

Approved: March 11, 2015

Compensation Commission  
Meeting Minutes  
January 27, 2015  
3:00 p.m.  
Black-Eyed Susan Conference Room

**Members Present**

James Coyle, Norm Hampton, James Marrinan, and by conference call, Thomas McKenna who participated remotely.

**Staff Present**

Acting City Clerk Sara Taylor Ferrell, Deputy City Clerk Brenda Bean and City Attorney Debra Daniel.

**Convene**

The meeting, which took place in the Black-Eyed Susan Conference Room, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, was called to order at 3:12 p.m.

**Welcome**

Chair Coyle called the meeting to order and welcomed those present.

**Executive Session**

Motion: To convene in Executive Session pursuant to the State Government Article, Section 10-508(a)(7) of the General Provisions Article of the Annotated Code of Maryland to obtain legal advice on what constitutes compensation under State and local law.

Moved by Jim Marrinan, seconded by Norm Hampton and unanimously approved.

Present at the Executive Session were James Coyle, Norm Hampton and James Marrinan. Thomas McKenna participated remotely by conference call. Also present were Acting City Clerk Sara Taylor Ferrell, Deputy City Clerk Brenda Bean and City Attorney Debra Daniel.

City Attorney Debra Daniel provided legal advice regarding what constitutes compensation under State and local law. No action was taken by the Commission and the Executive Session adjourned 3:52 pm. The Compensation Commission immediately convened in regular session.

**Regular Meeting**

The Compensation Commission convened into their regular meeting at 3:54pm.

## Approval of Minutes

**Motion** to approve the minutes from the meeting of January 20, 2015, as amended.

Moved by Norm Hampton, seconded by Jim Marrinan and unanimously approved.

## Discussion

There was broad and general discussion on what constitutes annual compensation highlighted as follows:

- Chapter 2, Section 2-21, of the Rockville City Code governs compensation for the Mayor and Council.
- Annual compensation must be made in equal biweekly installments.
- Do the Mayor and Council receive 1099s or W-2s?
- Should Mayor and Council receive an additional stipend for cell phones. If the city requires people to have a cell phone, it is therefore necessary to carry out the job. That should not be considered compensation. Reimbursement for cell phones appears on an employee's biweekly paycheck. For employees, it is treated as compensation. Cell phones are not required as part of the Mayor and Council's roles.
- No one seems to recall how or when benefits were first offered to the Mayor and Council.
- Though always part of the budget, there never seems to have been a policy on benefits for Mayor and Council.
- Two different terms are used in Section 2-21. Annual compensation and annual stipend. Compensation may encompass more than stipend.
- If the Mayor and Council don't act on the recommendation of the Commission, the recommendation is approved as is. The Mayor and Council can only decrease or approve the Commission's recommendation, it cannot approve compensation above and beyond what the Commission recommends.
- Discussion on whether reimbursements are compensation. Reimbursements are not paid in equal biweekly installments. Could recommend adding provision to code differentiating between compensation and reimbursements and making clear that reimbursements are for official City business only.
- Discussion on what to do about the current stipend. Does the base stipend need to be changed at this point?

There was discussion on holding a public hearing to receive input on Mayor and Council compensation. There was agreement to hold a public hearing on March 10, 2015 at 7:00 p.m.

**Future meetings:**

February 4, 2015 at 10:00 a.m.  
February 12, 2015 at 10:00 a.m.

**Adjournment:**

There being no other business, the meeting adjourned at 5:08 p.m.

**Motion:** to adjourn

Moved by Jim Marrinan, seconded by Norm Hampton and unanimously approved.