

City Council Work Session Meeting Minutes

Dawes Conference Room
113 W. Dawes Ave., Bixby, OK 74008
May 22, 2023 at 5:00 PM

Call to Order

Mayor Guthrie called the meeting to order at 5:01pm.

Roll Call

Shannon Duran, City Clerk, called the roll, and the following were present:

Members Present

Mayor Guthrie
Vice Mayor Founds
Councilor Hirshey
Councilor Girard
Councilor Revelis

Staff Present

Jared Cottle, City Manager
Shannon Duran, City Clerk
Phil Frazier, City Attorney
Charles Barnes, Finance Director
Bea Aamodt, Public Works Director
OC Walker, City Planner
Todd Blish, Police Chief
Mike Butler, Fire Chief
Justin Dowd, City Engineer

Agenda

1) Presentation on the OMAG Recognition Program.

Mayor Guthrie said Item 1 on the Work Session Agenda is Presentation on the OMAG recognition program.

Item presented by Charles Barnes

Others who spoke: None

Charles provided the council with the OMAG Recognition Program packet for their review. (Packet included in these minutes as reference)

Charles reviewed the program and annual training requirements for reimbursement/rebate from our insurance for completing required classes. In the past several years, the rebate has been over \$9,000. The insurance premium for the City of Bixby is \$89,911 covering \$36 million dollars of property. The Workers' Compensation Plan premium of \$220,485.00 covers all of the City's

hazardous duties and regular duties for workers' compensation for the year. The packet contains a printout from OMAG 's online Video Library. Charles advises the council that they will need to watch 2-3 of the courses online and submit proof of completion to him by the end of June.

The council must also complete the stability test and submit their response back to Charles by the end of June.

2) Presentation on FY2024 Budget Overview.

Mayor Guthrie said Item 2 on the Work Session Agenda is the presentation for the FY2024 Budget overview.

Item presented by Charles Barnes

Others who spoke: Jared Cottle, Bea Aamodt, Chief Butler, Chief Blish

Charles advised the council that they had been provided with a proposed budget for FY2024 at the last council meeting. Jared Cottle advised the council that the budget would also be on the next work session agenda. The public hearing set is for the public to receive public comment on the budget. A link will be posted on the website for public questions and feedback on the agenda.

Mayor Guthrie states that he wants to see all contractor licensing fees go away to allow contractors to come to the City of Bixby to do jobs without that added fee. Charles states that the revenue on the verification and licensing for contractors is around \$30,000.00 per year. Further discussions are to be held on this topic before the budget approval.

Council inquires of the department heads about the budget; if any unforeseen costs are expected, that may not be in the budget. Jared advises there is a cost to be expected in the capital budget for Bently Park. Rather than costs coming from the park's maintenance budget for repairs on the park, it will come out of the capital. Playground equipment can be costly and should be replaced within 10-15 years. Jared advised capital wise a multi-year plan for Bently Park turf was part of the replacement plan. John Wood advises the council on a plan for updating softball parks and park equipment as part of the upgrades. Jared advises the council about shading areas and will come back and share with the council about the shades on fields.

Fire Chief Mike Butler advises the council that he has sizable expenses expected for the upcoming FY2024 as they expand. Mike Butler advises there is also an anticipated purchase of a 3000-gallon water tanker for South Bixby for homes with limited access to water, which will come from the capital budget. Also, the upcoming expansion to the fire department and purchasing property for the expansion will be discussed at a future executive session. Expanding is needed as the north side of Bixby is growing. Discussions held as to the fire hydrants

Chief Todd Blish from the Police Department advised the council a further expense may be for the dash cams for police units. Jared Cottle advises the council that the camera investment has paid off with some significant dividends. The chief advises the council that additional costs will be to purchase new 2023 Dodge Chargers. In March of 2023, there was approval to buy new Dodge Chargers to be used as police units. Three of them were damaged beyond repair during transport. Chief advises that the delivery of those three 2023 Dodge Chargers was refused, so the new chargers had to be remade and are expected to be after July. The July date will be in the FY2024 budget for these new vehicles.

