

CITY OF EDEN, N.C.

A continued meeting of the City Council, City of Eden, was held on Wednesday, September 27, 2000 at 4:00 p.m. in the Council Chambers, 338 West Stadium Drive. Those present for the meeting were as follows:

Mayor:	Philip K. Price
Mayor Pro Tem: (absent)	John E. Grogan
Council Members:	Ronald H. Reynolds
	Ronald L. Janney
	Christine H. Myott
	William W. Rorrer
	C. H. Gover, Sr.
	Garry Tudor
City Manager	Peter Bine
City Attorney	Charles J. Nooe
City Clerk:	Kim J. Scott
Representatives from City Departments:	
Representatives from News Media:	Doug Grant, <u>The Daily News</u> , and Leslie Brown, <u>Greensboro News and Record</u>

MEETING CONVENED:

Mayor Price welcomed those in attendance and noted this meeting was continued from the September 25th meeting of Council. He explained that the first order of business was to discuss the procedure in the hiring of a City Manager. He stated that he would also like to add an agenda item, which would be a closed session for economic development to discuss the location or expansion of an industry according to GS 143-318.11(a)(4).

A motion was made by Council Member Gover seconded by Council Member Myott to add the closed session to the agenda. All Council Members present voted in favor of this motion.

Statement from City Attorney, Charles Nooe:

Mr. Nooe stated that he would like to add another issue in closed session to discuss legal claims to confer with the attorney.

A motion was made by Council Member Gover seconded by Council Member Myott to add to the agenda for closed session to have discussion with the City Attorney regarding legal claims. All Council Members present voted in favor of this motion.

Mayor Price noted that Mr. Rorrer wanted to continue this meeting to discuss the procedure used for the City Manager.

CLOSED SESSION:

A motion was made by Council Member Rorrer seconded by Council Gover to go into Closed Session for the discussion of a legal matter. All Council Member present voted in favor of this motion.

OPEN SESSION:

A motion was made by Council Member Gover seconded by Council Member Myott to return to Open Session. All Council Members present voted in favor of this motion.

CITY MANAGER SELECTION:

Council Member Rorrer explained that he had asked for this meeting because he had heard that they were going to send the applications for the job of City Manager to the League of

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Municipalities to grade them down to a certain point and send them back. He stated that personally, they had a committee appointed to go through those applications, narrowing them down and then they would come to Council. He asked if the applications were in town or at the League to which Mayor Price replied that they never went anywhere, the originals were still here.

Council Member Rorrer stated that he no problem with the committee but he did have a problem with the way it came about.

Council Member Gover asked if they had a procedure for selecting a City Manager. He stated that he went into that meeting without knowing about any procedure. He stated that as they sat there and made their decisions, they made them based on what was selected in the meeting. He added that they were also not directed at the time as to what avenue to take.

Mayor Price replied that there was no written procedure.

Council Member Gover stated that he stood behind what they had going in the meeting until something was changed or the Council wished something else.

Council Member Janney commented that he thought that if he agreed to serve on a committee, he would serve on it to whatever extent it took. He stated that he thought that the committee should look at all the applicants, but the Board, to which he was a part of, made a mistake when it first started. He stated that one of them being, they, as a Board had never sat down and said what type City Manager they wanted. The committee never received any criteria at all for selecting a City Manager. He stated that it was important that the Board sits down and selects some criteria. He noted that they all have ideas about what they want in a Manager.

Council Member Gover pointed out that they did that exact thing when they started meeting and they did set up criteria.

Council Member Janney replied that the Board did not set it up.

Council Member Gover agreed that Council Member Janney's input was not in there and it was only fair that everybody have input in it. He added that as he understood it, a copy would have been coming to them on the meeting and they could change the criteria at any time.

Council Member Janney replied that he was saying, first.

Council Member Gover stated that he understood that, but they did set that criteria up according to what they thought the Council may want.

Council Member Janney explained that he was not arguing with him, but what he was saying, he (Gover) may not know everything in a City Manager that they all would want. The City Manager whoever he or she may be had to work with all of them. If they all get input in there, then he thought they could get somebody they could all live, work and play with.

