

AD HOC TRANSITION COMMITTEE MEETING MINUTES

JUNE 26, 2014

The meeting was called to order by Mr. Rausch at 4:00 p.m.

MEMBERS PRESENT: Henk Berbee, Mayor Gore, Jenny Chavarria, Brian Dostanko, J.R. Rausch, Tracy Richardson

OTHERS PRESENT: Tim Aslaner, Anna Krutowskis, Kris Jones

APPROVAL OF MINUTES: There being no additions or corrections, minutes for the meeting on May 22, 2014 were approved as written. Mr. Berbee seconded the approval of the minutes.

AGENDA:

- Follow up on Results From Survey
- Evaluation of Other Communities Charters
- Scheduling Guests
- Post-Change Policy Manual and CBA Process
- Comments From Committee Members

Follow up on Results From Survey: Mr. Rausch stated that he just handed out follow up on the survey that Brian did on Survey Monkey. As we went through this process we sent quite a few different questions, some of them were more conversational in nature. Survey Monkey is best suited for yes/no answers; we thought that the conversational questions were best kept for when we bring our guests in. Brian stated that the questions are at the top of the page and the answers are on the bottom. There were 22 questions on the survey (see attached). Brian read through the survey and the answers.

In reference to the question, "What form(s) of communication does your City Council use to communicate among members?" Mayor Gore had a question for Mr. Aslaner. Mayor Gore asked if Council is communicating back and forth through email is that not an issue as far as opening meetings, if they are communicating back and forth through emails. Mr. Aslaner stated that the distinguish was if a member of the Administration was communicating with members of council as opposed to members of council communicating with each other. If one member of council communicates with six different council members separately even if it's on the same issue that is not a violation of the open meetings act. Mayor Gore asked what if its one group emails. Mr. Aslaner stated if it's between a member of Administration and council, he doesn't think it's a violation. However, if Brian calls up Tracy and Tracy emails four other council members on that particular issue that is probably a violation. Mayor Gore stated that is something we need training on because that is pretty touchy and he thinks that everybody he knows has probably done something like that.

Mr. Rausch stated if the Mayor does that it is a problem. Mr. Aslaner stated that it is not, if the Mayor contacts four or five different council members separately even if it's on the same issues and they do not deliberate with each other on that issue outside of a prearranged meeting. Mayor Gore stated that if he contacts four council members about a subject, it is ok as long as he discusses with them, but they cannot discuss it with each other. Mr. Rausch stated that this is something we need to be careful about.

Mrs. Richardson stated that interestingly in this survey, only 61% of the Mayors also serve as president. She thought it would be higher. Mayor Gore stated he has read that some council consists of six and the seventh is the Mayor and the only votes when they have to break a tie. There are still seven on council but "Mayor" doesn't vote unless they need a tie breaker. Mr. Berbee stated remember when they had the president of council from Bellefontaine here. He might of been elected 15-20 years ago but he remained the president of council for the longest time. Mayor Gore asked if he was speaking of Mr. Vicario. He also asked if Mr. Vicario voted. Mr. Berbee stated that not when they were there he did not vote. Mayor Gore asked how many members did they have on council. Mr. Berbee stated there were seven and he was number eight. Mrs. Richardson said it is a mute point because our charter requires that the Mayor be the president of council.

Mayor Gore stated that he is going to go back to what they were talking about before. If you look at Mayor Nuckles, Mayor Kruse, Mayor Lowe, Mayor Taulbee, Mayor Schmenk, and myself. We have all been different in the way we do things. Under previous Mayors, I as Council President was not allowed to talk to anyone but the Mayor or City Administrator. I think that has evolved over time. Department heads are ok to talk with. This is something that I hope stays the same.

Mrs. Richardson stated she would like to go back to the question regarding the annual performance evaluation/appraisal of the City Manager. She stated that one response was through off line conversations and a meeting to finalize the appraisal. The other was the entire council does the evaluation/appraisal by committee, how do you suppose that works? Mayor Gore stated he is going to give an example of what they do with Community Action Board. The board consists of about 15 members from Delaware, Union and Madison County. The annual evaluation for the director is handled by the chairman of the board, assistant chairman, and treasurer. All board members complete an evaluation on the director, present it to the three of them and they get together and review everything and they come back to us and tell us this is what they come up with and this is how we are evaluate her. If any one has an objection they object. Some comments make it; some do not. All seven Council Members would provide input to the President of Council or the Mayor, who will be doing the evaluation of the City Administrator who will be the liaison between council.

Mr. Rausch asked if everyone got the flyer that Mrs. Patterson passed out that she obtained from the other clerks of councils. Dublin uses the form that he has been advocating. They have an administrative committee of three council members, which includes the vice mayor and two members that coordinates the performance evaluation and hiring of the City Manager and Clerk of Council. All members participate fully in these processes. They do use some form of

executive committee. Mayor Gore stated that this is not what he was told. They hire the City Manager and then get out of her way and let her run business and if she needs something she will get with us, and if we have questions we get with her.

Mrs. Richardson stated that we might want to consider creating this committee, and secondly how do you publically or maybe can you go into Executive session. How do you as a team of seven discuss the evaluation? She stated she would not want people talking about her in a public forum about her work performance, but all seven would want to have input. Mr. Rausch stated that would have to go into executive session, because you are talking about a personnel issue. Mr. Aslaner and Mayor Gore agreed with Mr. Rausch. Mr. Rausch stated that the Mayor and one other member would do the actual evaluation.

