

MINUTES FOR THE ASHLAND CITY RECORDER POSITION ad hoc COMMITTEE
Wednesday, November 4, 2015
City Hall, 20 E. Main Street

1. Call to Order

Chair Stefani Seffinger called the meeting to order at 2:04 p.m. in the finance conference room in City Hall.

Committee members Bryan Almquist, Pam Lucas, Barbara Christensen, and Dave Kanner were present.

2. Approval of Minutes

Minutes of October 28, 2015, were approved by the group as presented.

3. Public Forum

None.

4. Departure of Committee Member

Christensen stated that after the first meeting it became clear to her that it probably wasn't appropriate for her to continue to be a member of this committee. The process makes her too uncomfortable and she finds it difficult to be unbiased. She would hate for a decision to be made based on her desires rather than what is best for the community. She stated she is happy to assist the committee in any way they may need. She believes the committee will come up with a good recommendation for Council, but she is going to step down as a member.

Almquist stated that Christensen's input has been valuable, but he understands her reluctance to remain on the committee. He believes it is important to run any recommendation from the group by her to get her thoughts before taking it to Council.

Group thanked her for her assistance.

Christensen departed the meeting at 2:10 p.m.

5. Discussion of Pros and Cons

Group discussed what changes would need to be made to the Charter and/or the Municipal Code (AMC) if the position were to remain elected. The point of this process is to set qualifications for the position. Group expressed concerns that if there were AMC changes, but no Charter changes, they wouldn't be binding. In other words, someone could meet the minimum qualifications set forth in the Charter, but not meet the updated requirements in the AMC and could legally challenge the City in order to get the position, despite not being qualified.

Group discussed why it would be negative to also put too many details or requirements in the Charter. Charter changes are difficult, and reduce the ability to be flexible as times and technologies change.

Group discussed appointed versus elected recorder positions throughout Oregon. Only two, in considerably smaller cities than Ashland, have elected recorder, so clearly there is success in having this as an appointed position. Group discussed concerns with the financial requirements

in the Charter. The Finance Director informed Kanner that he believes current staff can take on the finance duties that the Recorder does or those she currently doesn't do (due to technology or process changes) which are listed in either the Charter and Code. Group determined that, regardless of whether it's appointed or elected, with all the technology and department changes over the years the Charter needs to be updated to reflect those changes.

Seffinger asked group if anyone felt it was important that the position remain elected. Group was unanimous that the position should be appointed. An appointed position is what would best protect the community due to the fiduciary responsibilities, knowledge, professionalism, and attention to detail required for the position. These are traits you hire for, not things you elect. Positions which make political (policy-making) decisions should be elected, but this position makes no political (policy) decisions and therefore should be appointed.

Group discussed what a typical hiring process would be for a position of this type. As it is not a department head level position, there is no need for Council approval, rather it would be solely appointed by the City Administrator. This process may be complicated by the fact that we still have a Mayor and Council form of government, unlike most of the rest of the cities in Oregon. In most cities, all appointments of department head level and below go through the City Administrator, as all channels go through that position, but that is not always the process here. Department head level position hiring frequently go through Council here. Group discussed whether, despite this clearly not being a department head level position, it would be easier for the community and Council to accept the change from elected to appointed if it were appointed by the Mayor and Council. Almquist stated that ultimately, it should be appointed by the City Administrator but keeping it with the Mayor and Council may be a good interim solution. Group wondered if the best process would be to have an administrative hiring process (i.e. no involvement or interviews by Council) with a recommendation to Mayor and Council by the City Administrator for final approval. The only challenge to this model is that the City Administrator would be doing the day-to-day supervision of this position but would not have authority in hiring or firing due to Council's authority in the process. Lucas wondered if this is a problem, as this position is technically the clerk of the Council. Kanner stated that the Council would only deal with this position for a few hours a month at meetings but staff has to work with them for the rest of the regular working hours. He agreed to come up with some language regarding why having the position appointed by the City Administrator would be valuable.

Group discussed whether this position would be a separate department or part of another department. They determined that with the proposed job duties central to this position it's more likely that this will become a one-person job with no need for additional personnel and therefore, no need for it to be a separate department. Seffinger stated this is also another reason why an elected position is not good – it is more difficult to have an elected official integrated into staff. If it is appointed, it can be integrated into the entire staff group.

Group discussed whether they need to develop a job description. It was determined that the group should review the job description previously created to determine that the skill levels and qualifications match with the discussions of this group. Additionally, they would like to see the salary set in a range not too different from current levels, to make the transition easier for Council and the community to accept.

Group determined they need one more meeting to look at all the recommendations they have

worked on and make any adjustments.

Group discussed whether there should be a secondary recommendation, in case the proposed Charter changes fail in an election. They agreed that regardless of whether Charter changes are approved, the AMC needs to be amended to bring the job into the 21st century. The two difficult points are that both the salary formula and financial duties are set by Charter, which makes the ability to bring the position into this century more challenging. There is no way to guarantee this position, which requires accuracy and professionalism, would be filled appropriately by a person elected. There is no way to guarantee protection of the City's interests if the Charter update is not approved.

Group requested that Kanner and Seffinger come up with a draft recommendation for review by the group. They agreed to do so.

Group reiterated that this is in no way a reflection of who is currently in the position, and the work that they do, but this is only a way to provide the best structure for the City's future.

Group determined that a clear explanation, maybe in spreadsheet form, of all changes to duties in both the Charter and AMC something like:

Current AMC/Charter	Recommended Update	Reason for Change

Group discussed whether other parts of the AMC should be amended in relation to this position, such as who handles taxicab licensing. They determined that the whole AMC should be reviewed, but Council can make changes over time, there is no need to do it all at once.

Group discussed what election would be best to put these changes before the voters. They preferred either May or November of 2016. There was concern about other major measures being on the November ballot and there was also concern about how little time there is to get information out into the community for the May ballot.

Group discussed what would constitute a reason for firing in this type of position if appointed. Kanner stated there are HR policies in place which would apply to this and all city positions. Appointed positions are required to follow a strong code of ethics (from both city and State) and follow all City policies. This is an additional reason why having this position be appointed might be important.

Group discussed whether having a preamble to explain all the qualifications necessary for a person holding this office would be important. They determined that any clarification couldn't hurt.

Group discussed concerns regarding there being no requirement for an elected official holding this position to hold regular office hours, or even ever be in the office. The Group agreed that having no requirement to be on duty and yet still earn a substantial paycheck with benefits from the City is another reason the position should be appointed.

The Group agreed that the general recommendation should include the following:

- position should be appointed
- process for appointment
- outline of the duties of the office
- salary range
- timeline for election
- rationale for the proposed changes
- Charter language recommendations

6. Future Meetings Schedule

The next meeting will be On December 9th at 3:00 p.m.

7. Adjournment

Meeting adjourned at 3:45 p.m.

Respectfully submitted,
Diana Shiplet
Executive Assistant