Council Member Gover suggested that they do that, make a list and give it to the chairman of the committee.

Council Member Janney stated that they would have to sit down in some kind of work session and discuss it. He stated that he agreed with Council Member Rorrer. He did not agree with them going off somewhere else and looking at them.

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Mayor Price commented that the copies of the applications were sent to the Council of Governments, to a gentleman who had handled this type of work. He explained that he did it for a lot of other municipalities and governmental agencies and he goes through the applications to look at the things that are probably obvious to a community like theirs. He stated that he had, in terms of the idea of what a community would need. He could look at the background of the person and tell about their work experience and make some recommendations as to, in a board scope those people would fit into the criteria that the Council was looking for. This was something they did all the time and it was a reasonable way for him to look at it, using his expertise, to take a broad a general approach and then obviously let the committee look at it. He stated that this was in no way to eliminate people and any Council Member not able to look at an application and have some judgment as to what they want.

He stated that obviously, they all wanted what was best for the community and have some system that was fairly streamlined, but it was the wishes of the Council to open it up, they might want to consider what they did with one other City Manager. He explained that they took all the applications among three committee members and divided them up equally and each night they just traded applications; the committee then got together with everyone's input.

Council Member Rorrer pointed out that they stayed local to which Mayor Price explained that this was local. It was not to say they were excluding and they did not want to consider those people (applicants) at all, it was just for him to look at it and determine their job experience and whether it would prove to be beneficial to municipalities; let him tell them that. It would also perhaps verify some of the things that were on the applications. Those people (at the Council of Governments) like Mr. Nooe; were trained in that and they know what to look for. There was also no charge at all for them to do that. He explained that the city paid dues to be a part of that operation and to use them for other things. He stated that it sounded reasonable to him.

Council Member Rorrer asked how he would know what they wanted to which Mayor Price replied that it was probably more of an issue of what they did not want.

Council Member Rorrer explained to the Mayor that he (Mayor Price) had a high regard for the League of Municipalities then he (Rorrer) did. He referred to some of the liberal stands they were taking on things.

Council Member Janney stated that in going back to his original statement, he could not believe that someone in Raleigh or Timbuktu knew what was going on in this town any more than the people sitting up there and knew any more than what they wanted for this town than anybody sitting up there. He stated that was why he agreed with Council Member Rorrer in that the committee should go through them, and if they did not want to go through them then they have to make a decision.

Council Member Tudor commented that Ms. Santell (Human Resources Director) made the recommendation that they have Randy Billings (Piedmont Triad Council of Government) come in and give them some advice on procedures. Some of the Council said that they thought that Ms. Santell was an excellent employee and they greatly regretted that she had resigned. He stated that he was convinced from conversations that he had with Ms. Santell that she had an excellent background in Human Resources and thus when she suggested that they have a person from the Piedmont Triad Council of Governments come in, he was of the opinion that was a good idea. When the gentleman came in, he gave them some background of who he was and what he did. He stated that he had understood from his conversation that he expected to do what they had asked of him. They had a stack of resumes, he had a staff and he asked the committee to think about the kind of person they would want and he began taking notes. They talked about things that were important and Council Member Gover then spoke quite lengthly about his work experience and how he handled resumes in the past. He stated that he (Tudor) was of the opinion

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that was a lot of what was an appropriate and a necessary work for him (Tudor) to do, in that there was a person who was offering their expertise; he thought that was why he was there to provide them with expertise. He understood that Mr. Billings' staff would be better able to glean from the resumes because people embellish resumes, they write things up to make them sound really pretty. He stated that they would be able to glean better which of those resumes fit their list of priorities. He stated that they were not going to come back say "hire this person or that person", but maybe that could cut 31 resumes to 10, 11, or 12 and then everyone would look at those. He stated that seemed to him to be very rational and business-like. He stated that in talking about fees, he thought the city was a member of the Council (of Governments) and he thought it was a service the received for being a member. He stated that he never once thought about the city paying a fee. He stated that he was rather insistent and apologized to Council Member Gover if he overstepped his bounds, but he believed in listening to people who make their living doing something. He stated that if they were not happy with the committee or the mayor was not happy with the committee; it was the Mayor and the Council's business to correct what they perceived to be an error and he could not argue with that, the majority rules.

