



## MINUTES

### BOARD OF COMMISSIONERS JOINT MEETING WITH CIVIL SERVICE COMMISSION OCTOBER 25, 2023 3:30 P.M.

A Joint Board of Commissioners Meeting with the Civil Service Commission was held at 3:30 p.m. on October 25, 2023, in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

#### **BOC MEMBERS PRESENT:**

James "Jim" Rostek, Mayor  
Ray Kerr, Vice Mayor/Commissioner District 2  
David Tagliarini, Commissioner District 1  
Eddie McGeehen, Commissioner District 3  
Anne-Marie Brooks, Commissioner District 4

#### **CIVIL SERVICE COMMISSION MEMBERS PRESENT**

Gene Embler, Chair  
Jerry Cantrell, Commissioner  
Paul Tilka, Commissioner  
Judithanne McLauchlan, Commissioner

#### **MEMBERS ABSENT:**

Christina Ponte, Vice Chair

#### **CITY STAFF PRESENT:**

Robin Gomez, City Manager  
Clara VanBlargan, City Clerk/Ex-Officio Secretary to Civil Service Commission  
Andrew Laflin, Finance Director/City Treasurer  
Thomas Trask, City Attorney  
Robert Eschenfelder, Civil Service Commission Attorney

#### **1. CALL TO ORDER**

Mayor Rostek called the meeting to order at 3:30 p.m.

#### **2. ROLL CALL**

City Clerk Clara VanBlargan called the roll.

#### **3. PUBLIC COMMENT**

There were no public comments.

#### 4. DISCUSSION ITEMS

Chair Embler said the purpose of the meeting is to discuss two issues that the Civil Service Commission voted on. They've had numerous discussions and are not unanimous about how they feel. One is whether they change the authority of the Civil Service Commission to give them more teeth. In the past, they have always been an advisory board; now, some feel they should have more authority regarding running the City. The other issue is who the Civil Service Commission should be able to work with. In the past, it has always been the people beneath the directors, and they are asking if it should include directors. They thought bringing it to the Board of Commissioners would be beneficial to find out their thoughts on the two issues.

**A. At the September 13, 2023 Civil Service Commission Meeting, they voted to approach the Board of Commissioners for the Civil Service Commission to be able to have the ability to reinstate an employee wrongfully terminated. The motion carried 2/1.**

Commissioner Cantrell gave a PowerPoint presentation on the two issues on the agenda. He explained that in a 2018 employee grievance hearing, the Civil Service Commission determined the employee had been wrongfully terminated. They gave the city manager a written recommendation to reinstate the employee. He did not respond or act, and when asked to attend the employee hearing, he did not. The Board of Commissioners should have been made aware of it but was not. The city manager is one of the four charter officers who work directly for the Board of Commissioners. Former commissioner Doug Andrews and former mayor John Hendricks said the Civil Service Commission should have more teeth and not just advisory, so the issue does not happen again.

Commissioner Cantrell said Attorney Eschenfelder informed the Civil Service Commission that there is no current method for the Board of Commissioners or the Civil Service Commission to require the city manager to reinstate wrongfully terminated employees. He recommended that the authority be given to the Civil Service Commission. If, in a quasi-judicial hearing, they determine an employee was wrongfully terminated in a method that did not comply with their written policies and procedures, they want the ability to reinstate them.

Commissioner Tilka thanked Commissioner Cantrell for the presentation and said he was glad they were discussing the issue and pleased it was going in some direction. How it works out or is structured would be up to the legal counsel.

Commissioner McLauchlan thanked Commissioner Cantrell for putting together a thorough presentation bringing to light the issues and thanked the Board of Commissioners for meeting with them on the unresolved issues that needed addressing.

Chair Embler said what happened in the past was tragic. They had so much turmoil going on at that time. There was a new city manager, many personnel changes, and they had no personnel policy handbook on handling grievances that was effective. Their team has been working for years to get the personnel policy right, and various reasons prevented them from doing that. They have a good draft policy that is much clearer going forward and gives the proper escalation steps. She

does not see them getting into the situation again. Their leaders are responsible for hiring leaders with the right credentials and certifications and who make the right decisions. She would rather trust the city manager and the Board of Commissioners over a committee.

