

AD HOC TRANSITION COMMITTEE MEETING

MINUTES

MAY 22, 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, Kevin Pelanda, Clerk Patterson

AGENDA:

- Organization
 - Expectations of this Committee
 - Set future meeting dates

Mr., Rausch explained that with the current Charter, City Council is the Legislative branch and the Mayor is the Executive/Administrative branch. Going forward, City Council will not only have the legislative, but also has some oversight of Administration.

Mr. Rausch said his expectations as a transition committee is to figure out how to have a proper balance between oversight and checks and balances that are necessary, but only with those that are necessary. He doesn't want to inundate anyone with getting micromanaged by seven (7) City Council members, but by the same token, Council needs to be able to have some authority in a situation where they might see something not going right. We need to develop a communications hierarchy so we don't have seven (7) Council Members calling different people. As we talk through this, there are obviously people in these positions that other than Jenny, none of us are going to be here 30 years from now. We need to make sure we're looking long term, and there could be situations where it's more adversarial than it has been recently. Right now we have a very good working relationship between all the departments and City Council. Council has been well informed, which hasn't been the case in past years.

Mr. Rausch believes Committee Rules of Council are going to have be "beefed up" a bit and be charged with more oversight.

Mayor Gore said this goes back to him some 10 years or so ago trying to get this to happen. His vision was to reduce the bureaucratic BS, rather than increase it. What he's hearing Mr. Rausch say is increasing it. At the end of the day, the purpose was a City Manager serves as a CEO and Council is still the legislative branch. Right now the reason why government is working so well in Marysville is because he, the Mayor, is a

good buffer. When people overstep their bounds, he tells them. That's going to go away and lets the chairman of the commissions or the president of Council or the Mayor, which I think will be the official title, but one spokesperson that is liaison as it is today. His fear is that whoever you hire as City Manager needs to deal with one person, just as long as it's designated. The biggest problem we're facing as a community, in Mayor Gore's opinion, is people that run for City Council in communities that have Manager-Council form of government know what's expected. People that run for City Council in a Mayor-Council form of government kind of understand their role, but when you're in a role as Council members are in now and all that's going to change, it's good to sit down and discuss what those expectations will be, but at the end of the day, it should be, "You are CEO, who will have input from the Board of Directors, but the CEO runs the business, and he usually has a relationship with the Chairman of the Board who is the guy/gal who carries the message from the Board to the Chief Operating Officer, and that was my vision from the get-go and if you take it any other direction, you are making it too complicated."

Mr. Rausch said that is YOUR vision. He thinks there have been a lot of other locations that have gone this direction and we need to get their input. He added that as the Mayor being an elected official, when he is talking to a resident, if they are upset with Administration, he tells them to call the Mayor. The City Manager is no longer an elected official, so if they're upset with Administration, who are they going to take it out on – ME – they're not going to re-elect me.

Mayor Gore said, "So you're trying to cover your butt politically."

Mr. Rausch said, "Really?" He believes he has a little more responsibility when the Mayor is not there. He does not want to be micromanaging any employee. because he believes that whoever is hired as the CEO should be able to bring in who they want, within reason. Council needs to have a little oversight there, but it's going to be their head.

In looking at other cities, Sydney for one is a Council-Manager form of government, and Council hires all department heads, and then the Manager has to manage Council's appointees. That doesn't make sense to Mr. Rausch. He would not want to be the manager who is being told who he has to have on his team.

Further to what Mr. Rausch mentioned earlier, that someone contacts him with a problem with Administration; Mr. Aslaner said he didn't see the problem. If that would happen, is the question then do you contact the city manager and find out what's going on or in the alternative, does the appointed Council person contact the city manager on your behalf to find out what the issue is?

Mr. Rausch said you also have seven different Council members and right now, the Mayor has given Council access to Mr. Emery. We'd like to have something as we go forward. Not having that elected official as the top administrator in the city changes our level.