Council Member Gover stated that he wanted to clarify something. He came into the meeting cold turkey. He stated that he only knew they were going to meet a gentleman and he did not know him from Adam. He did not get the information of who he was and how he was going to access what they were doing. He stated that he only knew they were going to meet a Mr. Billings. In that meeting, he relayed how they handled applications in private industry. He stated that he did not say that was the rule of thumb in that meeting and he agreed to what went on in the meeting and that was the way they went, but he did voice his opinion, on what he was experienced in, but that did not mean that was what they were going to do.

Council Member Tudor replied that he did not mean to imply that he said that was what they were going to do. He stated that Council Member Gover also said he was willing to compromise and they left that meeting with no one in disagreement with what they had decided to do.

Council Member Janney agreed and he supported Ms. Santell 100%. He stated that they have lost a very good employee, but that did not mean that he agreed with her all the time. He stated that he was not dissatisfied with them being on the committee that was not his point. He explained that his point was, if they were going to serve on the committee, then they should do the committee's job and look at the resumes and weed them out.

Council Member Rorrer stated that if he were not satisfied with the committee he would have already said something, because it was not a legal committee. He stated that it never was.

Mayor Price questioned why he had stated that the committee was illegal.

Council Member Rorrer replied that the Mayor appointed the committee in executive session and he already had a personnel committee when he did it.

Mayor Price questioned if it was in closed session or opened session as he thought it was in open session. He referred to Mr. Nooe who replied that he did not recall when it happened. Mayor Price continued in that he would think that with the attorney being there as the parliamentarian he would have said something.

Mr. Nooe stated that he would have to look at the function of the personnel committee and right off hand he did not know if that was the committee that would handle the employment of a City Manager.

Mayor Price explained his reasoning in that this was the third City Manager since he had been there and they have always appointed a committee to do that.

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Council Member Rorrer replied that he was not arguing about the committee. He was just making a point about that, and he disagreed as to how he came about it to start with but not how he wound up with it.

Mr. Nooe stated that unless the establishment of the personnel committee would have made this a function of that committee, then a committee to interview, screen, and make recommendations respective to employment of a City Manager, if it was a separate committee created for that purpose, the committee would have been created by the City Council and it could then in that resolution, authorized the Mayor to make the appointments or it could have made the appointments.

Mayor Price explained that he had gone by what they had done in the past. This would have been the third committee that he had appointed in the selection of a City Manager and that was exactly the way he had done it every time.

Mr. Nooe replied that again they would need to go back and he may find in each of those instances that the Council directed him to do that.

Council Member Rorrer stated that regardless, all of it was behind them, so they had to go forward. If the whole Council's opinion was not entered into this, and maybe it was, as he did not know what was on the list, but if their feelings was not noted, including the Mayor's (feelings), then he could assure them that this Manager would not have a chance.

Mayor Price explained to Council Member Rorrer that before they ever hired a Manager, they have had extensive conversations about the people they liked, their strong suits, their weaknesses and what they felt like they needed and this was the third one he had been involved in. Every time they have talked they have met in groups of the Council and talked about what they were looking for. They have looked at the applicants and have really done what he said and they have combined really everything. He stated that they have the application and the recommendations and they set down and talked about the things they should look at and would like to see.

Council Member Janney noted that he had not talked about anything.

Mayor Price agreed, but he had said he would like to have his thoughts made...to which Council Member Janney replied that they were sending the committee off on a wild goose chase. If they did not give them some guidance, some boundaries as to where they wanted the City Manager to be, he agreed with Council Member Rorrer, they were going to have a City Manager who was not going to fair well and that was not what they wanted. He stated that the end result would be that the City Manager and the Board would work well together.

