

PERSONNEL COMMITTEE

5:00 p.m., Thursday, November 1, 2018

The regular meeting of the Personnel Committee was held at 5:00 p.m., Thursday, November 1, 2018 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Moyer and Rice, Chair Ferencz, Interim Administrator Fragoso, Human Resources Officer DeGroot and Clerk Copeland; a quorum was present to conduct business.

1. Chair Ferencz called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. **Approval of previous Meetings' Minutes**

MOTION: Councilmember Rice moved to approve the minutes of the regular meeting of October 4, 2018 and the Special Meeting of October 22, 2018 as submitted; Councilmember Moyer seconded and the motion PASSED UNANIMOUSLY.

3. **Citizens' Comments – None**

4. **Old Business**

A. **After-action discussion of 2018 Employee Recognition/Appreciation Event**

According to Chair Ferencz, the first Employee Recognition/Appreciation event was “a great success;” at the end, Mayor Carroll asked if the employees wanted to do it a second time, and the resounding response was “Yes.” Everyone agreed “the food was great;” the selections were good, and the caterers kept everything hot.

Councilmember Moyer thought the table assignments by drawing a random number assigned to an island street-named table was a wonderful way to get people to mingle with their fellow employees outside of their departments.

When asked how many attended, HR Officer DeGroot stated that the caterer had prepared for ninety (90) people, and, according to her records, seventy-nine (79) employees attended. And, responding to Councilmember Rice, Ms. DeGroot reported that employees with less than five (5) years with the City were given a water bottle, while employees with more than five (5) years got a nice travel coffee mug with a leather carrying case and coaster saying “Thanks for all you do.”

Chair Ferencz was asked by several of the employees who were recognized with a milestone, “Do you know how much these things cost?” The Chair answered that she did and that they should choose what they wanted and enjoy it.

B. **Review, revise and/or approve Mercer Group brochures for three searches – City Administrator, Police chief and Assistant Director of Public Works**

Since the last meeting, Jim Mercer has submitted draft full color brochures for each position to the Committee members; the narrative in the brochures is expected to include the comments and changes the Committee discussed at its Special Meeting on October 22.

Although the narratives are brightened up by the addition of color pictures, the Chair opined that changes were still needed; she asked HR Officer DeGroot how much the completed product would be delayed if the Committee wanted significant changes.

The HR Officer reported that she had received an email from Jim Mercer in the afternoon saying that, if major changes were needed, it would delay the date for receiving applications until January 2019. In the draft brochures, he stated that he would receive applications for the City Administrator beginning on December 21st and applications for the other two (2) positions a week earlier, December 14th. The Committee agreed that a week's delay was less important than having a brochure that was truly representative of the City.

Councilmember Moye commented that he did not see many of the changes they had discussed woven into the narratives, for example, the word "charismatic" was still in them, but the reference to the Windjammer was deleted.

Again, the Committee, in general, continued to be dissatisfied with the narratives; they felt they were very poorly written, which led to the Chair asking if the Committee should write the narrative and send it to Mr. Mercer to include.

Councilmember Moye reiterated his opinion that The Mercer Group was being paid to produce the brochures and to do it professionally; he did not see that responsibility falling back to the Committee. He was interested in knowing the percentage of candidates who would apply for the jobs based on the brochures versus the people in the Mercer Group's network. If he knew that number, he could better decide how much time the Committee should spend time critiquing these drafts.

Chair Ferencz said that she went to The Mercer Group's website and looked at brochures they wrote for other municipalities and found that they all appear to follow the same format.

Councilmember Rice indicated that she was not pleased that he included the picture of the Animal Control Officer wrestling with the alligator and the image it might leave in one's mind.

Councilmember Moye was of the opinion that, if the Committee was to have the caliber brochures that it was striving for, the Personnel Committee was going to have to write them.

