

AGENDA
CITY OF CHARLEVOIX CITY COUNCIL SPECIAL MEETING

Thursday, January 29, 2015 – 12:00 p.m.
210 State Street, City Hall, City Council Chambers, Charlevoix, MI

- I. Invocation (Pledge of Allegiance)**
- II. Roll Call of Members Present**
- III. Inquiry Regarding Possible Conflicts of Interest**
- VII. Miscellaneous Business**
 - A. Discussion Regarding Appointment of an Interim City Manager and Strategy for Hiring a New City Manager
- VI. Audience - Non-agenda Input (written requests take precedent)**
- VII. Adjourn**

The City of Charlevoix will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one weeks' notice to the City of Charlevoix. Individuals with disabilities requiring auxiliary aids or services should contact the City of Charlevoix Clerk's Office in writing or calling the following: City Clerk, 210 State Street, Charlevoix, MI 49720 (231) 547-3250.

Posted January 28, 2015 2:00 p.m,

CHARLEVOIX CITY COUNCIL

SPECIAL MEETING

AGENDA ITEM

AGENDA ITEM TITLE: Discussion Regarding Appointment of an Acting City Manager and Strategy for Hiring a New City Manager

DATE: January 29, 2015 at 12:00 noon

PRESENTED BY: Mayor Campbell

ATTACHMENTS:

1. Section 3.5 of the City Charter
2. Letter from Mike Spencer

BACKGROUND INFORMATION: The Mayor has called for a special meeting to discuss the possible appointment of an Acting City Manager in light of a pending letter of resignation from the current City Manager. According to Petoskey officials, the Petoskey City Manager Employment Agreement is scheduled to be voted on at their 7:00pm City Council meeting on Monday, February 2, 2015.

The City Charter states in Section 3.5 City Manager-Filling Vacancy, that the Council may select an Acting City Manager for a period not to exceed 6 months. The appointment shall be by a majority of City Council. See attached Section 3.5.

The City Council has two options as this point: 1. Appoint a temporary person (non-staff member) to the position who has city management experience; 2. Appoint a current staff member to the Acting City Manager position. For the first option, MML has a list of experienced city managers that are looking for temporary work. It would take time to interview the candidates and have someone on board and living in Charlevoix for a temporary position. There would be little financial savings if the City were to pursue this option.

The second option has been followed in past years by appointing the Treasurer to fill the Acting City Manager position. With a new Treasurer just starting, this is not a viable option; although, there are other staff members who could fill the interim position if City Council so chooses. If this is the direction you would like to pursue, I would recommend the interim be paid at the starting salary for the manager position. As many of the current projects and administrative work will fall on Linda Weller, I recommend a raise for her until a new City Manager starts with the City.

There are also two options on the recruitment front: pay an executive firm to recruit candidates for the open position or use our Human Resource Assistant. Executive searches can cost \$15,000-\$20,000 and do not always create viable candidates. We feel our Human Resource Assistant is well-qualified to head up the city manager search. We can advertise in the ICMA Newsletter that goes out to managers on a national level. We could also place a job posting on MML and use the manager's listserve to get the word out.

RECOMMENDATION: Discussion with specific direction to Staff.

**ARTICLE III
ADMINISTRATION**

Section 3.1 ADMINISTRATION OFFICIALS

The administration officials of the City shall be the City Manager, City Clerk, City Attorney, City Assessor, City Treasurer, Police Chief, and Fire Chief. The Council may create, combine, separate, or abolish administrative offices in any manner not inconsistent with law or this Charter, and shall prescribe the duties thereof, in order to insure the proper operation of the City government. No action of the City Council, however, shall abolish the office of the City Manager nor diminish any of the powers of that office as set forth in this Charter. Except as otherwise herein provided, the qualifications, duties and compensation of City officers shall be determined by the City Council.

Section 3.2 ADMINISTRATION OFFICIALS - APPOINTMENT - PROMOTION - COMPENSATION

All appointments, promotions, and compensation of administrative officials shall be made solely on evidence of merit and fitness.

Section 3.3 CITY MANAGER - APPOINTMENT

The City Manager shall be appointed for a term of up to three (3) years by a majority of the entire Council. This provision shall apply to the appointment of the next City Manager after the effective date of this Charter provision and the appointment of all future City Managers. The appointment shall be solely on the basis of executive and administrative qualifications. The Council shall fix his compensation.

ANNOTATION: AS AMENDED BY VOTE OF ELECTORS NOVEMBER 7, 2006.

Section 3.4 CITY MANAGER - REMOVAL

The City Council may remove the City Manager from office in accordance with the following procedure:

- a. The Council shall adopt by a majority vote of the entire Council a preliminary resolution stating the reasons for removal. The resolution may suspend the City Manager from duty for a period not to exceed forty-five (45) days. A copy of the resolution shall be delivered to the City Manager within five (5) days.