Council Member Tudor commented that when they were trying to list some qualifications, they took the advertisements that had been put in a publication and they looked at that and they actually took a number of the things they were going to list as requirements that they would be looking for in the next City Manager from that ad. He stated that the people, who responded to their ad, he would hope, would have experience in doing that. He noted that some of the things included was a Bachelor' degree in Public Administration, preferably a Masters. Preferably someone with seven years experience in Municipal Government and someone with experience in financial and economic development. The people, who have responded to the ad, those people have already read some of those things.

He stated that the man from the Piedmont Triad Council of Government had said they have some people (applicants) there who were not at all what they were looking for. He stated that they would not have enough experience. He suggested that maybe they were looking for a free trip to North Carolina and were going to take a vacation over the weekend while they were here to be

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interviewed. He stated that he had never thought about that. That somebody from Ohio might be looking for a free trip to North Carolina at Eden's expense, to come down here and interview, if they were to put them on their list. He suggested that they might want to concentrate solely on North Carolina because it was a state that had strong history of Council governments in its cities and other states did not have it as strong, so they might be better served by looking closely at North Carolina applicants who have experience in North Carolina.

He stated that the man was offering his expertise and information that he, as a history teacher would not have, and Council Member Reynolds, as a funeral director, would not have, and Council Member Gover, as a former plant manager, would not have.

Council Member Gover added that he did have about three or four questions that they said they would have to take back to the Council because they did not know.

Council Member Janney asked how many applications they had from North Carolina to which Council Member Tudor replied that it was 31.

Council Member Janney commented that he had heard it was only two or three so if they went by that criteria they would not have much to choose from.

Council Member Myott asked if they examined them all to which Council Member Tudor answered no.

Council Member Rorrer pointed out that as the Mayor said, he had been involved in a couple of City Managers; he did not know how many he had been involved in, but it had been quite a few.

Council Member Gover stated that he would like to have that criteria that the City Council would make out and answer some of the questions that might come up, because they would have to bring it back to the Council for questions.

Council Member Rorrer stated that there was no question in his mind that the three could not do a go job but he had a question about the League being involved in it.

Mayor Price stated that he and Council Member Reynolds had a conversation and he indicated that the committee had agreed to take the applications and go through them. He suggested that at the same time, they should individually write some criteria down that they would like to see and give it to the committee and let them go through it.

Council Member Rorrer stated that he had rather see them sit down and talk and think about it, but he had not seen it written down to which Mr. Bine suggested that if they wanted to they could write it on the board.

Council Member Janney commented that if they could have a day or two to think about it, then sit down and say, "this is what I want in a City Manager". They may weed out a lot of those things. He stated that they may put up something that was more important than what he thought and he might mark his completely off.

Mayor Price stated that it was obvious some people wanted to do that and to do the best thing for the community. He suggested that they would call a special meeting and get together and talk about it.

Council Member Gover suggested that Ms. Santell get the list from the minutes that she took in that meeting. They had started a list of some suggestions and they might want to use that as a starting point.

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Council Member Rorrer replied that he would like to hear anything the committee had to say because there might be some things he would not think about.

Mayor Price asked Mr. Bine if he had a work session planned for October.

Mr. Bine replied that he thought this was probably some material for a work session, but he sensed from some of the Council Members that they were not interested in continuing the process.

Mayor Price stated that they were going to have to get together so they might as well pull some of those items that were going to be time consuming for the next agenda and talk about them while they were there.

Council Member Janney stated that he was not for another work session because he sat there and talked about that stuff and then came back to the Board meeting and spent a third of the meeting fooling with it.

Council Member Rorrer commented that the first part of the meeting bothered him as it was a stacked deck and he did not appreciate that type of stuff but the rest of the work session was fine.

Mayor Price commented that he liked the work session because at least they got some things done and they got answers to some questions and talked about the agenda. Personally, he stated that he felt they made good decisions and it gave them an opportunity to ask questions that they might not think about at a regular Council meeting.

Council Member Tudor commented that he thought the idea of a work session, where they could say a lot of things that they had been saying at a regular Council meeting, allowed for a more efficient regular Council meeting.