Mayor Guthrie inquires about the Bixhoma Dam restoration project listed on the budget as a million-dollar project. Bea Aamodt spoke on the item and advised the council that that budget is a proposal from an engineer to restore the dam. Bea advises the council that the dam is from the 1960s and has not been repaired since then. Jared advises the council that the south side of the

lake is the emergency overflow, and water goes down the back side. Bea also informed the council that a further expense would be the purchase of a Sterling dump truck. The current dump truck owned by the City will need to be replaced. Bea also stated that they no longer make them, so purchasing the parts to fix the dump truck is very costly, and they often have a hard time finding parts to fix the issues. Also, the bed on the dump truck is corroded. Public Works is asking for a budget of \$300,000.00 to replace the Sterling dump truck for FY2024.

3) Discussion and presentation by Bixby Rugby Club.

Mayor Guthrie said Item 3 on the Work Session Agenda is a discussion and presentation by the Bixby Rugby Club.

Presented by John Wood, Parks Director
Others who spoke: Chris Smith

Chris Smith spoke to the council about Bixby Rugby Club's history and is asking to establish a more consistent practice place. Currently, the age group for the Bixby Rugby Club is 6th Grade - High school.

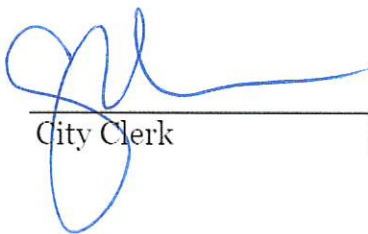
In the partnership between Rugby Club and the school, Chris Smith is asking the council for semi-exclusive during the rugby season for land use. Permission to make upgrades themselves, to upgrade the fields, provide maintenance, allow installation of lights, and allow users to provide labor and time on the field instead of payment.

Bixby Rugby Club carries insurance through USA Rugby. No need for fencing as of now. Irrigation and parking are needed for the area where the rugby fields will be. There will be no concession stands for rugby events.

Jared Cottle also spoke about this item and advised the council about the field and location in that area. Chris Smith states that scholarships are available for girls and boys in the Bixby Rugby Club. The parking lot will serve for soccer and rugby events. There are no plans for concession stands. The council advised Chris Smith and John Wood to meet and confer, then prepare a user agreement between the City of Bixby and Bixby Rugby Club.

4) Adjournment

An adjournment was called at 5:47 pm.



City Clerk





Mayor

OMAG Recognition Program

This program is available to members with active coverage through the OMAG Municipal Liability Protection Plan (MLPP). OMAG believes the best run cities and towns have fewer claims and the claims they incur cost less money to resolve. The OMAG Recognition Program seeks to strengthen municipal governance and reduce claims through education and self-assessment.

BENEFITS

Members who gain OMAG Recognition are awarded a check in an amount that is based on the member's premium charged for the current plan year.

CRITERIA

To gain OMAG Recognition governing bodies must certify through official action (Resolution and certified meeting minutes) that once during each fiscal year:

- each governing body member received OMAG prescribed training – either in person or by distance learning.
- the governing body either adopted/updated/reviewed their governing body handbook.
- the governing body completed and reviewed the **Stability Test** to audit its performance.
- the governing body reviewed its MLPP Declarations page and Explanation of Coverage page.
"Understanding Your Declarations Page"



AN EXPLANATION OF OMAG COVERAGES

1) BODILY INJURY & PROPERTY DAMAGE - Coverage A & B

This coverage protects the municipality, its employees and elected officials from Bodily Injury and Property Damage claims filed against the municipality by a third party.

2) PERSONAL INJURY - Coverage C

This coverage protects the municipality, its employees and elected officials from claims filed against the municipality by a third party for injury including emotional distress, inconvenience, annoyance, etc.