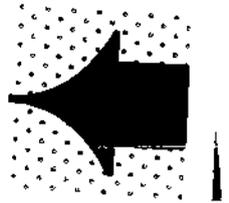
b. Within five (5) days after a copy of the resolution is delivered to the City Manager, the City Manager may file with the Council a written request for a public hearing. This hearing shall be held at a Council meeting not earlier than fifteen (15) days nor later than thirty (30) days after the request is filed. The City Manager shall receive at least ten (10) days notice of this hearing in writing. The City Manager may file with the Council a written reply not later than five (5) days before the hearing.

c. If the City Manager has not requested a public hearing, the Council may adopt a final resolution of removal, which may be made effective at once, by a majority vote of the entire Council at any time after five (5) days from the date when a copy of the preliminary resolution was delivered to the City Manager. If the City Manager has requested a public hearing, the final resolution of removal may be adopted at any time after the hearing.

d. The City Manager shall continue to receive full compensation until the effective date of the final resolution of removal. The action of the Council in suspending or removing the City Manager in accordance with this Charter shall not be subject to review by any court.

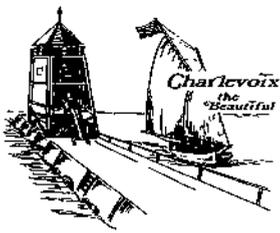
Section 3.5 CITY MANAGER - FILLING VACANCY

Upon the occurrence of a vacancy in the office of City Manager, or upon his suspension pursuant to Section 3.4, the Council, while it is attempting to fill the office, may appoint an Acting City Manager for a period not to exceed six (6) months, during which the Acting City Manager shall serve at the will of the Council and may be immediately removed without compliance with Section 3.4. Appointment and removal shall be effected by majority vote of the entire Council.



Section 3.6 CITY MANAGER - TEMPORARY ABSENCE

When the City Manager is absent from duty, or disabled, a qualified City administrative official shall be designated by the City Manager to exercise the powers and perform the duties of the City Manager during his absence or disability. The City Manager shall file with the City Clerk a list, by name and title, of three (3) qualified City administrative officials to exercise such powers and perform such duties. These City administrative officials shall be listed in the order by which each shall be designated to assume temporarily the City Manager's duties. During such absence or disability, the Council may revoke such designation at any time and appoint another City administrative official to serve until the City Manager shall return or disability shall cease.



CITY OF CHARLEVOIX
210 STATE ST. CHARLEVOIX, MICH. 49720

OFFICE OF PLANNING AND ZONING
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MEMORANDUM

TO: City Council

DATE: January 28, 2015

SUBJECT: Interim City Manager Appointment

Several City Council members and numerous members of the public have asked if I would be willing to serve as Interim City Manager after Rob assumes his new position in Petoskey. The purpose of the memo is to notify Council that I am willing to serve on an interim basis if requested, and also provide some background on my education and work experience. This information was requested and may help you in your decision. Members of the public may also want to know.

I have a Bachelor of Business Administration from Grand Valley State University and a Master of Public Administration (MPA) from Montana State University. An MPA is the degree that most City Managers have, including Rob. As part of the MPA degree you take masters level classes in public budgeting in finance, human resources, policy analysis, law, ethics in public service, etc. In addition, MPA candidates can specialize in more specific fields such as state government, non-profit administration, emergency management, or in my case urban and regional planning. A number of Planners have MPA degrees, although most have undergraduate degrees in geography or planning, or a Masters in Urban and Regional Planning. They are closely related fields. Sometimes Planners migrate into city management. For example, the Traverse City Manager and the City Manager in Midland are both former Planners. I was very interested in environmental policy, land planning, and associated laws so that is my specialization. I graduated with 3.8 GPA and interned with Park County, Montana for the County Commissioners. After graduating I was offered a position with Park County where I was a Land Planner, Zoning and Floodplain Administrator.

I have worked in local government for over 10 years and have been in Charlevoix for 7. I am very familiar with relevant state laws such the Open Meeting Act and FOIA, and also know the City Charter and Municipal Code book very well. I believe I have the support of the other department heads and I am confident I can do both positions on an interim basis. I have a very good Intern, Linda Weller is great resource, and we have very good department heads. I also have a good understanding of our upcoming projects including Main Street, infrastructure projects, and departmental goals.

Please keep in mind that I am only providing this information to help you make a decision. I am not trying to convince you I am the best person for the job. I will not be applying for the

vacant City Manager position. If you want to go with someone else I am fine with that and will enjoy having more time on my hands. ☺ This is huge undertaking doing both positions even on an interim basis. I respect your decision either way.

If offered the temporary appointment I would be willing do both positions at the salary that Rob was hired at when he began employment. I live 4 blocks from City Hall and walk to work so obviously I would not ask for the additional transportation stipend the City Manager receives. I would also not ask for any additional retirement contributions from the City. I do expect having to work long hours so I would appreciate the ability to obtain some comp time to spend with the new addition to our family after a new City Manager is hired. I would provide an email to Council every week updating you how things are going, any citizen concerns you need to know about, upcoming agenda items and if any projects would be slightly delayed due to being short staffed.

I plan on attending the meeting on Thursday unless my wife goes into labor. I am happy to address any concerns or questions you may have.

Mike