Interim Administrator Fragoso stated that the discussion at the Special Meeting was clear that the Committee wanted someone else in The Mercer Group brought in to edit or to re-write the narratives, and the audio of that meeting was emailed to Mr. Mercer. She added that she saw very little of what the Committee had discussed in that meeting incorporated into these drafts, and she completely agreed that, since the brochures were to represent the City, they should represent it in the best way possible.

The Chair thought the brochures should tell a story about the City, and she did not find that in what the Committee has been sent. The consensus of the Committee was to send the brochures back to Jim Mercer with a phone call explaining what they saw wrong with them and a firm mandate to get assistance from another member of his firm to edit or re-write the narratives, if necessary.

C. Update on developing a policy for increases for long-term employees who are at the top of their salary range

Interim Administrator Fragoso commented that, in the meeting packets was a draft policy for the Committee's consideration referred to as the Longevity Increase Adjustment; this policy would reward high performing employees who are at the top of their salary range. If approved, the policy would go into effect on January 1, 2019; only employees who have reached the top of their salary range and who receive a score of 3 or above on their evaluation shall be eligible for this adjustment. The adjustment would be calculated on their base salary each year, and it would not be cumulative.

The redlined portion would need to be added to the Employee Handbook, and that could be accomplished one of two ways – as an amendment or as an administrative policy. Since this adjustment is not an addition to an employee's salary, it would not be considered a bonus; the adjustment would be something that the high-performing employee was owed due to their performance and a good evaluation. This adjustment falls within the attorney general's opinion since it would be considered as wages owed; Attorney Copeland is preparing the legal opinion to present to City Council relative to this matter. She noted that Attorney General Opinions were not State law.

Responding to Councilmember Moye, the Interim Administrator stated that currently the City has one (1) employee to whom this policy would apply; the number could increase to three or four (3 – 4) next year.

MOTION: Councilmember Rice moved to approve the Longevity Adjustment proposal as presented and to recommend its approval to the Ways and Means Committee; Councilmember Moye seconded and the motion PASSED UNANIMOUSLY.

5. New Business

A. Consideration of appointments/re-appointments to Boards and Commission to recommend to City Council

Since all of the members of boards and commission with expiring terms have voiced interest in being re-appointed, Chair Ferencz asked if any board or commission chair had commented that, for whatever reason, he/she did not think one (1) of the current members should be re-appointed.

The Interim Administrator said that no one had made such comments.

Clerk Copeland added that she has not seen a chair approached for an opinion on the committee members, and no one has come forward with comments about a fellow board member.

Chair Ferencz noted that the City does not have any performance criteria for members of boards and commissions, possibly that was something the Personnel Committee should look into.

Clerk Copeland suggested that the Committee also look into term limits for boards and commissions; she stated that some current members have been serving for more than ten (10) years. By establishing term limits, the Committee would not need a reason to appoint someone new to a commission, and it would have the opportunity to involve more residents.

Councilmember Rice stated that, "it is remarkable the wealth of knowledge and the quality of people that we [City] have who want to serve." She acknowledged that she found it quite frustrating that more people did not get the opportunity to serve because they could be such a help in so many ways.

**MOTION: Councilmember Rice moved to reappoint
Margaret Miller ATAX Committee**

**Arnold Karig Board of Zoning Appeals
Glenn Thornburg**

**Robert Abel Code Board of Appeals
Thomas (Buzzy) Bramble**

**Vincent DiGangi Planning Commission
Rick Ferencz
Lewis Gregory
Bill Mills**

Councilmember Moye seconded and the motion PASSED UNANIMOUSLY.

B. Discussion of City Administrator as defined in the IOP City Code, Title I, Government and Administrator, Chapter 4, Officers and Departments, Article B, City Administrator, Section 1-4-11, Office Established, Duties.