Attorney Eschenfelder said different municipalities cover it in different ways. The City of Saint Petersburg has a Civil Service Commission with the authority to reinstate someone they felt wrongfully terminated when there is no "just cause" for doing so. The City of Clearwater has a Civil Service Board that contracts with a hearing officer who conducts the quasi-judicial hearing, hears all the witnesses, and makes written findings of fact and conclusions of law. The transcript goes back to the Civil Service Board to read and determine if there "was or was not just cause" to terminate the person. If wrongfully terminated, they can reverse the termination. It is a policy decision the Board of Commissioners will have to decide. A charter amendment would need voter approval.

Helen Price, former commissioner, asked why the Civil Service Commission determined that the employee had been wrongfully terminated. It must be for legal reasons and if the policy handbook was followed. Commissioner Tilka explained that the employee had been accused of making a derogatory comment about the city manager outside of work at a local bar. Commissioner Cantrell said the hearing transcript states a wrongful termination and that the personnel policy was not followed. Attorney Eschenfelder said a person could be terminated if the city manager determines a person's behavior is disruptive to the workplace.

Attorney Eschenfelder said he would like the Board of Commissioners to decide what it would like going forward regarding employees being able to overturn their termination.

Mayor Rostek said in a past commission meeting that former commissioner John Hendricks agreed with former vice mayor Doug Andrews that he supported a change giving the Civil Service Commission more teeth to overturn a termination. He asked Mr. Hendricks if he still agreed with it. Mr. Hendricks said yes. The employee had an exemplary work record and had no problems on the job. The comment she made was hearsay. It was not about the city manager but about the executive assistant to the city manager at a noisy bar and got back to the city manager. He was on the Civil Service Commission then, and they tried numerous times to get the city manager to come to their meeting to answer questions, but he refused. He was told that the city manager had thrown the written recommendation given to him by the Civil Service Commission in the garbage can. If he were a manager and fired every employee who said something negative about him off-premises, he would not have any employees working for him. The bottom line is, are the employees doing their job at work? Although the Civil Service Commission heard the case, they were completely shut down.

Chair Emblar asked Mr. Hendricks if the employee reported directly to the city manager. He said she reported directly to Jay Hatch, and Jay had no problems with her on anything.

Chair Emblar said the Civil Service Commission has been working hard to structure the disciplinary steps and improve the processes. In the past, everyone appeared to go directly to the city manager. In the new version, they identified the steps more clearly. There are multiple steps before employees can be terminated.

Commissioner Tagliarini asked Chair Embler what would have happened in that case if the current process was in place and what would have happened next. Chair Embler said there would be a meeting with the employee and the direct supervisor. The proper steps should be taken before it gets to the city manager. Mr. Hendricks said it would have only been the director and the city manager's office involved back then. They felt the city manager wanted to do away with the Civil Service Commission.

City Manager Robin Gomez said he understood that it did not go through the progressive discipline they currently have in place and utilize. They constantly remind supervisors if they have an employee who is not performing, they must document it. Start with counseling, then a verbal, and then a written warning. There are instances where it escalates to immediate termination, such as theft.

Recreation Director Jay Hatch said he was the supervisor and was pulled into the city manager's office and informed the decision had been made. He stressed disagreement with it and returned to the office and discussed it with the employee. He was removed from the decision-making process and never had an issue with the employee. He took it upon himself to discuss it with her because she deserved it. He does not know why it was handled that way. Chair Embler said he should have been involved in the process.

Attorney Eschenfelder said that under the Charter, the manager is given the authority to hire and fire everyone except Charter Commission direct appointees. The Charter also gives the manager the authority to delegate their authority to the department heads. The department heads can delegate their authority to folks below them. The manager or the administrator cannot possibly be aware of everything that goes on in every department. So, they are a poorer judge in whether someone should be fired versus suspended for five days versus just counseling them. From what he heard, what happened was horrifying management at its worst and should never have happened. The Board can choose an option, keep it as is, or amend the Charter to have the Civil Service Commission be able to overturn a termination to move forward.

Commissioner Tagliarini asked what would happen if the exact thing happened, and an employee of Mr. Hatch said something off the record about Mr. Gomez, and Mr. Gomez made sure that person was fired. Attorney Eschenfelder said that could happen right now. The Charter provides that the manager has the complete authority to terminate any non-charter employee. Commissioner Tagliarini said by implementing an intervention that the Civil Service Commission hears the case, the Board of Commissioners could have a buffer of at least one place for that employee to go before a final decision. Attorney Eschenfelder said the only recourse is for the employee to request a Civil Service Commission hearing. Under the Charter, the Civil Service Commission is only advisory. It would need the authority to overturn a termination decision. Commissioner Tagliarini asked who they advised, the person who fired them. Attorney Eschenfelder said yes.