Mrs. Richardson asked if Mr. Rausch is advocating having one point person dealing with the city manager or is he saying he would like to have all seven to have access to the city manager. Mr. Rausch said discussion needs to take place about how communications will work.

Mrs. Richardson said a CEO is a good thing for the staff and feels most of the staff operations and all the work should be done through a CEO under this form. She would like to see open communication with the city manager.

Mayor Gore noted that if a committee is formed, it becomes a public meeting every time you sit down to talk about any planning, etc. and with all due respect, there is a time and a place some of this stuff needs to become public. His concern is that the contact person is whoever is elected Mayor of Council is a voting member of Council. That doesn't mean that the direct contact can't still be meeting with whomever your city manager is. If there's a time when something needs to be done and this project needs to become a priority, in Mayor Gore's opinion, that goes through the Council President/Mayor. A Council member doesn't pick up the phone and say, "You need to make this a priority."

Mayor Gore explained that the way business is done today, there is not a day that passes that he and Mr. Emery don't communicate multiple times. He would expect that in some cases, that would still be the case with the President of Council. He said you have to know this community and you have to know the players, and that's the strength that Mayor Gore brings. You have to let certain people know before you let certain other people know in order to keep peace in the system.

If an Executive Committee is appointed to deal with the city manager, every contact made with the city manager becomes a public meeting. Mr. Aslaner also pointed out that if Councilman A calls up the city manager and the city manager says we have to look at issue Y & Z, and that Councilman calls up three other Councilmen and conveys what the city manager said, you have just violated the Open Meetings Act.

Mr. Rausch is the one who threw out the idea of an Executive Committee because every non-profit organization he is involved in has a Board of Directors and an Executive Committee that is liaison between the Board and the CEO, because it's difficult to get seven people if you need them. Mr. Rausch asked if the Executive Committee could go into Executive Session to discuss personnel.

Mr. Aslaner said the same rules for Executive Session would apply to this committee.

Mr. Rausch said what happens if that point person goes off in a different direction than the other six Council members. Mayor Gore said you are the legislative body. It's no different when he goes a direction that Council doesn't like; you challenge him and address the issue. The only difference is that this person has the ceremonial duties, cuts the ribbons and represents the city. The only difference is the city manager is the chief operating officer and it's a decision that would have to be made by Council. If the City manager wants to go in a different direction than Council, you'd call a time out. That's why a relationship between the elected Council Mayor and the City Administrator is really important, so that you are on the same page and you have that understanding.

Mayor Gore said he holds a staff meeting with all department heads twice a month to go over things and that's probably the only time that he's with all department heads at one time. He meets with department heads at various times regarding different issues. You really don't want the day-to-day operations for the City of Marysville to change.

Mrs. Richardson asked about Council holding work sessions to deal with issues with Council as a whole, then everyone would have input.

Mr. Aslaner suggested respective committee meetings to handle various issues, and then if the issue needs to go before Council, it's brought before the entire Council. He sees a problem that if you have one point person, that person may not be communicating with the rest of Council, and if that person is communicating with three more Council members separately, they would be violating the Open Meetings law.

Ms. Chavarria has seen committee reports to City Council. The various committee reports would be part of the agenda each month, so each month there would be an official report from the actual committees.

Mrs. Richardson suggested an approach as a collective team. What we as an Ad Hoc Committee would recommend to Council to change our policies and procedures. Also, if you review the Charter, there are specific things in there that would prompt action/changes. We need to map a plan and have policies and procedures and that's this committee's mission.

Mr. Rausch feels the last step would be setting compensation, because we need to figure out the roles of people, committees, etc.

Mayor Gore said if you don't recommend that Council go to a monthly salary that qualifies them to get a month's credit for each month served, you're doing a disservice to anybody in the future that may run for a position.

The salaries must be set prior to the Ward elections in 2015. Salaries cannot be changed during a term.

