

President Dan Kaman called the meeting to order at 5 p.m. and opened with the **Pledge of Allegiance**.

The Clerk called the **roll** and the following Commissioners responded: John Hamilton, Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown and Dan Kaman.

City staff present: Paul Ricci – Fire Chief, Hank Solowiej – Finance Director, Don Icsman – Law Director & Acting City Manager, Kelly Kresser – Commission Clerk.

Also present: Catherine Tuck-Parrish of The Novak Consulting Group.

Upon motion of Dave Waddington and second of Dick Brady, the Commission voted to have an executive session regarding personnel, city manager. Roll Call on the motion: Yeas: John Hamilton, Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown and Dan Kaman, 7. The President declared the motion passed.

At 5:03 p.m., the Commission went into an executive session.

At 5:50 p.m., upon motion of Pervis Brown and second of Dick Brady, the commission voted to return to open session. The President declared the motion passed.

Dick Brady read a prepared statement as follows:

"I want to share with you the events of not only today, but of last Monday, September 12. Prior to convening into executive session, I was given the opportunity by our recruiting company, the Novak Group, to either include Don Icsman, our law director, or exclude him from the executive session. I chose to exclude him from that meeting. That decision was mine, and mine alone. This decision was consistent with my decision to exclude Mr. Icsman from the only other executive session that we held regarding this issue, on July 11, 2011. The reason for that exclusion was that I was not certain Mr. Icsman would not be an applicant for the position and would have been unfair to every applicant. My reasoning for excluding Mr. Icsman from the second meeting was the same. It is true that Mr. Icsman did not apply for this position, however, in several news reports, Mr. Icsman's name continues to be associated with this selection process.

The consequence of this decision was that this governing body received no legal direction from Mr. Icsman regarding public records law. Mr. Icsman played no role whatsoever in that meeting. Upon reviewing the candidates presented by The Novak Group it was our plan to contact them and determine their availability to be interviewed for this position. Some time had lapsed since we received resumes and we were fully aware that these people may have applied in the other cities. We actually lost one of our top candidates after the deadline closed and prior to this meeting. I did not want to schedule an interview with a candidate who had taken a job in another city. It was our plan to announce the candidates' names once they had committed to an interview. I believe that this was the position of every commissioner present at the executive session. No one indicated any objection to that plan just as no one voiced their belief that the progress of this search was not being shared with each commissioner.

If there was a public records violation in this approach, I take full responsibility for it. My motivation in taking on this task is to give this city the absolutely best chance to find the right city manager for our community. The only thing that kept me awake over the last two months is the scenario if no one had applied, but there were 67 applicants.

*The candidates have been narrowed down to a total of five, those being: **Nicole Ard, Hillsborough, North Carolina; Jeff Hancock, Warrensburg, Missouri; Andrew Merriman, Bluefield, West Virginia; Gary Boden, Clinton, Iowa; and Dennis Durham, Kalamazoo, Michigan.** As a group, the commissioners will try to ask the right questions and find the right answers; the hard work will now begin and the other commissioners agree with this goal. The process may not be perfect, but ultimately it will be successful. For each finalist, we speak with multiple professional references and conduct comprehensive background checks to confirm the strength of their credentials for the position. Prior to in-person interviews on October 5 and 6, we will prepare an interview book for each commissioner that will contain all relevant information about each of the candidates being interviewed."*

Upon motion of Pervis Brown and second of Julie Farrar, the commission voted to interview the five candidates on October 5 – 6, 2011. Roll call on the motion: Yeas: John Hamilton, Dick Brady, Julie

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Farrar, Dave Waddington, Pervis Brown and Dan Kaman, 6. Nays: Diedre Cole, 1. The President declared the motion passed.

Upon motion of Pervis Brown and second of Julie Farrar, the commission voted to adjourn. All Ayes. The President declared the motion passed and the meeting adjourned at 5:55 p.m.

Kelly L. Kresser
Interim Clerk of the City Commission

Daniel J. Kaman
President of the City Commission