Commissioner Tagliarini said he was trying to determine why they are trying to make a change. Although he did not perceive it happening again under the current manager and staff, it sounds like it could happen again with the wrong people in place. Attorney Eschenfelder said one of the weaknesses was that it was only a recommendation to the manager, not the Board of

Commissioners who hired the manager. It seems odd, at least in a sense where the manager is the decision maker, that the recommendation goes to the manager. The manager will have a strong bias towards upholding his own decision.

Commissioner Tagliarini asked if the Civil Service Commission could advise the city manager and the Board of Commissioners.

Attorney Eschenfelder said the Board of Commissioners has options as a governing board. The majority of the Civil Service Commission voted to ask that the Charter be changed to allow the Civil Service Commission the authority to overturn a termination decision. They discussed making their recommendation to the city manager and the Board of Commissioners, but no vote was taken. That is an option to do that through the Code. He does not want the Board of Commissioners as a governing board involved in individual personnel decisions. If they are going to have a body that reviews a disciplinary, that either needs to be the Civil Service Commission or a hearing officer. It would be a due process hearing for the employees. It gets down to whether there was "just cause."

Mayor Rostek said their firefighters are unionized. If one gets into trouble, what is their due process to grievance? Is it similar to their non-unionized employees? Attorney Eschenfelder said most unions will have arbitration built into their process. The Mayor said firefighters have their own independent board of people that can make recommendations, whereas the other employees have the Civil Service Commission with no teeth. The City Manager said their recommendations go back to the fire management and the city manager, so it is typically the same.

Commissioner McGeehen asked if Florida was a right-to-work state. Attorney Eschenfelder said yes, they could be hired or fired, quit, or be fired for a good reason, a bad reason, or no reason at all as long as the reason is not illegal.

Commissioner Brooks said Chair Embler stated that once the policy handbook they are working on is in place, the situation should not happen again. Would it be possible to allow the Civil Service Commission some leeway without changing the Charter? She remembers when that situation occurred, so what she heard today is not the whole story. It was a different city manager at the time and a different style of managing. Would they be able to implement the new policy, giving the Civil Service Commission a little more oversight without changing the City Charter? Attorney Eschenfelder said it would depend on if anyone had legal standing to challenge doing it that way. The Charter states the Civil Service Commission shall prepare personnel rules. When concurred in by the City Manager, the rules shall be proposed to the Board of Commissioners. It also states grievance procedures, including procedures for the hearing of grievances by the Civil Service Commission, which may render advisory opinions based on its findings to the City Manager with a copy to the aggrieved employee. Legally, what would be argued by someone who had standing to make the argument that the voters said what it wanted its Civil Service Commission to be, and that was advisory. That dovetails with the section of the Charter it says the manager has the authority to hire and fire those beneath him. However, the Charter also says that all duties, powers, reservations of power, and funding for the Civil Service Commission may be provided for by ordinance duly passed by the Board of Commissioners of the City of Madeira Beach. The Board could do an ordinance to say the Civil Service Commission has the power to override the city

manager, and they are no longer advisory with respect to termination decisions. They can do it by ordinance and see if anybody challenges it.

Mr. Hendricks said he likes the idea of a hearing officer because it gets it out of the Civil Service Commission's hands and is impartial. Attorney Eschenfelder said because a hearing officer is not addressed in the Charter, they can do it by ordinance. The Civil Service Commission can review that, and then they would be advising. They would have a written quasi-judicial order to advise on. Mr. Hendricks said he did not foresee it happening with the current city manager, but it could happen under another city manager. The Civil Service Commission was walked on, and he did not want that happening again and did not want to see it happen again to the employees. They have progressive discipline that was not followed.