Interim Administrator Fragoso again referred the Committee to the redlined version of changes proposed for the IOP City Code, Section 1-4-11; she informed the Committee that she researched other City codes for their appointment and duties of the City Administrator. She stated that some of them were very thorough and included the complete job descriptions while others may have only one (1) line, i.e., City Council appoints the City Administrator. In writing this proposed change, she sought to make it consistent with the job description, other duties assigned, such as the Purchasing Agent for the City, and changes to the syntax.

An addition to the Code would be item (d) that states

“The Administrator shall relate to and communicate with the Mayor and City Council as a whole, any problems, situations and conditions concerning any Department or activity that, in the opinion of the City Administrator is of significance.”

This sentence was consistent with the job description for the City Administrator, as was item (e) that states

“The Administrator shall recommend organization changes and direct the formulation of internal plans, policies and programs.”

She stated that this sentence was consistent with other codes that have similar job similar job descriptions.

And as noted earlier, item (h) states “the Administrator shall serve as the Purchasing Agent for the City.”

And, as in all good job descriptions, it concludes with the statement in item (i) that “The Administrator shall assume such other responsibilities and duties as assigned by the Mayor and City Council.”

Chair Ferencz asked for a clarification of the use of the words “shall be appointed” in items (a) and “may employ” in (b).

Councilmember Rice thought the two (2) statements should be combined to read “The City Administrator shall be employed . . .”

Interim Administrator Fragoso suggested “The City Administrator shall be appointed by a majority of Council who shall be responsible for the proper administration of the policies and affairs of the City.”

Although Councilmember Rice questioned the need for item (i) because it was “so nebulous,” Councilmember Moye stated that the sentence serves as a caveat eliminating the need to list every duty, task and responsibility of the City Administrator.

Interim Administrator Fragoso noted that this statement was consistent with all of the codes she reviewed and that it was a protection for City Council.

Chair Ferencz thought that item (g) should also reference the City Treasurer since the subject was the City’s annual budget.

Since the City Administrator would be responsible for delegating, Interim Administrator Fragoso did not think that was necessary. She added that the City Administrator was ultimately responsible for the preparation of the annual budget and its administration.

Councilmember Moye noted that he could understand the rationale since this would become art of the City Code and was not the job description.

Chair Ferencz commented that the Committee would have other changes to the Code as its work progresses; this change was going before Council at this time because of the search for a new City Administrator.

MOTION: Councilmember Moye moved to approve the proposed changes and additions to Article B City Administrator, Section 1-4-11 as submitted with the additional change to combine items (a) and (b) into one (1) sentence; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

B. Discussion of role of Chief of police as defined in the IOP City Code, Title 2 Public Safety, Chapter 1 Police Protection, Sections 2-1-1 and 2-1-2

The Interim Administrator reported that she had followed the same process for proposing changes as she had for the position of City Administrator, and again she found many differences. Some codes she looked at did not mention the Police Chief in the Code, but referred to the Police Department as a whole. She found the Code of Mount Pleasant to be a guide for the changes she was proposing, which were included in the meeting packet; she thought it was important to include the powers and duties of this position in a general tone. In the City’s existing code the Chief of Police gets one (1) paragraph stating that he will be appointed by Council and that he shall “carry out and enforce this Code and all other applicable ordinances and perform such duties as may be required of him by City Council or the City Administrator.” Again the changes presented are consistent with the job description. When Interim Chief Usry reviewed the changes, she thought it was consistent with the job she was doing; she also checked other codes for suggestions and they are incorporated in the changes presented.

Chair Ferencz asked if there was a reason for using he/she in the Chief of Police, but not in the City Administrator; one (1) way around that awkward wording would be to simply use “the Chief.”

MOTION: Councilmember Rice moved to accept the changes to the City Code for the Chief of Police as submitted; Councilmember Moye seconded and the motion PASSED UNANIMOUSLY.

