

**MINUTES OF THE SPECIAL CITY COUNCIL
MEETING OF JULY 29, 2021**

Mayor Patricia Randall called the Special Meeting to order at 09:32 AM. The meeting was held in a partially virtual format as permitted by PA 228, in accordance with December 2020 Kalamazoo County Emergency Declaration. Mayor Patricia M. Randall, Mayor Pro Tem Jim Pearson, and Councilmembers Chris Burns, Lori Knapp, Vic Ledbetter, Claudette Reid, and Terry Urban were present. Councilmembers Chris Burns and Lori Knapp participated virtually from Stone Harbor, New Jersey, and Georgian Bay, Canada, respectively. Also in attendance were City Manager Joe La Margo, City Attorney Catherine Kaufman, Deputy City Manager Mike Carroll, and City Clerk Erica Eklov.

PROPOSED CLOSED SESSION TO DISCUSS A CITY ATTORNEY LEGAL OPINION & NEXT STEPS IN THE HIRING PROCESS FOR NEW CITY MANAGER: Mayor Randall introduced the reason for the Special Meeting, including beginning the process to hire a new City Manager. She stated Councilmember Reid had expressed a desire to be included in the search process before the end of her term as a Councilmember and Mayor Randall noted Ms. Reid's prior experience with hiring new City Managers. Mayor Randall then proposed moving into Closed Session to discuss a City Attorney legal opinion first. Councilmember Urban expressed concern with pursuing a vote to move into a closed session without first being provided the legal opinion being proposed for discussion. City Attorney Kaufman supplied each member of the City Council a copy of her opinion and confirmed the City Clerk had provided the two Councilmembers virtually attending the meeting via e-mail at the start of the meeting. Councilmember Urban stated that City Attorney Kaufman's legal opinion may conflict with a statement she made during the July 27, 2021, Regular Meeting. The City Attorney asked Councilmember Urban to discuss during the Closed Session.

Motion by Pearson to go into Closed Session to discuss a City Attorney Legal Opinion. Councilmember Reid interjected with a point of order that the City Attorney's opinion covered two matters and requested notation of both matters in the motion. Motion by Pearson, seconded by Reid, to go into Closed Session to discuss the City Attorney's two legal opinions. Upon roll call vote, motion carried six to one, with Councilmember Urban voting no.

-- Entered Closed Session at 9:42 a.m. --

-- Resumed Open Session at 10:41 a.m. --

Motion by Pearson, seconded by Reid, to accept the City Attorney's recommendations as discussed in Closed Session and to appoint the Mayor to work with the City Attorney to implement the recommendations. Upon roll call vote, motion carried seven to zero.

Mayor Randall then began discussion regarding the next steps in the hiring process for a new City Manager, noting the upcoming City Council election that would not include Councilmember Reid. Mayor Randall relayed that City Attorney Kaufman had suggested a potential search firm with which she had previously interacted, Frank Walsh of Walsh Municipal Services. Mayor Randall stated that she had asked the City Attorney to reach out to Mr. Walsh to gauge his interest in working with the city and noted his fees were nearly half that of the search firm the City Council used in the prior two searches. Mayor Randall asked the members of the Council if they would like to meet Mr. Walsh instead of trying to re-start the process of securing a search firm from the beginning to maintain momentum. Councilmember Reid encouraged completing reference checks before pursuing Mr. Walsh. City Attorney Kaufman relayed prior instances of her work and experiences with Mr. Walsh. Councilmembers Burns and Knapp agreed with meeting Mr. Walsh. There was additional

discussion as to whether Mr. Walsh worked nationally and when to meet with him.

Mayor Randall stated she would schedule a time to meet with Mr. Walsh and asked City Council to review and update the Community Profile document created during the 2019 City Manager search. Councilmember Urban inquired whether City Council was required to put the search firm request out for bid as it was a professional service. He then expressed interest in maintaining consideration of other search firms as well. Mayor Randall then noted she had inquired with Human Resources Director Shannon Hertz as to whether the Human Resources Department could perform the City Manager search services in-house. She relayed that Director Hertz stated such an executive-level search was outside the scope and capabilities of the department. Mayor Pro Tem Pearson noted that his experience with national searches for executive-level positions had still found only Midwest candidates applied.

City Council then discussed the appointment of an Interim or Acting City Manager. Mayor Randall relayed that her prior discussions with Deputy City Manager Herringa had proven his interest in the position. There was a verbal consensus of the Council to pursue Mr. Herringa for the interim position. Councilmember Urban asked the City Attorney to discuss the potential for drafting an Acting City Manager Agreement with Mr. Herringa, stating Mr. Herringa had expressed an interest in ensuring his prior Deputy City Manager position would be available for him to return after the interim period.

STATEMENTS OF CITIZENS. None.

ADJOURNMENT: Mayor Randall adjourned the meeting at 10:59 AM.

Erica L. Eklov, City Clerk