss proposed or pending litigation against or on behalf of the City. Because of the subject matter, the bulk of the meeting was to be conducted in executive (closed) session, as provide in KRS 61.810 (1) (c). Joanne Bader made a motion for the closed session, Vince Osbourn seconded, and the motion passed unanimously.

After the executive session the Mayor called the meeting back to order. He reported that he and the Council discussed matters of the City's pension program and disposition of payments thereto, and have drawn some conclusions. Mr. Emery, the City Attorney, reminded members that conclusions are not drawn in closed session, but upon succeeding motions. The mayor restated as 'terms of discussion' that: 1) the "retirement" program was invalid from the outset; 2) the contracts and agreements executed under the program are void; 3) that expenditures paid out to the recipients under this "retirement" program are recoverable by the City; and 4) that a failure to seek redress could leave current City officials personally liable for restitution. These are all provisions of applicable state statutes that have been examined with some care and in light of these terms of discussion, the mayor asked for a motion for the mayor to notify the recipients of the discontinuation of pension payments and recovery of the proceeds. Cary Campbell made a motion to authorize the sending of letters and to show support, Nancy Zinner seconded and the motion passed unanimously. A copies of the letter and agenda are included as part of the minutes.

The mayor asked for a motion to adjourn the meeting. Joanne Bader made a motion, Vince Osbourn seconded and the motion passed unanimously.

  
Attested

  
Approved