D. Update on RFP process for City Attorney and Assistant City Attorney

The Interim Administrator announced that proposals received in response to the City's RFPs 2018-03 for the City Attorney and 2018-04 for the Assistant City Attorney were opened the previous day and that the City received one (1) proposal for each position. The proposals were from Julia Copeland for the City Attorney and Claude Tackett for Assistant City Attorney; approximately two (2) hours after the deadline for submissions the City received another proposal for either position.

Interim Administrator Fragoso indicated that she has not had time to study the proposals, but the Council has gotten to know Attorney Copeland because she has served as the Assistant City Attorney for several years and as City Attorney since Stirling Halversen resigned her position. In the Interim Administrator's opinion, Attorney Copeland was highly qualified; from a brief review of Attorney Tackett's proposal, he has municipal government experience, which is important. She noted that the third proposal was from an attorney with no municipal government experience. She recommended that the Committee should interview the two (2) candidates.

Councilmember Rice stated that she was "very comfortable in continuing with Attorney Copeland as the City Attorney;" she thought that consistency was important, particularly, in legal matters. She noted that the Personnel Committee has not interviewed attorneys in the past.

Interim Administrator Fragoso said that she would schedule the interviews at a time that was convenient for the Committee.

E. Discussion of employee evaluations 2018

Since Councilmember Moye has not gone through the evaluation process with the City, Chair Ferencz thought it would be helpful to explain it to him and to give him the time frames that they will be dealing with. She noted that the Committee has not had the time to change the evaluation tool, so department managers and Council will be working with the same tool they have used for the past several years. She also posed the question to the Committee about how to evaluate the two (2) interim positions, and she noted that both were given pay increases when they were given the positions. She wanted a plan in order to be fair and equitable to the interim positions and pondered whether these evaluations should be done in an Executive Session.

Interim Administrator Fragoso stated that the City Administrator was responsible for evaluating the Department Managers and the members of the General Government staff; City Council evaluates the City Administrator. She stated that the goal was to have evaluations ready by the end of the calendar year, so that the merit increases and the COLA can start with the new payroll year. She commented that she thought it would be fair to evaluate her performance as the Interim Administrator.

Chair Ferencz further explained that the members of Council would be sent the evaluation tool for the City Administrator and the date they would be turned in to the Personnel Committee Chair. She remarked that, in some years, it has been difficult to get all Councilmembers to complete an evaluation for the Administrator; she stated that her goal was for every member to participate. As Chair, she will use a score sheet to compile the scores for each question and calculate a final

score for her; in the past, Councilmembers have been asked to supply an explanation if they give a score below a three (3).

The Chair said that it has been her experience for a Councilmember to go through the evaluation and to score every question with a five (5), the highest and best score possible. In her opinion, when someone does that they have not taken any time to thoroughly read the question and discern just how well it was done in the previous year. The Chair interpreted a score of fives (5) across the board as perfection with no room for improvement, which she believes is almost unattainable; she opined that an evaluation tool should be a tool for growth with a suggested means to accomplish the growth. The Chair stated that she would like to see an explanation given when a grade of five was given.

Councilmember Moye opined that some changes were going to have to be made at the core if the evaluation is meant for employee development because managers want to give their employees higher scores to insure that they receive wage increases. He opined that a certain weirdness was created when an evaluation tool was used as the basis for merit increases. For him, the real question was how to use performance management in a strategic way to help employees grow and be better and to find another way to decide merit increases. He also noted a common problem was that managers within an organization were inconsistent in how they scored their employees; for some managers the evaluation tool was used to develop their employees while others used to it ensure that employees received wage increases.

Chair Ferencz stated that, when she sends out the evaluation tool, she would also encourage Councilmembers to have a thought process that looks at growth rather than just a merit increase.

On the other hand, Councilmember Rice reiterated that for this year, the evaluation tool was inextricably tied to the merit increase.

Although all Department Managers agreed that the existing evaluation tool needed to be replaced, for this year, Interim Administrator Fragoso was focused on having consistency between departments in how it was applied, so that a three (3) in one (1) department meant the same as a three (3) in any other department. She stated that she has already started training with the Department Managers to accomplish that goal.