3) ERRORS & OMISSIONS - Coverage D

This coverage protects the municipality, its employees and elected officials from claims filed against the municipality by a third party for Errors and Omissions involving alleged breach of duties as defined in the plan document.

4) AUTOMOBILE LIABILITY - Coverage E & F

This coverage protects the municipality, its employees and elected officials against Bodily Injury, Personal Injury and Property Damage claims filed against the municipality by a third party arising from the operation of the municipality's insured/scheduled autos.

5) HIRED AND NON-OWNED AUTO LIABILITY

Automobile liability coverage is extended to claims filed on vehicles that are not owned by the municipality but are used in the conduct of the operation of the municipality. This coverage applies to claims on an excess basis over the automobile owner's policy.

6) AUTOMOBILE PHYSICAL DAMAGE - Coverage G

This coverage protects the municipality for damage to their own autos. The auto schedule will indicate coverages provided such as: comprehensive, specified perils, or collision. The deductible will be listed on the auto schedule.

7) HIRED AUTO PHYSICAL DAMAGE

Auto Physical Damage coverage is extended to hired autos that are leased, hired, rented, or borrowed on behalf of the named planned member, provided that such autos are not owned by an employee or agent of the named plan member. However, hired autos does not mean autos loaned to a plan member for more than thirty (30) days for police and fire.

8) EQUIPMENT PHYSICAL DAMAGE - Coverage H

This coverage protects the municipality for damage to their scheduled equipment. The equipment must be listed on the auto/miscellaneous equipment or the mobile equipment schedule for coverage to apply. Deductibles will be shown on each schedule.

9) POLLUTION DAMAGE - Coverage I

This coverage provides legal liability protection for claims filed against the municipality for property damage and clean-up expenses resulting from a covered pollution incident as defined in the plan document.

**10) DEFENSE REIMBURSEMENT FOR INVERSE CONDEMNATION,
ANNEXATION/DEANNEXATION, ZONE AND**

BOARD OF ADJUSTMENT MATTERS – Coverage J

This coverage will reimburse a plan member for 50% of its legal expenses and costs up to a maximum of \$10,000 after the plan member has paid \$5,000 in accordance with the plan document.

11) CYBER LIABILITY AND DATA BREACH RESPONSE – COVERAGE K

This coverage provides protection against electronic data breaches and the response associated with the breach. This coverage is provided in a separated plan document.

**12) LEGAL DEFENSE COVERAGE FOR WORKERS' COMPENSATION RETALIATION CLAIMS –
Coverage L**

This coverage provides, at the member's request and acceptance, legal defense only (no indemnification for damages) for retaliation claims filed under the Workers' Compensation Statutes to the extent the claim is not eligible for coverage under any other coverage.



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Municipal Liability Protection Plan
Declarations Page

1. PLAN MEMBER: **City of Bixby** AGREEMENT NUMBER : **GLA140043606**
Mailing Address: P.O. Box 70
Bixby, Oklahoma 74008-0070
2. Plan Period **From 7/1/2022 to 7/1/2023 12:01 A.M. Central Standard Time**
3. The Coverage afforded by this agreement is only with respect to the following coverages as are indicated by specific limits of coverage, for which a premium is charged.

COVERAGE

PREMIUM

GENERAL LIABILITY (PARTS I, IV, V and VI)

Coverages A,B,C,D,I,J,L

- A. Bodily Injury B. Property Damage
C. Personal Injury D. Errors and Omissions
☐ Prior Acts Coverage

\$68,885

AUTOMOBILE LIABILITY (PART II)

Coverages E,F

- E. Bodily and Personal Injury F. Property Damage

\$13,201

- ☒ [X] **Hired and Non-owned Automobile Coverage**

Hired and Non-Owned

\$43

AUTOMOBILE & EQUIPMENT PHYSICAL DAMAGE (PART III)