Council Member Janney stated that they worked for the public and the citizens out there. Then they go into a work session or a little old room, and they have all the chairs full of outside residents. He pointed out that people did not come to two meetings and they seldom ever come to a second meeting and they were discussing all the nuts and bolts of some decisions they were going to make. He stated that was his problem with the work session. He stated that since they were spending the citizens' money and supporting them, they should hear all those things.

Council Member Tudor stated that he disagreed. He stated that probably more citizens knew what happened in city government from the newspaper than from being at a meeting. He stated that if they have two meetings, they were going to read the paper. He stated that there were more people in the city who form their opinions on what the Council did from the newspaper than from getting their information at a Council Meeting.

Council Member Myott commented that they really did not have that many citizens come to which Council Member Janney asked her if she was referring to a regular Council Meeting. Council Member Myott answered yes, unless they had something they were interested in, their citizens did not show up for the regular meetings.

Council Members Tudor and Myott both agreed that they did read that newspaper and Council Member Janney replied that he had no further comment on that.

Mayor Price asked Council Member Gover his opinion on the work session.

Council Member Gover replied that he did not know that out of town people would be in that first session. His idea of a work session was the same as Mr. Bine's, that they would discuss

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how they would set up projects, set up things they did not have time to discuss to give him something to work with. He noted that since he (Gover) had been there, they really had not given the Manager enough to work with on their thoughts, on projects. He asked what the priorities were. He stated that they discussed that in the retreat and those work sessions were things they needed to have priority over and give the Manager something to go on.

Mr. Bine commented that had hoped the Council would give them an opportunity for the work sessions to be remote. Perhaps the first one was not indicative. He stated that Council Member Gover was right on target in what he thought a work session could do. He used for instance, a number of policy issues, one of which was the water extension policy. He had reviewed it and thought it needed to be amended substantially to discuss the plusses and minuses of this or that portion of it to pick up the public's attendance at kind of a regularly scheduled meeting, which may include public hearings, etc. He stated that he liked to respect the public's time and yes, it was their work they were doing and the media covered it very well.

He stated that he would hope that this type of activity could continue and be evaluated from a longer perspective. It would take care of some issues, for instance, the pay plan adjustment. They have been working very hard as a staff to come up with a plan, but to present that to them at a regular Council meeting setting would take a period of time to explain the issues and answer all the questions. He stated that they occur one month apart. If a work session were to occur at its normal scheduled time (one week from next Tuesday); then in the regular session, they might be able to respond to those issues and collapse the amount of time whether it was personnel, water and sewer or projects whatever the case might be and collapse the amount of time those things were discussed between discussion and action.

Council Member Rorrer suggested that if they were going to hold a work session that they be held at the Council Chamber rather than taking them somewhere else. He would try anything because it had to be better than what he had been going through.

Mayor Price stated that the next meeting would be on Tuesday, October at 7:00 p.m.

Council Member Gover suggested that it was very important to include the junk car ordinance, which needed to be discussed thoroughly because that was only one phase of their junk cars.

Council Member Janney stated that if they have many items such as the junk cars, it would take a whole session.

Council Member Gover stated that if it took a whole work session to do, they would accomplish something as far as he was concerned.

Council Member Janney stated that they had started out talking about the criteria for the City Manager and Mayor Price replied that they were going to talk about it.

Council Member Gover stated that he was hoping for that, but if they did not have time; they could continue it.

CLOSED SESSION:

A motion was made by Council Member Gover seconded by Council Member Janney to go into Closed Session for the economic development to discuss the location of expansion of industry according GS 143-318.11(a)(4). All Council Members present voted in favor of this motion. The motion was carried.

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OPEN SESSION:

A motion was made by Council Member Gover seconded by Council Member Janney to return to open session. All Council Members present voted in favor of this motion.

ADJOURNMENT:

A motion was made by Council Member Gover seconded by Council Member Janney to adjourn the meeting. All Council Members present voted in favor of this motion. This motion was carried.

Respectfully submitted,

Kim J. Scott, CMC
City Clerk

ATTEST:

Philip K. Price
Mayor