As the Interim Administrator, she indicated that she would like to have a meeting with each Councilmember individually as they being to think about her evaluation because things come up in one-on-one conversations that typically would not have in other settings.

F. Discussion of citizen advisory committees

Councilmember Moye stated this subject has come up at several meetings beginning with the Visioning meetings at the beginning of the year where people voiced interest in being more involved with the City; in recent months, he has been approached by individuals saying they were ready and what could they do. He thought that a next step might be to have each Committee come up with one or two (1 – 2) needs they have that would lend themselves to a citizen's advisory committee, for example, the Recreation Committee could have a group of citizens to devise a long-term strategic vision for the Recreation Center.

Chair Ferencz took his idea a step further noting that City Council was planning to have a strategic planning session after the first of the year and that each Standing Committee could have a citizens advisory committee to come up with the three or five (3 – 5) strategic goals they would like for that particular Committee for the coming year. The Committee would then take those strategic

goals to the strategic planning meeting to present to Council so that each Committee would then have citizens' input at this meeting. This could be a first step toward that Strategic Planning Session; as Chair of the Committee, she would reach out to the other Chairs to explain this concept to them and get their feedback on the participation of their committee. The first issue was how the members of these advisory committees would be selected, and she suggested using the same questionnaire that is used for boards and commissions candidates.

Councilmember Rice was concerned that the people who would apply are the people who "shout the loudest."

Councilmember Moye thought that the best way to make this idea a reality was to start with something smaller, less encompassing and more focused.

Interim Administrator Fragoso stated that she has done some research on best practices for establishing boards and commissions, and the one (1) thing that was always consistent was that the board or commission had to meet a specific need. She noted that "experts advise against establishing new boards or commissions whenever a new problem arises; the need must be specific and manageable, and it needs to be staffed appropriately." She stated that a staff liaison had to exist between the advisory committee and Council, someone who would guide discussions because the members might not know government processes or how government works. In addition, policies and procedures would have to be written; membership criteria would have to be established. Another board or commission could be established, but it must have a specific goal or mission, and it would require a good deal of work on the front end.

Councilmember Moye asked if a less formal way existed for citizens to be involved to provide input versus being formally chartered.

The Chair stated that she was not looking for a way to give staff more to do, but have the Chair of the standing committee monitor the citizens' group. She used the formation of the City's farmers' market as an example; it began as a grassroots project composed of citizens. Although a couple of Councilmembers met with them, they were not assigned to do so and did not represent a Council committee.

Chair Ferencz suggested that this concept might be a topic for discussion at the Strategic Meeting; in the meantime, staff could research if other municipalities use citizens' committees and how they do it.

Clerk Copeland stated that the City had used *ad hoc* committees in the past; HR Officer DeGroot had looked it up and read that an *ad hoc* committee was "formed for a specific task or objective and dissolved after completion of the task."

Interim Administrator Fragoso noted that *ad hoc* committees also exist for a specific purpose and that every standing committee might not have a need currently. She volunteered to contact the other committee chairs.

G. Strategic Planning for 2019

The Interim Administrator commented that plans for the planning session were in their infancy at this time. She said that she has considered hiring a facilitator and holding the session as a retreat when Council would be away and could do strategic planning and set goals; she was thinking the session would be held in early February and be a guide to budgeting for FY20.

Chair Ferencz suggested that the Interim Administrator contact Rock Hill because they have been doing strategic planning for a number of years.

6. Miscellaneous Business

Next meeting Date: 5:00 p.m., Thursday, December 6, 2018

Although Committees typically do not meet in December, this meeting was scheduled based on the Committee's current work on the personnel search.

The Chair stated that she would call a Special Meeting earlier if necessary.

7. Executive Session – not necessary

8. Adjournment

MOTION: Councilmember Moye moved to adjourn the meeting at 7:05 p.m.; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk