LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on October 27, 2014, at 6:00 p.m. with Chairman Slavin presiding. Members present were Mr. Anderson (arrived at 6:02 p.m.), Mr. Hare, and Mr. Shevock. Mr. Sudler was absent. Councilman Dixon and Mayor Christiansen were also present.

AGENDA ADDITIONS/DELETIONS

Mr. Shevock moved for approval of the agenda as presented, seconded by Mr. Hare and unanimously carried.

Discussion - Responsibilities and Reporting Structure for the Mayor and City Manager and Continuation of Full-Time Status for the Position of Mayor

During the Regular City Council Meeting of September 22, 2014, members approved the Committee's recommendation for future consideration of Option A, as follows: a full-time mayor's position, with consideration of changing the City's current form of government to a mayor/council form of government, where the city manager and chief of police would be appointed by the mayor and confirmed by City Council, and that any positions which currently report to council that are moved to report to the mayor would only be removed for cause and with council approval. Members of City Council also approved the Committee's recommendation that the Council President open a dialogue with the parties to the 1988 Consent Decree.

In the absence of Mr. Hutchison, who had been the lead on this issue, Mr. Slavin stated that based on previous action, members were reviewing possible alternatives related to the responsibilities and reporting structure for the mayor and city manager. He noted that a recommendation was made for consideration and indicated his hope that there would be more recommendations for discussion. The general timeframe was to accept ideas through the end of the calendar year, and in 2015 Council would decide which ideas would be brought forward for final action. In addition, Mr. Slavin reiterated that City Council requested the Council President, along with Mr. Hutchison, to meet with the NAACP to discuss the 1988 Consent Decree between the City and the NAACP and what effect it may or may not have on the City's form of government.

Mr. Slavin stated that he had requested the City Clerk's Office to create an organizational chart for Option A, as well as any future recommendations.

Mr. Hare expressed his opinion that prior to making any determination regarding a full-time or part-time mayor, members must determine the form of government. If a council-manager form of government were decided upon, he felt there was no need for a full-time mayor. If a strong mayor form of government were chosen, he stated that the City should continue with a full-time mayor who would serve as the president of Council and preside at the Council meetings, explaining his feeling that both a mayor and Council president were not necessary. Should the City continue with a council-manager form of government, he felt that the mayor should serve on a part-time basis.

Mayor Christiansen stated that he did not want to be seen as "self-serving" and, although he agreed with some of the comments made by Mr. Hare, he stated that Dover is a full-time City that needs a full-time mayor. He felt that placing the mayor back in the Council Chambers would create an issue in regard to the 1988 Consent Decree. In addition, he relayed concerns with the mayor being made

a part of Council's deliberations, explaining his feeling that City Council should serve as the legislative body and the mayor should be chief executive officer of the City and work in concert with the city manager and City staff. He indicated that this working relationship had proven to be beneficial to him, as the mayor. Mayor Christiansen stressed the importance for the mayor to remain out of the legislative process and maintain the power of veto in order to protect the general public and afford them a stopgap against a "runaway" Council. He also requested the opportunity to present a proposal for members of Council to consider. He assured members that he was not looking for a job but rather to do the job of the mayor. Mayor Christiansen expressed his opinion that regardless of who was elected to serve as mayor, the City of Dover needed a full-time mayor with full-time responsibilities.

Mr. Thomas Leary (former member of City Council), 27 Shinnecock Road, questioned the genesis of the discussion, why this matter was being considered, and if something was "broke." Responding, Mr. Slavin stated that this matter had been a continuing agenda item in the hopes that members would be given options to consider and present to City Council.

Elaborating, Mr. Hare recalled that Mr. Leary was serving as a member of City Council at the time the mayor's position was changed from part-time to full-time. At that time, he explained, the mayor was given specific duties, such as being in charge of economic development, public relations, lobbying the legislators, etc., all of which had since been removed from his responsibilities. Since the mayor no longer had these responsibilities, it had been suggested that there was no longer a need for the mayor to serve full-time.

Mr. Leary suggested that members should decide whether the council-manager form of government, which had been the most effective for municipalities for a long time, still applied for the City. He questioned if members were reacting to recent personalities of those who had served as mayor.

Mr. Hare stated no objections to the City maintaining a council-manager form of government. After conducting research through the National League of Cities, he stated that the only municipalities with a full-time mayor had populations in excess of 40,000. Mr. Hare expressed his opinion that if the City of Dover would be the exception and maintain a full-time mayor, then the position should have full-time job responsibilities.

Mr. Leary reiterated his feeling that the City's current form of government was sound, although there may be a need to review salary and job responsibilities for possible adjustments as deemed necessary. However, he encouraged members not to make any changes that would require the mayor to preside over Council meetings. In addition, it was his feeling that the NAACP would have no desire to discuss any change to the Consent Decree.

Mr. Anderson expressed misgivings in regard to having a mayor preside over Council meetings, particularly since the mayor is not elected based on such abilities. He also questioned how this would affect the inner workings of the legislative committees in relation to appointments, chairmanships, etc. Responding, Mr. Leary stated his objections to this arrangement based on past

experience, since it would provide one (1) individual with a lot of power. He indicated that prior to his service on Council, there was a time when the mayor presided over Council meetings and had a lot of power over City Council, which proved not to be beneficial for the City.

Mr. Hare stated that if the City wished to maintain a full-time mayor, then City Council should develop job responsibilities for the mayor. Responding, Mr. Leary reminded members that it was City Council who gradually eliminated certain duties and job responsibilities from the mayor's position. He suggested that Council simply reinstitute those responsibilities and/or create additional duties for a full-time Mayor.

Mayor Christiansen indicated his familiarity with the previous "strong" mayor and, as such, Mayor Christiansen had assumed some job responsibilities that may be outside the realm of the mayor's authority, such as economic development, working with State legislators, etc. It was his feeling that there are jobs that are required of the Mayor, since Dover is a full-time City, and that the system would work if the mayor were given specific job responsibilities that are established through ordinance or Charter. It was his recollection that the Mayor's responsibilities were never codified, although it had been intended to do so.

Mr. Leary suggested that City Council tweak the current system and not undertake a complete, radical, reorganization of the City.

Mr. Anderson stated his willingness to submit a recommendation. In addition, he advised members that he was aware of a college student, with experience in organizational management, who desired to volunteer as an intern with the Committee and assist in developing a recommendation. At the request of Chairman Slavin, Mr. Anderson agreed to forward the individual's resume for consideration.

Update - Certified Local Government Application

During their Regular Meeting of August 25, 2014, City Council approved the Committee's recommendation directing staff to have the Certified Local Government Application completed by December 31, 2014.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that staff had compiled the résumé's of all Historic District Commission members. Staff had also begun a review of the City's existing ordinance regulating the Historic District Commission to ensure that it meets the criteria of the Secretary of Interior. Mrs. Townshend noted that staff had been spending a lot of time working on the Downtown Development District Application, which would be completed during the current week, allowing staff more time to focus on the Certified Local Government Application. She felt confident that the application would be completed within the next two (2) months.

Mayor Christiansen stated that he had been assisting staff with the completion of this application.

The Committee took no further action regarding this matter.

By unanimous consent, the meeting adjourned at 6:22 p.m.

Timothy A. Slavin
Chairman

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