Coverage G

- G. Automobile Physical Damage

\$31,762

1. Comprehensive
2. Specified Perils
3. Collision
- } Per Fleet Schedule

☒ [X] **Hired Auto Physical Damage Limit: \$150,000**

- H. Equipment Physical Damage — Per equipment schedule

Coverage H

☒ [X] **Mobile Equipment**

\$1,363

☒ [X] **Auto/Misc. Equipment Blanket Limit: \$1,823,784**

\$2,407

☒ [X] **Mobile Equipment Leased/Rented Limit: \$100,000**

\$175

CYBER LIABILITY AND DATA BREACH RESPONSE COVERAGE (VI)

Coverage K

- K. See Cyber/Data Breach DEC

\$1,350

4. **Limits of Liability, subject to the GOVERNMENTAL TORT CLAIMS ACT: A,B,E,F**

Total Premium

- \$125,000 Each Other Loss Per Occurrence **Coverages A,E**
\$25,000 Each Property Damage Loss Per Occurrence, including Fire Legal **Coverages B,F**
\$1,000,000 Aggregate Per Occurrence **Coverages A,B,E,F (No Annual Aggregate)**

\$119,186

Limits of liability not subject to the OKLAHOMA GOVERNMENTAL TORT CLAIMS ACT: C,D,K

- \$1,000,000 Each Other Loss Per Occurrence **Coverages C,D**
\$2,000,000 Annual Aggregate **Coverages C,D**
See Cyber DEC Cyber/Data Breach Coverage

5. **DEDUCTIBLES**

Coverages A,B,E,F: No Deductible, except sanitary sewer overflows and electrical disruptions, which are subject to the Deductible of C & D.

Coverages C,D: **\$1,000** Per Occurrence

Coverages G,H: Per Schedule

Coverage K: Per Applicable Cyber/Data Breach Deductible

6. This agreement is composed of this Declaration Page, the MLPP Document, Schedules, Forms and Endorsements, if any.



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**Municipal Property Protection Plan
Declarations Page**

1. PLAN MEMBER: **City of Bixby** AGREEMENT NUMBER: **PRO140040406**
Mailing Address: P.O. Box 70
Bixby, Oklahoma 74008-0070
2. Plan Period From 7/1/2022 to 7/1/2023 12:01 A.M. Central Standard Time
3. The Coverage afforded by this agreement is only with respect to the following coverages as are indicated by specific limits of coverage, for which a premium is charged.

COVERAGE

PREMIUM

COMMERCIAL PROPERTY COVERAGE

Buildings and Business Personal Property, per schedule	Limit: \$35,719,003	\$89,911
Mobile Equipment, per schedule	Limit: \$	\$
Leased/Rented Equipment	Limit: \$	\$
Miscellaneous Equipment, per schedule	Limit: \$	\$
Fine Arts, per schedule	Limit: \$	\$

EXCESS COVERAGE

Business Income	\$ per occurrence	\$ per location	\$
Accounts Receivable	\$ on premises	\$ off premises	\$
Valuable Papers	\$ on premises	\$ off premises	\$
Theft/Disapp/ Destr	\$ inside	\$ outside	\$
Earth Movement (Subject to \$100,000 Deductible)	Excess Limit:		\$

EQUIPMENT BREAKDOWN COVERAGE

Excluding Electrical Power Generating Equipment, per schedule	Included
Including Electrical Power Generating Equipment, per schedule	Excluded

Total Premium

\$89,911

4. LIMITS, per Supplemental Coverage Declarations, Equipment Breakdown Declarations and other schedules.
5. DEDUCTIBLES, per Supplemental Coverage Declarations, Equipment Breakdown Declarations and other schedules.
6. This agreement is composed of this Declaration Page, Equipment Breakdown Declarations, Schedules, Forms and Endorsements, if any.



