

A Special Meeting of the Nibley City Council held at Nibley City Hall, 455 West 3200 South, Nibley, Utah, on Wednesday, February 3, 2021.

The following actions were made during the meeting:

Councilmember Bernhardt moved to approve the City Manager recruitment process, with the suggested City Manager posting; as well, that the interview process be done in closed session. Councilmember Laursen seconded the motion. The motion passed unanimously 5-0; with Councilmember Bernhardt, Councilmember Laursen, Councilmember Beus, Councilmember Larsen, and Councilmember Sweeten all in favor.

OFFICIAL MINUTES OF THE MEETING
Deputy City Recorder Cheryl Bodily took minutes

Approval of Agenda

Councilmember Sweeten moved to approve the evening's agenda. Councilmember Larsen seconded the motion. The motion passed unanimously 4-0; with Councilmember Sweeten, Councilmember Larsen, Councilmember Beus, and Councilmember Laursen all in favor.

Call to Order and Roll Call

Mayor Dustin called the Wednesday, February 3, 2021 Nibley City Council meeting to order at 6:30 p.m. Those in attendance included Mayor Shaun Dustin, Councilmember Kathryn Beus, Councilmember Norman Larsen, and Councilmember Kay Sweeten. David Zook, Nibley City Manager, was also present.

Public Comment Period

Mayor Dustin gave direction to the public present and opened the Public Comment Period at 6:30 p.m.

Seeing no public comments and confirming there were no comments via the Zoom broadcast, Mayor Dustin closed the Public Comment Period at 6:30 p.m.

Discussion & Consideration – Determination of the Process for Hiring a New City Manager

Mayor Dustin said Mr. Zook had put together a draft for the Nibley City Manager job announcement, which he had reviewed. Mayor Dustin said the City Council had he authority to hire and fire the City Manager. Mayor Dustin proposed the City Council adopt the job description as a draft and if there where somethings the Council would like included in the description they could be incorporated, as they identified needs.

Once the Council had made a decision on the job description, Mayor Dustin said he wouldn't make any substantive changes to the job description.

Mayor Dustin discussed the recruitment process. Mr. Zook had identified some of the places the Council could advertise the job announcement. Mayor Dustin reviewed the proposed City Manager Recruitment Process schedule as proposed by Mr. Zook.

Councilmember Bernhardt arrived at 6:33 p.m.

Mr. Zook and City Council discussed how he had discovered the job listing when he had applied to be City Manager. Mr. Zook reviewed which posting options he felt were most useful. Councilmember Beus questioned if a useful option was the Indeed website? Mayor Dustin and Mr. Zook discussed their experiences with Indeed and LinkedIn. Councilmember Bernhardt summarized a tool used as his office called Hire Review.

Mayor Dustin asked the Council to have the hiring process worked out by February 19, 2021 because this was when the schedule proposed they start reaching out to applicants. Mayor Dustin wanted specific questions and the process nailed down by the Council. The City Council moved to discussing confidentiality. After talking to Nibley's City Attorney, Mr. Zook reported that because the Council was discussing a person's character and competence, the Council was allowed conduct interviews in a close session. Mr. Zook recommended this be done because individuals applying for the job might not want a current boss to know they had applied for the position and might limit the people who applied. Mr. Zook reminded the City Council that they would need to recuse themselves from the interview process if anyone as close as the first-cousin level were to apply for the position. He recommended they recuse themselves from the entire interviewing process. Mr. Zook said the cap for the pay of the City Manager was based on City ordinance. The salary was capped at \$100,000 so the City Council would have to go through the ordinance process and have a public hearing to change the ordinance and salary. Mayor Dustin said he'd like to list the range of salary per the ordinance on the job advertisement. Mr. Zook the range was \$83,000-\$100,000 per Nibley City Ordinance 14-04. Mayor Dustin suggested the City Council reference Ordinance 14-04 in the job description

Mayor Dustin asked the City Council to adopt the City Manager recruitment process and City Manager job description as an action item and determine if this would be done in closed or open session.

Councilmember Bernhardt moved to approve the City Manager recruitment process, with the suggested City Manager posting; as well, that the interview process be done in closed session. Councilmember Laursen seconded the motion.

Mr. Zook suggested the Council establish a sub-committee if they were going to have more discussion of questions, they would like to ask candidates. If questions were

discussed in a City Council meeting, those questions would be in the meeting minutes and available to the public. Councilmember Sweeten thought if candidates were doing the research and doing the work, she wouldn't want to penalize them for finding the studying the questions. Mr. Zook said it was standard practice to ask the same questions of all applicants. It provided a fair process and provided an equal measurement to compare the candidates to each other. The Council debated holding discussion about interview questions in closed session and debated having Nibley employee or public involvement. Mayor Dustin didn't want to give unelected individuals a disproportionate voice in who was hired. He believed this was the City Council's responsibility and they needed to own it. Mr. Zook reviewed the process he'd helped with when Providence City hired a City Manager. The City Council continued to debate holding interviews in open or closed session. They decided to think about the process and make a decision at the 2-11-2021 meeting.

The City Council agreed to have Mayor Dustin come up with a draft interview and potential candidate process to be talked about at the 2-11-2021 City Council meeting. The Council talked about being flexible on conducting job interviews and when they anticipated they would be able to hold interviews. Mayor Dustin anticipated candidates would be screened for minimum qualifications with help of Mr. Zook and Deputy Recorder Bodily. Councilmember Bernhardt and Councilmember Beus thought initially interviewing 5-6 candidates would be ideal. The Council discussed rankings and scoring each candidate. Mr. Zook felt this was a good way to compare people. Mayor Dustin said he would work with Mr. Zook on making ranking part of the interview process.

Councilmember Bernhardt's motion passed unanimously 5-0; with Councilmember Bernhardt, Councilmember Laursen, Councilmember Beus, Councilmember Larsen, and Councilmember Sweeten all in favor.

Council and Staff Report

There was no Council or staff report.

The meeting was adjourned at 7:23 p.m.

Attest: _____
Deputy City Recorder