Mayor Gore said this is an organizational meeting and asked what that means. Is Mr. Rausch going to be chairing this committee? Is there going to be a co-chair? Is Connie going to be the clerk for all the meetings? Mr. Rausch said that Mr. Taylor as President, appointed Mr. Rausch as Chairman of the Committee since he was V.P. Council. Mr. Gore said, "So it's your committee, not administration's committee. Mr. Rausch said, no." Mayor Gore said, "We're just invited to attend, so if we choose not to participate, that's cool too." Mr. Rausch said it would be detrimental to the process, but in the end, this is a Council procedure.

Mr. Berbee suggested future meetings be held on the same Thursday as a Council meeting since that date is always set aside.

Mayor Gore was asked about his activities as Mayor on a daily basis. Mayor Gore said he averages about 6-10 events/meetings per week. This is his choice to attend these events and be visible to the public. He noted that ribbon cuttings are important for the Mayor to attend.

Mayor Gore was asked to log his activities for 30 days and report back to the Committee.

Mr. Aslaner asked for clarification as to what the role of the Administration versus Council is on this Committee. It's his understanding from Mr. Taylor that each person has the same standing. Response was yes. If there is a recommendation to go to Council, all six members of this committee would vote.

A member of the Charter Review Committee was invited for input.

Suggestion was made to keep meetings to one hour in length and meet monthly to begin with.

A final report from this Committee is due January 1, 2015.

Mayor Gore went over his calendar of events/meetings for the month of May. He had 3 events on May 5th, 4 on May 7th, 3 on May 7th, 4 on May 22nd and 1 on May 23rd.

In the future, Council can decide what events/meetings the city manager should attend. Also Council President can appoint another Council member to attend. Whoever attends the meetings should be able to make a commitment on behalf of the city.

Mr. Berbee mentioned the Board of Control and who serves on that Board. Currently it's the Director of Administration, the Finance Director and the Mayor. The new Charter specifies the members as the Director of Finance and City Manager. With only two people, what if one person agrees and one doesn't? There may have to be a rule for Council Rules of Procedures adding a third member. What has happened in this Charter is the Mayor was removed in all sections and this is one place where a third member should have been added back in. Mayor Gore said 99.9% of Board of Control are things that have been bid out, already been approved and you go to the Board and award the contract.

Mr. Aslaner said you may have to add a third member via ordinance, because you can't just add a third member or you'd be violating the Charter.

Mrs. Richardson brought up the legislation currently on Council's agenda dealing with Section 4 and 5 of the Policies and Procedures. One section actually adds the Mayor.

Mr. Dostanko explained the reason for changing the Policies and Procedure now is because of the pension, not because of the Mayor issue. While doing this, a committee reviewed the entire Policies and Procedures. The Policies and Procedures can be amended later on.

Mr. Pelanda said the intent of the Charter Review Committee was to keep as much of the original Charter as it was, and change as little as possible, because the thought was that people liked the Charter the way it was. Therefore, most changes were structural in nature.

Mr. Rausch suggested bringing in two or three municipalities, one at a time, to discuss communication structure, etc. A video conference was suggested with area municipalities instead of them having to attend a meeting.

Mrs. Richardson said this Council can adapt to whatever needs to be done. We just have to figure out what those parameters are.

Mr. Rausch said one thing we have to be sure is that one rogue Council member can't destroy what a good city manager is doing. By the same token, he wants to make sure that a rogue city manager has accountability and council has the ability to remove that person. Mayor Gore agreed 100%; we just have to be careful how we get there.

Mr. Rausch said that Mr. Dostanko is an invaluable piece to this Committee because he is an HR expert.

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All members were asked to get questions together they'd like to see answered and get them to H.R. Mr. Dostanko suggested Survey Monkey, which could be shared with area H.R. Departments.

Questions are due to Mr. Dostanko by Friday, May 30th, so he can proceed with setting up the survey.

Suggestion was made to meet more often in the fall, than in the summer with everything going on.

Clerk Patterson was asked to poll her Clerk's Association and ask what Councils have regularly scheduled work sessions and what governs those work sessions.

The next meeting will be June 26th, 4:00 p.m.

The meeting adjourned at 5:21 p.m.