

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL STUDY SESSION MEETING
CITY HALL – COMMUNITY ROOM
JULY 27, 2015 – 6:00PM

The Study Session meeting of the Farmington Hills City Council was called to order by Mayor Brickner at 6:03pm.

Council Members Present: Brickner, Bridges, Bruce, Knol and Lerner

Council Members Absent: Massey and Steckloff

Others Present: Acting City Manager Boyer, City Clerk Smith, Assistant to the City Manager Geinzer, Directors Gajda and Randle and City Attorney Joppich

DISCUSSION ON THE INTRODUCTION OF RETIREMENT ORDINANCE AMENDMENTS

Dave Walsh, 47th District Court Administrator, apologized for not being present at the last meeting when this issue was discussed. He stated that he watched the Council meeting video so he would have an idea of the questions that City Council raised at that time.

Mr. Walsh explained that the first request is to enhance benefits for all of the court employees in Group J under the retirement system to be aligned with those benefits offered to city employees in City Group G, specifically as it relates to the annuity withdraw option. He informed City Council that there was an agreement between the City Administration and Court Administration several years ago to align court employee benefits with that of the general employees of the city, but the annuity withdraw option was added at a later time and for some reason the court employees were not included. He added that the reason that the Court did not pursue the issue at that time was because they simply were unaware this option was being added and it was not discovered until recently when processing an employee's retirement.

Mr. Walsh stated that the second request was to move the executive level court staff from the Court Group J to the Executive (E) Group. He stated that this is an equity issue and feels that the executive staff at the Court should be treated the same and provided the same benefits as the executive level city employees. He added that this request came up during discussions regarding annuity option for the other court employees.

Mr. Walsh outlined the proposed costs for each option, which he explained are two separate requests. He stated that he feels court employees within the same pension program should be treated the same as the city employees and there was agreement to do this several years ago.

Mike VanOverbeke, Retirement Board Attorney, explained the annuity withdraw option and why an exact cost could not be placed on that request. He noted that part of the reason is that it is unknown whether an employee will select that option upon retirement.

Councilmember Knol asked for clarification on moving the 3 executive staff, which included only one of the judges, to the Executive Group.

Mr. Walsh explained that as of 1997, Judges were not permitted to take part in the local pension plans; however, prior to that time they were permitted to do so and Judge Parker was serving at that time. He

explained that a portion of her salary is included in the State's defined contribution plan and the other portion is part of the local pension program.

Judge Parker further explained that she was serving as Judge at that time this change was made, so she was able to keep her salary at that time in the local pension program, but was not a Judge long enough to be vested.

Councilmember Bridges inquired why the Court was not advised of this annuity option. Mr. Walsh responded that the Court employees are not considered City employees but are represented by City employees serving on the Pension Board. He added that the Court has no representation on the Pension Board and while he would like to have representation on the Board, he understands that there is a delegate balance to maintain. He asked for Court staff to be included as a non-voting participant so the Court would be aware of any future changes and that has occurred. Mr. Walsh added that he is not looking to place blame and believes this was an oversight perhaps due to the changing of many staff members at that time. He believes this issue will be resolved by the Court having prior notification of the Pension Board meetings.

Mr. Lerner indicated that he has no objections to the requested changes and he wants to make sure the Court employees are treated equally going forward, but is concerned that this type of oversight could happen again.

Mr. Walsh stated that he was confident that now that they are receiving the agendas and have the ability to participate in the Pension Board meetings that this will not happen again.

Attorney VanOverbeke further explained how representation on the Pension Board works and the difficulty in making changes. He added that employee representatives, regardless of the union in which they belong, has the fiduciary responsibility to represent all groups within the city.

Mr. Lerner inquired if the City of Farmington is participating in the costs. Mr. Walsh responded that he advised the new City Manager by memo of the requested ordinance changes and has not heard back from the City of Farmington to date.

Councilmember Bruce thanked Mr. Walsh for attending tonight's meeting and explaining the proposed changes. He agreed with the requested changes noting that it was an issue of being fair and equitable to all employees.

Councilmember Knol stated that she also concurs with the requested changes, but suggested reaching out to the City of Farmington to confirm that they have no objections prior to Council making any changes to their ordinance.

Attorney Joppich stated that this issue was on the agenda this evening for the first reading and that the City had time to reach out to Farmington prior to the 2nd reading and enactment at the next Council meeting. Council concurred and Mr. Walsh stated that he would be happy to reach out again to the City Manager.

Councilmember Bridges also supported the proposed changes as a matter of being fair and equitable, but expressed concern that this oversight was not caught earlier. He inquired if there were any other provisions within the Retirement Ordinance that should be reviewed to make sure the Court was not excluded.

Attorney VanOverbeke responded that there are no other provisions with regard to benefits that exclude the Court employees other than what has been presented. Mr. Walsh agreed.

Mayor Brickner stated that this item was on the regular meeting agenda for consideration of Introduction this evening.

DISCUSSION REGARDING SELECTION PROCESS FOR THE CITY MANAGER POSITION

City Attorney Joppich explained that the Mayor and Council should have received a memo from him and Human Resources Director Randle with regard to the applications submitted for the position of City Manager. He explained that a total of 9 applications were received at the time this information was sent with one application being submitted late. Per the selection process that the Council had approved, late applications would not be accepted; therefore, there are a total of 8 candidates to be considered.

Director Randle stated that he also received an additional application this weekend so he would be responding to both candidates who had submitted their applications late indicating that their applications will not be considered per the Selection Process approved by City Council. Council concurred with that process.

City Attorney Joppich stated that given there are only 8 applicants to review, City Council may wish to discuss whether they still want to establish a Resume Review Committee per their approved Selection Process. If not, he has provided a revised Selection Process for their consideration at the regular meeting that would essentially eliminate reference to establishing a this committee. He also stated that if Council does determine to eliminate the Resume Review Committee, they may want to consider establishing a date to hold the Executive Session meeting for Council to review the applications.

Councilmember Lerner commented that he still feels the public meet and greet with candidates is a good idea even if the Resume Review Committee is eliminated.

Mayor Brickner confirmed that the proposed revisions to the Selection Process would not eliminate the public forum.

It was the consensus of City Council to consider the revised Selection Process at their regular meeting. The Council also agreed to tentatively establish the date of August 17th at 6:30pm for the Executive Session meeting to review the applications submitted but would further discuss this at the August 10th study session meeting. Once a meeting date was established, it would be properly posted by the City Clerk.

ADJOURNMENT:

There being no further discussion, the meeting adjourned at 7:15pm.

Respectfully submitted,



Pamela B. Smith, City Clerk