



## Harrisburg City Council Work Session Minutes January 21, 2015

The Harrisburg City Council met on this date in a work session at the hour of 6:31p.m., at City Hall, located at 120 Smith St. Presiding was Council President Mike Caughey. Also present were as follows:

- Kimberly Downey
- Robert Boese
- Sarah Puls
- John Loshbaugh
- Youth Advisor Bo Kelson (Arrived at 6:35p.m.)
- City Administrator Brian Latta
- City Recorder/Assistant City Administrator Michele Eldridge

Absent this evening were Mayor Robert Duncan, and Councilor Don Shipley.

The matter of a Work Session to Review Resolution No. 847, Which Adopted the Current Council Rules and Governance Policies.

**Staff Report:** Latta said that these are the rules, policies and procedures, by which Council operates. It also talks about responsibilities for the City Administrator. He'd like to go through the document, and identify your suggestions, thoughts, concerns, and comments; and then he'll bring this back to the Council in regular session in February.

### **Resolution No. 847**

[Please note: Any missing sections in the minutes below mean that nobody had any discussion points in reference to the section, nor were any suggestions made.]

Section 1: Council decided to remove the time of the Council meeting on the amended resolution. That way, the document will not need to be revised by resolution every time the council decides to adjust the meeting time.

Section 2: Revise to say Work Session, rather than Study Session

Section 3: Puls asked if the notice information is elsewhere, and wasn't even certain what Robert's Rules of Order was. Latta said that we are governed by state law, and it's covered under state statutes. Eldridge added that Roberts Rules of Order information was in their council notebook. Consensus was that we have the information in our Council notebooks, so we don't need to add it to the amended resolution.

Section 6: Caughey expressed concern about how open ended 'a reasonable time' could be. Puls and he also noted that we don't talk about what a 'majority' is. They asked for the majority language to be added.

Section 8: It was decided that we should return to using the consent list for minutes, bill paying, and other minor issues. Some of the municipal code amendments that have already been discussed, and are being brought back to Council, can also be on that list.

Section 9: Latta stated that the 'city administrator' should be replaced with 'presiding officer.' Council agreed.

Section 10 & 11: Puls asked about the roll call vote. Eldridge informed her that it was used typically when there was a dissention in the vote. She would specifically call out in the minutes who voted against or for something, when the majority of the others were the opposite. She gave an example of what they would see in the minutes recently, where it shows a vote of 5-0-1. The one would be a person who abstained, and she would point out who it was, and the reason for the abstention.

Section 13: Council asked if we had ever used a hearings officer; Eldridge said that we had used one only once since she was hired. That had to do with the Scott Bedacht termination. She suggested we keep that section.

Section 14: Puls asked who this person was. Eldridge said it always used to be Tim Bunnell. We do sometimes ask for a deputy to be present if we are having a contentious subject being heard by Council or the Planning Commission. Latta said that he would be the Sergeant at Arms if there was something that came up and a deputy wasn't present.

Section 18: Downey said that we allow more of a community involvement than other cities. Latta said there are times, you shouldn't allow it. If you invite an explanation, and they didn't do that during testimony (during a public hearing), someone could say it was an unfair advantage, and that could be grounds for an appeal. Puls said then we need to be more diligent in asking questions and getting information during the hearing itself. Downey asked if we closed the public hearing, and we needed clarification, can we reopen the meeting. Eldridge suggested that we look that up in the Attorney General's book. Latta agreed that he wasn't sure either. This is more of a concern in the Planning Commission. Mayor Duncan is the one who keeps order and while we say two minutes, we pretty much allow the person to speak their mind. Caughey felt it was important in a small community that we allow some laxity on certain things. Council decided to change the timeframe on the resolution, but would allow flexibility. They also removed the last sentence of 18.2.

Section 19.3: Council decided that this can apply to just one person, or a few, that are being belligerent. Latta suggested that we add a sentence that said 'to be cleared of disruptive persons'.

Section 21: It was pointed out that we didn't have a seating capacity sign in the room. Eldridge said that Bunnell had asked about it, and there was a reason for it not being there. She would check on that with the new Fire Chief.

Section 24: Latta said that when we appointed Steve, that we didn't follow these steps....we followed the charter. We shouldn't have a process inconsistent with the charter. Eldridge said that these were specifically the steps that Council wanted to follow at that time. Bruce was planning on updating the Charter to match this. Council agreed that we should remove the wording, and to match the Charter language.

Section 25: Council discussed this for a while. They were in favor of removing the indefinite time language. In 25.1, it was decided that we should add the word citizens to the three year term sentence, because Councilors are there for the length of their elected terms and shouldn't be lumped in here. Some committees, like Personnel, need continuity of members. Parks is now five members, but there are two Councilors, and three citizens. In Public Works, we now have four members. Council realized that Tom Dentel is currently on both the Budget Committee and the Public Works Committee. Because of the language here in 25.1, we would need to talk to Tom and determine which body he wanted to be on more. Latta would bring that to the next meeting. Council decided that the Mayor could choose to review and change assignments once a year.

Section 26: Eldridge pointed out that sometimes we don't get to make the decision; the principal this year assigned the students to where they are now. Council felt that the Mayor should get to appoint to which body that the student should belong to.

### **Governance Policies**

Strategic Direction Policies: Latta said that these policies, given by Council, assist staff by providing direction and interpretation to municipal ordinances. For example, how they wanted him to negotiate a contract or franchise agreement. As an example, they could tell him that they always wanted him to strive to get a 5% increase in revenue. It's not what you want him to work on in an year, but rather guidance for how to do his job. He thinks we should have these, policies which currently we do not. Council wanted him to have those guidelines. Downey wanted that added to his job description, she felt that strongly about them. They then discussed some of the franchise agreements that are outstanding. Latta felt that they should come to Council in advance, so that Council can have time to research them. They talked for a while about actions that Verizon was taking. Verizon has a large tower in Harrisburg, right on Isovolta's property.

Section 10: Puls thought we should remove the titles here, and list just the Administrator and Assistant Administrator, and their designee's.

Section 3: Downey asked about the point of personal privilege. She had it explained to her how that works. Sometimes, the Mayor is challenged, and she wanted to know who the process observer would be. Eldridge said that generally, the Council President is used. Council could also determine who that could be.

Section 17: Caughey said that when we had the church appeal, he got personally upset about what some of the people were testifying. He was looking at his paper, because he was trying not to show emotion. Maybe that is disrespectful to the audience, but that's probably more important to try to not show by facial expressions how he was feeling. He knew that he shouldn't be doing that, but felt it was more important to keep control of what he was doing. Downey said that an attorney in Eugene said that it was important to pay attention, and look at citizens without showing expression. Eldridge added here that cell phones might be something to add to this section. She explained how that could be misinterpreted by audience members, if the Mayor is looking at his phone, and another Councilor is looking at his. Although they may not be communicating with each other, that impression can be made in a heartbeat. Loshbaugh thought that the Mayor should start each meeting by saying that nobody should use their phones during a meeting. Latta thought that they should excuse themselves, and leave the room to use it. It's probably better to not be using them. If people in the audience aren't supposed to use them, then it can create resentment that Council is allowed to. The only exception is if we are researching something. In that case, we can announce what we are doing, and offer to share it. It was decided to add 'looking at your phone' to the second sentence, following 'reading for a long period of time'.

Section A.5 (In City Administrator Direction Policies): it states that they can't make any unbudgeted decisions without Council approval. Loshbaugh noted that there are true emergencies, and you can spend \$5,000 in a heartbeat...just about thirty seconds. (He gave an example of an overturned tanker and spending funds to purchase emergency containment equipment.) Caughey thought perhaps adding language for an emergency would work. Latta said that he would look at current policies and see what they say. Eldridge said that it might be in our public contracting laws. It specifies some of this. However, she noted it too needs to be updated. The state had changed some of the requirements.

Section D.1: Latta was concerned about this, but Council felt confident that it didn't apply to the Administrator making City wide changes to the benefit packages.

Section F.2: Latta wanted to know how often Council wanted us to do this. When we first started this policy, we hadn't been caught up to current standards. Now we are more caught up. He thought that maybe every four or five years would be adequate. The last wage analysis showed that we were generally right on par, or were slightly ahead. We have given cost of living increases, when some other cities hadn't been able to do so. Puls said that the City doesn't pay more than Benton County. Downey said that we had asked the employees the last time if they preferred a wage analysis or a COLI, and the employees chose a COLI. She wanted it removed from this document, and put into Eldridge's job description instead.

Strategic Direction Policies; Pg. 9: Latta said that a strategic planning process could replace the annual Council goal setting work. He felt strongly that this is what we need to be doing. It was similar to having a five-year plan. He approached it as a synthesis of years' worth of work. Here is the direction we are heading in, and here are the things he perceives we need to do to get there. He does have a problem with the timing. He felt it should come to Council in November. We have already started the administrative process of budgeting for the next year, so February is really too late. Council agreed with him. Eldridge added that she brought these documents back from professional development, and felt strongly that we needed to have a strategic plan. She was fully on board with what Latta was implementing. Latta said that we would still have other plans, like the Master Plans, and the CIP. This doesn't replace those. We will address this every year.

General: Loshbaugh said that one thing he really strongly wants to accomplish this year was to start improving our infrastructure, especially because of the 4<sup>th</sup> of July. Where thousands of people gather, we have our worst streets. Latta said that was something we were working on. Caughey added that we talked about it at every Public Works committee meeting. Latta said that some cities institute a gas tax but that would drive our one gas station out of town. Downey said that the HRA is planning on improvements. Latta agreed, and said that would include 3 or 4 major streets downtown. But that won't happen right away, because we have to wait for the funds to accrue. You'll have it in a few years' time.

Council was enthused about seeing the strategic plan.

**With no further discussion, the work session was adjourned at 8:25pm.**

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**City Recorder/Assistant City Administrator**