

**City Manager Performance Evaluation Committee**  
**City Hall**  
**Room 302A**  
**10 N. Division Street**  
**Battle Creek, MI 49014**  
**Tuesday, September 3, 2019**  
**5:30 p.m.**

**Committee Members Present:** Comm. Susan Baldwin, Comm. Kaytee Faris, Comm. Chris Simmons and Mayor Mark Behnke, alternate

**Committee Members Absent:** Vice Mayor Sherry Sofia

**Staff Present:** Victoria Houser, City Clerk; Rebecca Fleury, City Manager; Nancy Mullett, City Labor Attorney

**Call to Order:** Comm. Baldwin called the meeting to order at 5:30 pm.

**Public Comment:** None

**Approval of Minutes:**

A motion was made by Comm. Simmons, supported by Comm. Faris, to approve the August 12, 2019 City Manager Performance Evaluation Committee minutes. All yes, none opposed. Motion approved.

**Closed Session:**

Ms. Fleury requested the Committee go to Closed Session to discuss the evaluation, noting the full Commission has not had an opportunity to review and discuss the complete evaluation.

**Feedback on Annual Performance Appraisal:**

Committee members reviewed the 2019 City Manager Evaluation Calculation Spreadsheet, noting the final evaluation score was 3.9988, slightly higher than the previous year, which is Exceeds Expectations.

Comm. Baldwin stated this would allow a one-time bonus. Comm. Baldwin stated the Committee's charge was to make a recommendation to the full Commission to provide a bonus or not, and to suggest the amount of the bonus. Comm. Baldwin noted a 5% salary increase was approved the prior year, along with a 2.5% annual bonus. Comm. Baldwin also noted the City Manager's salary was negotiated in her contract, stating it was not considered in the Compensation Study.

Ms. Fleury noted she continues to receive the annual COLA that non-represented employees receive, stating a 2% COLA to non-represented employees was approved as part of the budget process for FY 2019/2020.

Comm. Simmons expressed his preference that non-represented employees continue to receive the annual COLA.

Ms. Mullett discussed recent contract negotiations, noting some union contracts now include guaranteed step increases for several years, comparable to the data provided by the Compensation Study, instead of COLAs. Ms. Mullett noted some staff members' salaries were redlined, however they continue to receive annual COLAs.

Ms. Fleury noted non-represented employees experienced increases in their MERS contributions, noting she and the City Attorney are now required to contribute 1% for FY 2020, with additional 1% increases every year until contributing 5%. Ms. Fleury stated she expected to recommend 2-3% COLA every year for non-represented employees, if the budget allows.

Comm. Simmons stated that although the Commission approved a salary increase and a bonus last year, the City also faced a budget crisis shortfall soon after. Comm. Simmons questioned whether a wage increase or bonus this year would be a concern from the public.

Ms. Fleury stated she appreciated the recognition of her work, but would turn down a base salary increase at this time. Ms. Fleury also stated it was important that salaries of female leaders be comparable to their male peers.

Ms. Mullett noted the contract agrees the salary was to be reviewed in relation to the budget, but the contract also included language that if the annual evaluation exceeded expectations, a bonus would be triggered as it was a specifically negotiated item.

### **Open Session**

Comm. Baldwin, noting the final evaluation score was higher than the prior year, recommended a 2.5% bonus this year.

A motion was made by Comm. Simmons, supported by Comm. Faris, to recommend the Commission award Ms. Fleury a 2.5% bonus, recognizing her evaluation of exceeds expectations. All yes, none opposed. Motion approved.

Comm. Baldwin agreed to prepare a cover memo to the full commission regarding the process, discussion and recommendation, confirming Comm. Simmons recommendation that a note be made that the annual COLA remain in place.

### **Contract Amendments**

Ms. Mullett suggested the contract be amended to update some dates and to remove some obsolete language, including the moving expense provision. Ms. Mullett noted the change to require the City Manager to begin to contribute 1% to MERS, with 1% annual increases until she is contributing 5%, was already approved by MERS and would not need to be put in the contract.

Ms. Fleury noted the City Manager and City Attorney positions have never contributed to MERS.

Committee members discussed the current vacation provision in Mr. Fleury's contract, comparing this to the vacation earned by represented and non-represented employees. The Committee determined no action was necessary

Comm. Baldwin suggested the resolution language be similar to prior year resolutions.

### **Committee Discussion:**

Ms. Fleury expressed appreciation to the Committee members for their time and work on the committee. Ms. Fleury provided a copy of an email from a citizen thanking Ms. Fleury for her time researching and responding to numerous inquiries. Ms. Fleury also noted the City Clerk's office received a very complementary email this last week.

Comm. Baldwin thanked Ms. Houser for the work she does for the committee preparing all of the documents and meeting paperwork.

**Next Meeting:** To be determined.

**Adjournment:** Comm. Baldwin adjourned the meeting at 6:11 pm.