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WORKERS' COMPENSATION DECLARATION

Policy Number: WCV140001906	Policy Period: From 7/1/2022 To 7/1/2023 12:01 A.M. Standard Time at the Named Insured's Address
Company: CompSource Mutual Insurance Co.	Policy Number: 03423662
Named Insured and Address: City of Bixby P.O. Box 70 Bixby, OK 74008-0070	Agent: OMAG 3650 S. BOULEVARD EDMOND OK 73013 Telephone: 405-657-1400
Business Description: STANDARD PLAN	Type of Business: Municipality

This notice is to inform you that CompSource Mutual Insurance Company has accepted coverage for you for workers' compensation as a member of OMAG in accordance with the general coverage limits below. This notice is issued as a matter of information only and does not represent all the terms and conditions of coverage under this policy.

COVERAGES

WORKERS' COMPENSATION INSURANCE

Includes Part One and applies to the workers' compensation law of the State of Oklahoma.

EMPLOYERS' LIABILITY INSURANCE

Includes Part Two and applies to work in the State of Oklahoma. Limits of liability under

Part Two:

- | | |
|------------------------------|-------------------------|
| • Bodily Injury by Accident: | \$100,000 Each Accident |
| • Bodily Injury by Disease: | \$100,000 Each Employee |
| • Bodily Injury by Disease: | \$500,000 Policy Limit |

PREMIUM

Net Premium: \$198,814.00

OMAG Admin. Fee: \$21,671.00

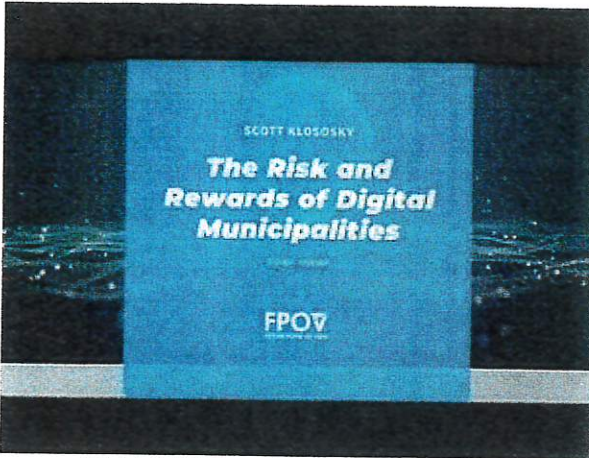
Total Premium: \$220,485.00

As a member of OMAG's Workers' Compensation Plan, you are entitled to claims processing services for losses occurring during the policy period, per the terms of the "Application and Agreement" entered into with OMAG.

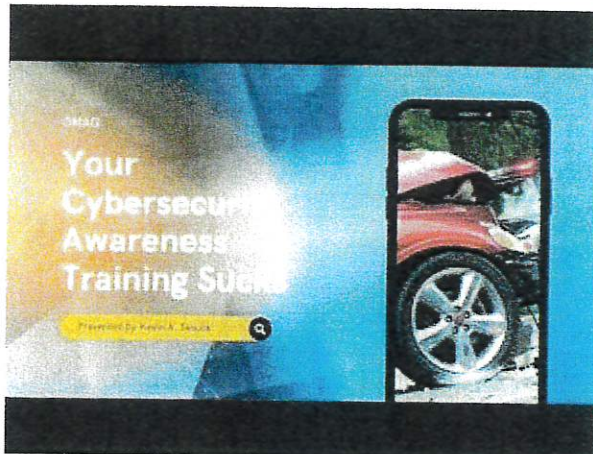
SPaulson
Executive Director, OMAG
Date: 6/2/2022

www.omag.org/train-online

OMAG Online Video Library



OMAG IT Expo 2022: The Risk and Rewards of Digital Municipalities (Scott Klososky, FPOV)



OMHRP: Your Cybersecurity Awareness Training Sucks (Kevin Sesock)



OMAG IT Expo 2022: Technology is Society's Accelerant (Kevin Sesock, OMAG)



OMHRP Meeting - Risk Management Programs (William Sheppard)



OMAG Sanitary Sewer 2021 - Municipal Project Funding (Mike Bailey)



The History of OMAG with Harold Pumford

Municipal Elections

OMAG

Initiative Petitions, Referendum Petitions, and Recall Petitions

2021 OML Presentation - Municipal Elections (Jeff Bryant)

2021 OML Presentation - Municipal Elections (Jeff Bryant)

2021 OML Presentation - Municipal Elections (Jeff Bryant)

OMAG

Tort Claims

Matt Love
OMAG General Director

CMAO Conference 2021: OMAG Municipal Tort Claims Presentation (Matt Love)

OMAG

Open Meetings

Matt Love
OMAG Deputy General Counsel
Warr Acres City Attorney

CMAO Conference 2021: OMAG Open Meetings Act Presentation (Matt Love)



Record Keeping for Public Sector Employers in Oklahoma



OMAG - Worker Compensation Reform



Critical Incident Response



Understanding the Role of Elected Officials

STABILITY TEST

Part 1 – Financial Stability

Does your city have enough money to operate? (circle the number that best fits your city)

10. Yes, we have a written policy that requires at least 20% of the general fund as a reserve and fully fund the reserve.

5. We don't have a written policy but maintain more than 10% of the general fund as a reserve.

1. We are lucky to make payroll and regularly are concerned about it.

Part 2 – Governing Body Stability

How stable is your governing body? (circle the number that best fits your city)

10. We have great, well informed and engaged elected officials; when we have had elections in recent years, most candidates have been well qualified.

5. The majority is good, but the bad ones are very bad.

1. I wish we could get a completely new group, as I don't think any of them are qualified to make decisions for the City.

Part 3 - Meetings

How good are your meetings? (circle the number that best fits your city)

10. Professional, business like and a joy to attend – I hate to miss one because we all enjoy the work we do for the City.

5. Boring, not much accomplished, but nothing bad happens.

1. Our meetings are miserable; arguing, staff at odds with the elected officials, out of control public – I wish I never had to attend another one.

Part 4 - Employees

How good is your workforce? (apply a rating from between 10 and 1)

10. Our employees work very hard, care about the city, enjoy their work, and are proud they work for the city.

5. Our employees mean well, may not work as hard as the private sector, don't get paid enough, but get by.

1. Most of our employees do not like their job, we have lots of turnover, get many claims (workers comp, discrimination, etc.), and we have a difficult time attracting good employees.

Part 5 – What does the public think of your city?

What does the public think about your city? (apply a rating from between 10 and 1)

10. We have very little public input at meetings as the public seems to trust our elected officials to make good decisions; we seldom have a disgruntled citizen appear at a meeting, and when we do, the discussion is civil and respectful. The City has a good reputation and is seen as a leader in the region.

5. The public doesn't seem to care what we do and does not pay much attention to what we are doing.

1. There seems to be little or no public confidence in the decisions made by the city; we continually have disgruntled citizens appearing at meetings and criticizing how we do business.

Part 6 – How well do you handle a crisis?

What well does your city handle a crisis? (apply a rating from between 10 and 1, with 10 being the best possible)

10. We come together as a team, we work very hard, we are not afraid to ask for help and we have other entities offer to help us; after the crisis is over, we evaluate how well we handled the event and strive to do better next time. We never engage in the blame game.

5. We stumble through.

1. We live in crisis, are always dealing with everyone trying to blame everyone else, and can't manage or plan for anything.

Part 7 – Economic Development

How active are you with economic development? (apply a rating from between 10 and 1, with 10 being the best)

10. We are continually working on economic development projects, are very optimistic that better times are ahead, that we can complete a good project, and are always trying to get economic growth.

5. If something comes along, we try to help.

1. We have not pursued an economic development project in years, have not had any growth, and are simply trying to hold on to what we've got – it is difficult to have hope for the future.

Part 8 – Planning and Goal Setting

How well do you plan and set goals for city projects? (apply a rating from between 10 and 1, with 10 being the best)

10. The elected officials, administration and all staff work well to create well defined goals of the city that we all work to accomplish.

5. Every once in a while, we get around to talking about a project we want to accomplish; we even follow through on some of them.