Vice Mayor Kerr agreed with the attorney and Mr. Hendricks about the hearing officer. He asked if the grievance would be brought to the Civil Service Commission for review and to investigate and then go to the hearing officer. They would stop there if they saw justification and automatically say to the city manager, director, or whatever was well within their rights for termination. They could make a recommendation if there is a gray area because expense and time are involved. If taken to a hearing officer and he agrees with the employee, it was a wrongful termination, where does it go from there? Attorney Eschenfelder said he would write in the ordinance that the hearing officer would render their findings of fact and conclusions of law and on whether the employee should be reinstated or not. The Civil Service Commission would review that, and if it did not recommend overturning it, it would become final. That still keeps the Civil Service Commission as advising because they are not making a decision but also allows the outcome of the order to take effect and to get that person reinstated if the hearing officer ruled that way, and the Civil Service Commission agreed with it. If the Civil Service Commission disagrees, they could not overrule it because they are advisory. He could also say in the ordinance that if the Civil Service Commission disagreed with the order, it would then be escalated to the Board of Commissioners to get involved. Regarding expenses, they do not fire that many people. From an employee perspective, it would be more if they had to hire legal counsel to represent them. With a hearing officer, they would not have to worry about a quorum, and the hearing officer would be a working attorney and fit the schedule.

Vice Mayor Kerr asked what would happen if the employee did not want reinstated and wanted to sue for wrongful termination. Attorney Eschenfelder said Florida does not recognize the tort of wrongful termination. If they give due process to their employees, the issue would be whether there is a "just cause." He would write in the ordinance that the Civil Service Commission or the hearing officer does not have the authority to rule on matters such as Title VII Discrimination and The Americans with Disabilities Act because that is for the judges to do. The question would be if there "was or was not" just cause. Regarding expenses, he would not take the fear of hurting the City in a lawsuit to make a decision on whether to do it or not. If management does what it should be doing in terms of progressive discipline, documenting, and consistently applying the rules, there should not be a problem.

Commissioner Tagliarini said it sounds like a viable alternative to changing the Charter would be to create an ordinance that required a hearing official so the Civil Service Commission could give informed advice that could stand up. Attorney Eschenfelder said they could say in the ordinance

that it would become final and binding if the Civil Service Commission concurred with the recommended order.

Commissioner Brooks said she liked the idea of a hearing officer because it is someone totally removed to make an informed decision based on the facts outside of passing a revision to the Charter. Taking the road of going with the hearing officer gives empowered information to the Civil Service Commission. At the same time, she would hope that the Board of Commissioners would be paying attention. In the case of when the city manager did not do his job, the Commission at that time should have called him to the floor for it.

Mayor Rostek said he would like to hear from each Civil Service Commissioner if they are okay with the hearing officer concept.

Commissioner McLauchlan said although they are changing the personnel policy, the procedures were not followed back then. They do need something new, so there are some teeth. She agrees with Attorney Eschenfelder creating an ordinance allowing for an impartial, professional hearing officer. Issues or decisions that would come to the Civil Service Commission who would then review it and potentially implement it. They would not have to worry about changing the Charter. They will have that important buffer for the employees.

Commissioner Tilka said he likes the idea of a hearing officer. They are more qualified than the Civil Service Commission. When it comes back to them, they will do what they need to do with the decision. It would be better to do an ordinance than a referendum. If there is a problem at a certain point, they could live with that.

Chair Emblar said she supported the idea of having a separate hearing officer. It is a great way to go and it takes away any potential bias of a committee that is not elected.

Commissioner Cantrell said he agrees with a hearing officer. It is an excellent way to go. Another thing he would like to add to the ordinance is that the Charter states that they are an advisory body and provide their findings in a grievance, now called an appeal, to the city manager and the grieved employee. In their rules, they are adding that it will also come to the Board of Commissioners. They will do what the Charter says but add the additional step so the Board is not overlooked.

Commissioner McGeehen said he agreed with having the hearing officer.

Chair Emblar said they recently added HR Report to their agenda so they will have an update of what is going on and to be more proactive and transparent.

Vice Mayor Kerr said they keep referring to the human resources people. That is currently the city manager. Part of the second escalation process was to human resources, which is the city manager. The City Manager said the HR function is Megan Powers, who reports directly to him. If there was an HR Director, they would report directly to the city manager.

Vice Mayor Kerr asked about enforcement. Where does it go after the grievance officer has made a decision? Attorney Eschenfelder said he would write in the ordinance that it goes to the Civil

Service Commission. If the Civil Service Commission concurs, it becomes final. It would be an enforceable order against the manager.

Commissioner Cantrell asked if it would only be to reinstate. Attorney Eschenfelder said that legally speaking, they are to get their backpay if they are reinstated and lost backpay. That would be included in the hearing officers award. The manager would be bound by the hearing officer's ruling, whatever that might be. They could also find that there is "just cause" to discipline but also find that termination is not supported because they have shown three other cases in the past two years where the same conduct only resulted in a two-day suspension. If warranted, the two-day suspension would be imposed.

