

**TOWN OF MILLIKEN  
BOARD OF TRUSTEES  
MILLIKEN MEETING HOUSE, 1201 BROAD STREET**

**SPECIAL MEETING MINUTES**

**Monday, March 31, 2014 – 6:00 P.M.**

**Call to Order**

The Town of Milliken Board of Trustees convened a regular session on Monday, March 31, 2014 at 6:00 p.m. Those present: Mayor Milt Tokunaga, Trustees: Linda Beck, Reid Hobler, Jordan Jemiola, Linda Measner and Lois Ann Onorato. Also present: Town Administrator/Police Chief Jim Burack, Town Clerk Cheryl Powell, Treasurer & Accounting/Finance Director Patrick Murphy, Community Development Director Anne Johnson, Public Works Director Jason Fowler, Parks and Outdoors Director Josh Roseberry, Town Attorney Bruce Fickel and Assistant Town Attorney Sunita Sharma.  
Absent: Mayor Pro Tem Julie Cozad.

**Pledge of Allegiance**

Mayor Tokunaga called the meeting to order.

**Agenda Approval**

There not any additions or deletions to the agenda.

**Citizen Comments**

None.

**CONSENT AGENDA**

There were not any items.

**ACTION AGENDA**

**1. Modification of Jim Burack's Employment Agreement**

Town Attorney Fickel addressed the Town Board and provided a summarization of the Modified Employment Agreement for Town Administrator Jim Burack. Jim Burack will serve as a contract consultant with the Town commencing April 1, 2014 until July 31, 2014.

Town Clerk Powell gave a summarization of wages and benefits Mr. Burack will receive from the Town as a consultant from April 1, 2014 through July 31, 2014.

Town Attorney Fickel apprised the Town Board of the Town property that is currently in Mr. Burack's possession and when these items are scheduled to return to the Town.

Trustee Beck motioned to accept the modified employment agreement and the agreement to employ as a consultant. Trustee Hobler seconded.

Discussion: None.

Vote: All in favor, none opposed. Motion passed.

## 2. Appointment of Interim Town Administrator

Town Attorney Fickel spoke to the Town Board regarding an appointment of an Interim Town Administrator.

Trustee Jemiola suggested to the Town Board that they appoint Town Clerk Cheryl Powell who has served as the acting Town Administrator during the Administrators absence.

Mr. Bob Carnahan, who resides at 707 S. Olive Avenue, would like to know what happens with Mr. Burack's position as the Chief of Police and his gun and badge. Mayor Tokunaga responded that Mr. Burack's resignation encompasses both positions.

Pattye Fontaine, who resides at 108 S. Frances Avenue, asked if this is a Public Meeting. She was told that this is a Public meeting and is the public indeed allowed to speak. Mayor Tokunaga responded that the meeting is public and citizens can speak during the Citizens Comments portion or during a Public Hearing.

Mr. Jim Gardner, 801 S. Forest St., Milliken questioned the sick pay portion of the agreement and thought the Town did not pay for accrued sick leave when a person resigns their position. Trustee Jemiola responded that historically that was Town policy, but it has since been changed. Trustee Onorato also responded saying that when she retired as a Town employee, she received thirty percent of her accrued sick leave.

Trustee Jemiola motioned to appoint Town Clerk Powell as the Interim Town Administrator until a permanent Town Administrator is selected. Trustee Hobler seconded.

Mayor Tokunaga would like additional compensation discussed regarding this interim position and have this brought back before the Town Board at their meeting on April 9, 2014.

Trustee Jemiola would like to amend his motion that an agreement regarding compensation between the Town Board and Clerk Powell be added. Trustee Hobler seconded.

Vote on the amended motion.

Vote: All in favor, none opposed. Motion passed.

Vote on the original motion.

Vote: All in favor, none opposed. Motion passed.

### **3. Appointment of Interim Chief of Police**

Town Attorney Fickel explained that the Town Board has appointed an Interim Town Administrator and that the Interim Administrator would need to explore the replacement of the Chief of Police. Attorney Fickel stated that the Town Board could recommend a replacement to the Interim Town Administrator.

Mayor Tokunaga commented that he has spoken to Jim Burack, Cheryl Powell and Commander Benito Garcia. The Mayor explained that Commander Garcia has a lot of background with the Town, experience with the residents and qualities, and it would be his recommendation that Commander Garcia be the Interim Chief of Police. Mayor Tokunaga also explained that there are certain metrics that need to be attained by Commander Garcia in order to fully become the Town's Chief of Police.

Discussion from the Town Board was that there are mentors for Commander Garcia in the surrounding communities that he can obtain information from in order to complete the criteria needed to be Chief of Police.

The consensus from the Town Board was to recommend Commander Garcia as the Interim Chief of Police.

Trustee Jemiola recommends the appointment of Commander Garcia as the Town's Interim Chief of Police and to recommend an agreement regarding compensation. Trustee Measner seconded.

Elizabeth Austin, 775 S. Saddleback Drive, spoke to the Town Board saying that as a citizen, she is in favor of Commander Garcia in this position and she would like to see this carried through to fruition.

Vote: All in favor, none opposed.

## DISCUSSION AGENDA

### 1. Update on New Appraisal Conditions for the Solomon and Martin Mobile Home Properties

Community Development Director Johnson spoke to the Town Board regarding the appraisal process of the Town's two (2) Mobile Home Parks. Prior to this week, the Town had been told by the Office of Emergency Management (OEM) that the appraisal for the Hazard Mitigation Grant Program would be based on pre-flood value of the Mobile Home Parks. On Tuesday, staff was informed by OEM that the appraisal will now be based on post-flood value. Two appraisals will be required. OEM is investigating whether the second appraisal will be given to the Town at no cost. Both the Solomons and the Martins have been informed of this change.

Director Johnson explained to the Board that the Planning Commission will begin discussion of the definitions of Mobile Home, Manufactured Housing, and Modular Housing at their next meeting. In addition, the Planning Commission will be asked to evaluate when the current Mobile Home Parks should be brought to current standards that are listed in the MH Zone District, or if a new Code Section needs to be added to accommodate the current Mobile Home Parks.

## INFORMATIONAL AGENDA

### Updates on Staff Assignments

### Other Business

Mayor Tokunaga would like to discuss with Town Clerk Powell and Town Attorney Fickel, the process in which to obtain a permanent Town Administrator.

### Summary of Meeting (Review of Action Items, Staff Assignments & Schedule)

### Adjournment

Hearing no further business, the Mayor adjourned the meeting at 6:40 P.M.

Prepared by:

  
Cheryl L. Powell, Town Clerk

Approved by:

  
Milt Tokunaga, Mayor