



MEMORANDUM

TO: Council Members

FROM: Jim Bowlin, Mayor

DATE: January 9, 2023

RE: Proposed amendment to Section 5.4(b) of the City Charter

DIST: Steve Cross
Megan Eldridge
John Young

For some time, I have been concerned about the application and effect of our current *Charter* provision requiring the City Administrator to obtain approval of the City Council (and Mayor, in the event of a tie) to appoint or remove a Department Director.

My concern is based primarily on the following:

1. The structure creates the situation that should require the City Council and Mayor to be directly involved in the hiring process, but that is never followed and inadvisable, i.e., if the City Council and Mayor are to properly fulfill their role in relation to hiring, then they should be aware of all potential candidates, involved in interviews, etc.
2. Similarly, elected officials' decisions as to removal would necessitate their involvement in performance reviews and Director job development because neither the City Council nor Mayor could effectively evaluate such removal decisions without this information. This too is inadvisable.
3. The current structure hamstring the City Administrator because, ultimately, the Department Directors can choose to ignore the City Administrator's views of their performance as long as they are confident a majority of elected officials exist which considers his/her performance favorably. However, the City Administrator is likely the most knowledgeable as to such performance and development given his/her day-to-day interaction with the Department Directors.
4. Requiring approval of elected officials for any removal of a Department Director carries with it the risk that those filling the Department Director positions act in a political manner as to their job performance – but they are not subject to the will of our resident voters.
5. Under our current rules, there is already a built-in mechanism for the City Council and Mayor to effectuate their concerns, approval, etc. of Department Directors – the City Council, with the approval of the Mayor, selects the City Administrator, and

with a majority vote, can remove the City Administrator if they disagree with his/her decisions as to the hiring or retaining Department Directors.

6. Ultimately, the City Council and Mayor either have confidence in the City Administrator they have selected, or they don't. The current structure relative to this issue creates an "in-between" that inherently presumes an absence of trust in the City Administrator from the outset of his/her relationship with elected officials. This is inadvisable – and potentially, limits the field of candidates who might be willing to fill the position of City Administrator.

7. Our current structure on this matter is inconsistent with commonly utilized hiring and removal practices at both other municipalities and in business, i.e. vice presidents are not appointed or removed by boards of directors

For these reasons, I recommend that the Council submit a proposal for modifying our Charter to Wildwood voters, which would allow the City Administrator to hire and fire Department heads "in consultation with the City Council" with such change occurring on January 1, 2024.

Please let me know if you have any questions.