Vice Mayor Kerr asked if there would be a possibility that an employee who is terminated would not go through the process automatically. Attorney Eschenfelder said the only downside is there could be a claim they were denied due process and terminated without "just cause" would be waived because if the employer provides a procedure to use and the employee does not use it, they could not make that legal argument in court.

**B. At the September 13, 2023 Civil Service Commission Meeting, they voted that they vote on whether directors are civil service protected. The motion carried 2/1.**

Commissioner Cantrell continued his PowerPoint presentation. He said in the August 2018 Joint Meeting with the Civil Service Commission and the Charter Review Committee they agreed that arbitration steps needed to be in place so all employees would have due process, including directors or front-line managers, if terminated. They would like the Board of Commissioners' thoughts on whether directors can file an appeal if wrongfully terminated. He does not like the idea of a director being terminated without "just cause." Suppose that City Manager Gomez does what he is supposed to, and there are no problems, but if he should leave, a new city manager comes in and decides to terminate someone just because he does not like them. That would be a problem. A lot of the directors that report to the city manager have been there a long time and worked their way up through the ranks. They understand the historical perspective of the City and can communicate effectively with the city manager and their employees if something goes wrong. If they get rid of that leadership, there will be chaos. There should be "just cause" for termination and not for any reason.

Commissioner Tagliarini asked if a new city manager was hired, and they did not like the directors could they fire them for no reason? Attorney Eschenfelder said it has happened. A new manager could come in, and a director might not like them for some reason, or the new manager might feel they should be able to pick their own management team. There could be tension between the two.

Commissioner Tagliarini asked if perhaps they created an ordinance or a rule that a new city manager had to work with the current set of directors for an "x" number of months before they could change or terminate a director to allow them the opportunity to see that the person does know the job very well although they might not seem to be qualified to do the job. He asked if it was possible to have something like that where there would be no firing for the first six months. Attorney Eschenfelder said it was possible. He could put in the ordinance that they could not be fired without cause.



Mayor Rostek asked if that could be put in the city manager's employment contract. Attorney Eschenfelder said his advice would be they only have contracts with two people, the city manager and the city attorney. Everyone else is an employee who follows the personnel policy and who gets a conditional offer of employment stating the starting wage, benefits, etc., and the terms and conditions are set forth in the personnel policy.

Mr. Hendricks said he hoped they do not go down a path of micromanaging the city manager. He would need the ability to take care of his directors, and if they are not directing, he needs the ability to let them go.

Commissioner Brooks said they have been through city managers that were not good for the City. They came in and got rid of people for whatever reason. However, it was a different Commission, and this Commission is going to change over time. If Robin ever decides to leave there will be another city manager, but regardless, they have to allow the city manager to choose his team. When a government body changes over, the staff that reports directly to them often changes completely. When you have good employees and hire the right city manager, you will have employees who will want to work with the city manager for the betterment of the City. She would not want to tie the city manager's hands. If the city manager is firing people left and right the Commission should be paying attention and asking questions.

Commissioner Tagliarini asked Commissioner Brooks if she was suggesting that if the new city manager came in and fired everybody and started over then they would have to go through the process of deciding whether or not they approved. They could change their city manager but that would be a whole other process. Commissioner Brooks said hiring a city manager is not easy. There was a time when the City was extremely divided. They got a new Commission and when that Commission came in a lot of people that worked for the City for years were let go. Regardless of what the politics were for the people sitting on the Commission, getting rid of all the people was wrong. The City is in a good place. They have a good city manager and a good staff. They would be looking to fill that position with someone who would continue to move the City forward in a positive way.

Commissioner Tagliarini said city managers change and boards change. If they have an ordinance with a six-month "just cause" buffer to allow the new employee and the new city manager to see if they really hate each other before that time comes. At the end of six months, if the director or the city manager has caused nothing but pain, they get rid of them. He is suggesting that there be no changes for six months.

Chair Emblar said there is a saying that the best predictor of future behavior is taking a look at past behavior. She has not observed how the interview process goes but would think it is incumbent on the Commission to ask good questions to determine their leadership style and whether it will complement what they want and fit the vision of what they want in the community. The Commission has a hard job, but there is a concept called behavioral interviewing that will help get to the point of knowing a person's leadership style. She does like the six-month rule.