Mayor Gore stated that he was on vacation three weeks ago, and he asked Terry when he got back, how many Council members did you talk to while I was gone? He stated 2 or 3, so what difference would that be if it were two years from now. You all have access to the City Administrator; this is a good example of how this should work.

Mr. Hagedorn patted Mayor Gore on the back three times, because Marysville and Union County are doing economic development right. Mr. Hagedorn pointed out that he has homes in other communities and does not see any of this development there.

Evaluation of Other Communities Charters: Mr. Rausch stated that Tracy has from Brian eleven different communities. He stated he has looked at most of them online. There is very little we can gather from them because our charter is already written. He finds it interesting to see how most charters are online.

Scheduling Guests: Mr. Rausch stated he thought it would be good to bring in people to discuss topics. Mr. Rausch and Mrs. Richardson spoke and thought that they should formulate topics/questions so that people can give a presentation on these topics. He stated Brian has mentioned that Sidney is around our size, he speaks highly of the City Law Director, Jeff Amick. Mr. Aslaner stated that Mr. Amick is very informative he has been on both sides of the transition.

Mr. Rausch stated that the second guest that we should invite is Dublin, they have something going on that is right over there. Mayor Gore stated that he knows a lot of people do not want to hear this, but if things keep going right we are going to be partnering with them in a lot of things. Mr. Rausch asked if we should bring Mike and Marica in together. Mayor Gore stated that we should bring Mayor and City Manager in and ask them how they do it.

Mayor Gore stated he thinks that reaching out to the City Managers Association would be good. Mr. Dostanko stated that they brought in the City Manager of Delaware.

Mrs. Richardson stated two meetings two per each meeting. Mayor Gore said he feels that inviting four communities is a good number. Mr. Rausch stated that we have Sidney, Dublin and the City Managers Association.

Mayor Gore stated that by inviting them in, do we pay their expenses or do we do it during the day? Lets not try to inconvenience them. Mrs. Richardson stated if they have not been to City Hall host them here. If we do invite Delaware, they are close. Mayor Gore stated that Marysville and Delaware are very close in size. Mr. Aslaner stated we should bring in Mr. Amick. Mayor Gore asked should we include a council member or City Manager?

Mr. Dostanko suggested that we include Piqua. He stated that they are very close in size. Mrs. Richardson agreed. Should we invite six different communities? Two per meeting or three a night?

Mayor Gore suggested that we should have a dinner and then have roundtable discussion. Mrs. Richardson said we should have the questions prepared prior. Mayor Gore stated that it would be informative for everyone, even the other communities. Mr. Rausch agreed it could be very educational.

Mrs. Richardson stated we should break it up so that we can digest what the first group says prior to the second group coming in. That would be a lot of communicating.

Mayor Gore suggested that the closer communities be invited for an evening meeting, and the farther ones during the day.

Daytime Meeting: Piqua, Sidney, Xenia

Dinner Meeting: Dublin, Delaware, City Manager Association

Mayor Gore stated that for these meetings we need to be very flexible. He stated he would like to look at the City's financials when they come in as well.

Mr. Rausch stated we need to make contact with the City's first and check their availability.

Mayor Gore asked Mr. Dostanko if he had contacts for these cities? Could you make the phone call, see if there is an interest and get a couple dates for each one. We would want to have Council Member and City Administrator, and Sidney have the law director as well because of his experience in both.

Mr. Rausch asked Mr. Dostanko if he was ok with making those arrangements. He said he was.

Mayor Gore suggested that we schedule meetings in mid-August (last two weeks).

Mrs. Richardson sent an email out regarding questions to ask the guests. Mayor Gore suggested that one Council Representative and one Staff. Mrs. Richardson and Mr. Dostanko will get together to compile a list of questions for the roundtable discussions.

Post-Change Policy Manual and CBA Process: Mr. Dostanko and his staff have already done a bunch of that where they are looking through policy manuals, collective bargaining agreements, where the Mayor's name is in there right now. Looking at what needs to be changed. Mayor Gore stated we have discussed the process that we already used. Mr. Dostanko stated that

the policy manual has eight sections to it and section 4 and 5 go to council tonight. The rest of it is operational where it says Mayor will change to City Manager. Collective Bargaining agreements already state Mayor or designee; it will state the City Manager or designee. You will find that there will be more executive sessions to discuss policy. Mr. Dostanko stated that sections 4 and 5 will be in front of council and the rest will be up to the City Manager. They have also looked at the City Codified Ordinances; he has made a list of questionable. He would like to get approval for this before he goes through the eight books of uncodified ordinances. Mr. Rausch said we may have to divide it up into a couple meetings. Mr. Dostanko stated that we should delegate someone to do certain parts.

Comments from Committee Members: Mrs. Richardson said that each meeting we should come up with a "To Do" list. It would be nice to start a running list. Appointing the Board of Control, Mr. Rausch stated that is going to have to be an ordinance that will be done at the end. Mrs. Richardson wanted to know if the end result is to make recommendations on policy. Mayor Gore said it needs to be looked at if it can address those rules of council or whether you will have to look at a charter change.

Mayor Gore suggested that the next meeting should occur on the same date as the roundtable, once it's scheduled. Mr. Rausch agreed.

The meeting adjourned at 5:15 p.m.