



CITY OF DELAWARE CITY

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**CITY OF DELAWARE CITY  
CITY MANAGER SEARCH COMMITTEE  
NOVEMBER 14, 2016  
MINUTES**

**CALL TO ORDER**

The meeting of the City Manager Search Committee was called to order at 7:00 p.m. by Committee Member Parets. Those present included Committee Members Morrill, Haugh, Price and Parets. Committee Member Harrison was not able to attend this meeting. Also in attendance was City Solicitor Walton.

**ELECT CHAIRPERSON**

*Committee Member Price nominated Committee Member Parets. Committee Member Morrill seconded the nomination. There was no discussion. A vote was taken, all ayes, motion carried.*

**RESOLUTION 16-0919-01- TO ESTABLISH A CITY MANAGER SEARCH COMMITTEE**

Committee Member Parets summarized Resolution 16-0919-02, a Resolution to Establish a City Manager Search Committee, which was passed by the Delaware City Council on September 19, 2016. He pointed out that the resolution said the Mayor could choose to serve on the committee. He said Mayor Green should arrive at around 7:30 and they would see what his plans were.

Committee Member Parets asked City Solicitor Walton, pertaining to FOIA requirements which would impact maintaining the confidentiality of people who may apply for this position, if the committee would have the ability to go into executive sessions for the purpose of interviewing candidates. City Solicitor Walton said they could have executive sessions as long as it was listed on the agenda with at least seven days notice. He said the purpose for the executive session would fall under a "discussion of an individual citizen's qualifications to hold a job". They would probably have to call an executive session, including the

Mayor, when it is time to submit the names of the candidates to him. City Solicitor Walton clarified that the right to keep an interview confidential belongs to the candidate being interviewed. They always have the right to have the interview in a public forum. Discussion followed regarding how executive sessions would work.

Discussion occurred pertaining to where the resumes should be collected, preferably outside Town Hall. City Solicitor Walton said they could be sent electronically to his office and his secretary could copy them and see that they are mailed to the committee. The committee reached consensus that that is the path they would like to take.

Discussion occurred regarding advertising the position. The following were suggested as possible contacts: CMAD (City Manager Association of Delaware); DLLG (Delaware League of Local Government); APA (American Planning Association); University of Delaware, both administration and graduate programs; News Journal; Business Times; Association of Registered Agents in Dover; and large public media sites. City Solicitor Walton said there is no requirement for the position to be posted publically in the City, however, there is nothing preventing it. Discussion followed.

The committee discussed the necessary information for an ad. City Solicitor Walton said he had discussed it with City Manager Cathcart, who has been very flexible, and he would like to be finished by summer 2017.

They asked if the Mayor and/or Council created a job description or set any parameters for the job. City Solicitor Walton said they had not, so that would be the job of this committee. He said the starting point would be 9-04 of the Charter, which basically lays out the job description. He said they would really need to flesh this out as it is really basic. City Solicitor Walton said he is friendly with the president of CMAD so he should be able to get a couple examples of existing job descriptions for the position of City Manager. Discussion followed regarding the fact that the Council would not need to approve the job description, but would need to approve the salary.

Discussion occurred regarding how much and how often the committee should communicate with the Council regarding their progress. City Solicitor Walton said the salary would be shared with Council when the Mayor presents his candidate for approval. In other words, when the committee makes a recommendation, they would also recommend a salary. They felt it would be helpful to use the current City Manager's salary as a benchmark. Additional discussion transpired regarding salaries and benefits. The committee then discussed contracts, having noted the Charter spells out that the City Manager is appointed for an indefinite term. They said they would get benefits package information from the City Clerk.

Mayor Green arrived and addressed the committee. He thanked the committee for taking on this very important task. He said he was going to decrease his role by not attending future committee meetings and allow the committee to do their job. He said he would make his appointment based upon the committee's recommendation, whether or not the candidates are prioritized. Mayor Green said he has full faith in the committee's ability to select the best candidate(s) for the job. He said he would be available if they have a need for him to attend a meeting.

Committee Member Parets said when they come to the next meeting they ought to have their ad ready to launch along with a job description. A model ad should be put together and shared at the next meeting. If they agree with the ad and the job description draft, they would approve them and immediately plan to put the ad out to the agencies on their list.

City Solicitor Walton explained how the committee can communicate via email. He said they need to be very cautious because they don't want to create an email quorum which is a FOIA violation. He said he could act as the clearing house, in that, he would send out the draft ad, committee members could respond only to him with revisions. He would make the revisions that were suggested, if any, and then send an attorney/client privilege response to the committee so they can discuss it at their next meeting. He said he might include one of his colleges to act as the clearing house. Discussion followed.

Discussion followed regarding job requirements. City Solicitor Walton said there is a job accreditation (ICMA) for City Managers. He said he doesn't think City Manager Cathcart was accredited, nor was Paul Morrill when he was City Manager. The City Solicitor said he would send them the existing job descriptions from CMAD to use as templates. He said he would also see what resources the University of Delaware has.

### **HOUSEKEEPING TOPICS**

Discussion occurred regarding future meetings. They said they plan to meet again on Thursday, December 15<sup>th</sup> at 7:00 pm. City Solicitor Walton said he would try to get a draft of the job description to Committee Member Parets right after Thanksgiving. Linda Price would contact the City Clerk to get the current City Manager's salary and the benefits package for all city employees.

The committee questioned whether or not they are covered by the City's blanket liability insurance. The City Solicitor said there isn't really a liability because they are only a recommending body. He said he will check with the City's insurer to ascertain that the City has proper insurance, as the committee will be working on employment issues. Discussion followed.

Following a short discussion, the committee decided that they would allow for public comments at the end of each meeting.

**ADJOURNMENT**

*Committee Member Morrill made a motion to adjourn the meeting. Committee Member Price seconded the motion. A vote was taken, all ayes, motion carried. Meeting adjourned at approximately 8:07 p.m.*

Respectfully submitted,

*Dawn K. Gwynn*

City Secretary