Ms. Price said six months is too long. They should know in about three months.

Commissioner Tagliarini said he would be heartbroken if they hired a new city manager and some of their current staff were let go. They have a wonderful staff, and he would hate to see that happen just because the new guy whom they disagreed on but had to have somebody just wanted to clean house.

Commissioner McGeehen said he would like to get some comments from the residents on their thoughts.

Commissioner Cantrell asked the City Manager if they had to take on a new city manager, would he feel there was a period of time it would be realistic for the new city manager to wait and observe before they make hard decisions to release people without cause. The City Manager said his process is not to come in and make staff changes. They must wait at least six months to a year or more other than somebody who is a pain and not part of the mission or vision. However, it is the Commission's role to hire the right person. They should ask their plans for the staff, which is part of the hiring process. They do not want someone to come in and fire two or three people and bring in two or three people from the outside. That causes significant disruption. He has been in an organization where that happened a couple of times, and it created chaos and anxiety. The last thing he would want as a manager is to have the people he relies on every day to feel he is going to remove them. Time has to go by to evaluate their level of knowledge, expertise, experience, and how they will react. It could be six months to a year. He has no idea how they will present at a commission meeting, even if they presented once or twice. They could be nervous, and everyone makes mistakes. But, he will go back to the due diligence of who is hired, whether himself or whomever. That is part of the interview process. He is not in favor of getting rid of people. They are all human and must give people a chance to show and prove what they can do. He could not be happier with the staff he has. They are wonderful and do a great job. Hopefully, none of it ever happens, and they have the process to go through. They have had one instance of disciplining an employee because it was a very high offense that led to a discipline that led to a suspension. That is the only one they have been involved in. Other personnel issues have been during the probationary period, where they can make staff changes that may not be working out. Whatever the personnel rules stipulate, that is what they follow.

Mayor Rostek said it should be six months minimum.

Commissioner Tagliarini suggested an ordinance to say for the first six months, the new city manager, whoever that would be, would need "just cause" to get rid of somebody. The City Manager said he was fine with that, but the next person might disagree. He is not aware of that being in any employment agreement. He could ask ICMA. He is unaware of any city or county having an ordinance where the new administrator, the new CEO, has to undergo a certain process. They would need to have "just cause" and follow the disciplinary progressive process.

Vice Mayor Kerr said he likes the idea of having a six-month minimum for several reasons. As the City Manager and Attorney Eschenfelder suggested, it is a mindset for many city managers that they are going to bring their team with them. That not only would hurt their City but would hurt the City they are leaving. They need an opportunity to get to know the staff, directors, and upper management and create relationships. They have a minimum period to figure that out. The bigger

case is that after that period, they are at-will employees and do not have civil service protection. It sounds like that is what everyone is feeling and saying, and they have the right to have their team around them. The City Manager said that is why some cities have employment agreements to further define the roles and responsibilities. They can have in the agreements the termination process.

Commissioner Cantrell asked Attorney Eschenfelder if they needed that in an ordinance or if it could be written in the rules there has to be a six-month grace period and must be "just cause," but after six months, those employees are "at-will," and even during the "just cause" period they have no protections under the appeal process.

Attorney Eschenfelder said he would include the hearing officer in the ordinance to come before the Civil Service Commission because it has to be blessed by ordinance. With respect to the six-month situation where a new manager cannot dismiss an "at-will" department head for the first six months unless they had "just cause," that would be in personnel policy because if it needs to be changed over time, they could do that.

Commissioner Cantrell said there would be no civil service protection. Attorney Eschenfelder said that if the manager wishes to terminate the department head in the first six months, they would have to show "just cause." They would technically be protected by civil service, at least the system, for the first six months. After six months, they would become terminable at will. That is upon a new manager coming in.

Commissioner Tagliarini said the new city manager needs to try and get along for at least six months to get to know their department directors. Attorney Eschenfelder said the community has suffered so much turmoil. The six months allow the manager to gain as much institutional knowledge from a department director as their assessment might change.

Chair Emblar said the meeting had been helpful.

## **5. ADJOURNMENT**

Mayor Rostek adjourned the meeting at 5:22 p.m.

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James "Jim" Rostek, Mayor

ATTEST:

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Clara VanBlargan, MMC, MSM, City Clerk