1. We're lucky to get our jobs done day to day; we have no plan for next week, much less next year; everyone just does their own thing.

Part 9 – Administration

How stable has your upper management been? (apply a rating from between 10 and 1, with 10 being the best)

10. Management has been stable for a long time; we have found a way to work together, to set goals, to communicate well, and it has ensured continuity in management. If we do have turnover, we attract good candidates because the city is a good place to work for its administrator.

5. Our leadership changes regularly and we readjust and take a new direction to how we approach city business; sometimes it improves and sometimes it doesn't.

1. The administrative leadership of the city is constantly changing, whether it needs to or not; administrators have not been treated well in the past, are underpaid, and really don't want to work in my city.

Part 10 - Communication

How well do you communicate with each other? (apply a rating from between 10 and 1, with 10 being the best)

10. Everyone, from elected officials to the lowest staff, is well informed about the major activities of the city; we all are able to speak our mind, and there are no secrets amongst the elected officials and staff, as all feel free to express their opinion without fear of retribution.

5. We get random information, hit and miss, with no continuity.

1. We have no idea what is going on with the city; the elected officials and administration only meet when required; staff many times has no idea about what is going on with major projects.

Score Sheet (Rate each 1-10, with 10 being the best or most stable score)

1. Financial Stability _____
2. Governing Body Stability _____
3. Meetings _____
4. Employees _____
5. Public Image _____
6. Crisis Management _____
7. Economic Development _____
8. Planning and Goal Setting _____
9. Administration _____
10. Communication _____
- TOTAL** _____

HOW STABLE IS YOUR CITY?

How to improve your scores:

1. FINANCIAL STABILITY

- a. Create a written policy that establishes financial goals for the city, approved by council resolution that gives clear direction to staff
- b. Determine an appropriate reserve policy with realistic goals
- c. Clear, simple monthly reports to elected officials

2. GOVERNING BODY STABILITY

- a. Annual training, including training to staff and the elected officials about meeting protocol.
- b. Create an elected official handbook
- c. Regular meetings with staff to ensure that all are working on the projects that are important
- d. Code of ethics for the elected officials
- e. Best Practices resolution for oversight
- f. Professionalism will attract professionals
- g. Does your Mayor know the role the Mayor should have in your form of government?
- h. Develop a transition training program for newly elected officials that is consistent and complete.

3. MEETINGS

- a. Respect for fellow elected officials
- b. Business meetings
- c. Clear meeting rules
- d. A good balance of public input limited to agenda topics

4. EMPLOYEES

- a. How do you instill pride in their work?
- b. Improve uniforms/appearance with employee input.
- c. Good salary and benefits
- d. A sense of being a part of a team that works toward a common goal
- e. Do you show appreciation to your employees?

5. PUBLIC IMAGE

- a. Good meetings
- b. What do your city properties look like
- c. What does your city equipment look like
- d. Do you distribute public information (newsletter; email list) that gets the good news of the city out to the public
- e. Do you show appreciation to your vendors?
- f. Do you pay on time?
- g. Customer Service training
- h. Create a list of what your city does well and get the message out!

6. CRISIS MANAGEMENT

- a. Understand everyone's role
- b. Understand operations before an event
- c. Have elected officials toured emergency management facilities and understand who is in charge during various emergencies?

7. ECONOMIC DEVELOPMENT

- a. Have you set goals for economic development
- b. Does the city own land for development
- c. Does your city have an economic development director or contract

8. PLANNING AND GOAL SETTING

- a. Annual or regular goal setting meetings with written results
- b. Short term and long range planning
- c. Clear communication about goals

9. ADMINISTRATION

- a. Identify strengths and a good working relationship
- b. Communication about expectations
- c. Best Practices for oversight
- d. Build trust and maintain trust between the elected officials and administration.

10. COMMUNICATION

- a. Create a communication system that is agreed to, that may include:

- Weekly reports
- Annual report
- City newsletter
- Employee newsletter
- Email of important events
- b. Council committees
- c. Informal time with elected officials for management