

# SPECIAL CITY COUNCIL MEETING

## MINUTES

March 3, 2015

The meeting was called to order by President Taylor at 5:00 p.m.

**MEMBERS PRESENT:** Mr. Rausch, Mr. Fogt, Mrs. Richardson, Mr. Taylor, Mrs. Groat, Mr. Berbee, Mr. Reams

**OTHERS PRESENT:** Mayor Gore, Director of Administration Terry Emery, Director of Finance Jenny Chavarria, Law Director Tim Aslaner, City Engineer Jeremy Hoyt, Public Service Director Mike Andrako, IT Director Aaron Story, Chief Jay Riley, Chief Floyd Golden, Eric Phillips, Clerk Jones

**REPORTERS PRESENT:** Taylor Evans – Journal Tribune

**CITIZENS PRESENT:** None.

### AGENDA:

Mr. Taylor thanked the Ad Hoc Committee for putting together ideas for us to look at as we transition from our current form of government to our new form of government. He also thanked Mr. Rausch and Mr. Dostanko for their work on putting the presentation together, and Chief Riley for letting us hold the retreat at Decker Fire Station. Mr. Rausch gave the following presentation.

### Report of Ad Hoc Transition Committee:

#### Ad Hoc Committee - Thanks!

▶ Committee Members:

- ❖ J.R. Rausch/Council Member + Committee Chair
- ❖ Henk Berbee/Council Member
- ❖ Tracy Richardson/Council Member
- ❖ John Gore/Mayor
- ❖ Jenny Chavarria/Director of Finance
- ❖ Brian Dostanko/Director of Human Resources

▶ Others Present:

- ▶ Tim Aslaner
- ▶ Connie Patterson
- ▶ Kevin Pelanda
- ▶ Terry Emery
- ▶ Anna Krutowskis
- ▶ Kris Jones



## Ad Hoc Committee - Meetings

- ▶ May 22, 2014 - Expectations, Build-a-Survey, Roundtables?
- ▶ June 26, 2014 - Review Survey Results, Review Other Charters, Plan Roundtable
- ▶ Aug 21, 2014 - Roundtable # 1
  - ❖ Michelle Crandall/Dublin Assistant City Mgr
  - ❖ David Collinworth/Westerville City Mgr
- ▶ Aug 28, 2014 - Roundtable Part II
  - ❖ Brent Merriman/Xenia City Mgr
  - ❖ Jeff Amick/Sidney Law Director
- ▶ Dec 16, 2014 - General Discussion, Building To-Do List
- ▶ Jan 8, 2015 - Discussion, Drafting a Final Report, Plan an Off-sight
- ▶ Feb 10, 2015 - Finalize Report, Set-up Off-sight



Mr. Rausch said prior to the December 16, 2014 meeting, the Committee went over to Westerville and watched a work session. Mr. Rausch said it was their Strategic Planning Work Session, where they were working on putting together a comprehensive plan. He added one item that really caught the group by surprise was that the City Manager never spoke. It was a joint meeting of Planning Commission and City Council, and the staff personnel did the whole presentation.

## Ad Hoc Committee Report

- ▶ Policy Manual: HR to lead executive review (revision 7); Mayor = City Manager; Sections 400 + 500 updated by ordinance (43-14 currently) before Council (Aug-Sep); Effective date 1-1-16
- ▶ Collective Bargaining Agreements (CBA): Mayor = City Manager; more Council executive sessions on strategy/negotiations; Council still accepts all final CBA, fact-finder reports, etc (per ORC 4117)
  - ❖ Fire: 6-30-16 (last day of existing CBA)
  - ❖ Police: 12-31-16



Mr. Rausch said we are operating under our current form of government for the rest of this year. He gave the example of the Finance Department, when you change systems, you will run parallel systems for a while just to make sure there are no glitches. Mr. Rausch said we have a unique opportunity because of the time that we have to run parallel systems to work on improving our system. He added that no authority will be taken away from the Mayor's position, because he will have the authority for his position until January 1, 2016. Mr. Rausch said we do want an orderly flow in the transition for January 1, 2016. Mr. Rausch said the changes for the Policy Manual will be coming before Council.

Mr. Rausch said the Collective Bargaining Agreements are currently negotiated by the Administration with the help of HR. This process is not going to change other than the City Manager would be leading the negotiations for the Council side. He said that there will probably be more Executive Sessions because of strategy negotiations.

Mr. Rausch said that we are going to have access to more information earlier in the process. Our challenge is going to be that with access to more information, not to over-analyze or over-manage the City Manager. Mayor Gore said what he has found in the 2-3 Collective Bargaining contracts, and even as Council President he was kept in the loop, a majority of the work gets done and agreed to, and all you really get from Mr. Dostanko and Mr. Emery is an update of what has been tentatively agreed to.

Mrs. Richardson asked if it would make sense to incorporate the Council-Mayor or the President of Council into that agreement or process. Mrs. Richardson said to eliminate a lot of exposure in that kind of environment maybe we could collectively agree that the best person would be the Council-Mayor.

Mr. Taylor said as many of you know we elect at the first Council meeting in January our officers. There will be a period of two weeks where the current president will be serving as the Council-Mayor.

## Ad Hoc Committee Report

- ▶ Codified Ordinances/Review: Administration reviews to (a) rescind, (b) leave Mayor=Mayor(Council) or (c) Mayor=City Manager; brought before Council and/or applicable committee and/or board; All effective date 1-1-16
- ▶ Uncodified Ordinances/Review: Same process as above



## Ad Hoc Committee Report

- ▶ Performance Management System:
  - ❖ All performance plans (PP or job descriptions) will be updated/removing Mayor (HR leads process), effective 1-1-16
  - ❖ Executive annual evaluation period changed (contained in Policy 350 and in performance plans) from May 1 - Apr. 30 to calendar year (effective 1-1-16, first reviews due end of 2016); coincides with Council/Mayor term (Council/Mayor evaluates the City Manager)
  - ❖ Table of authorization, organizational chart, etc., changed (by HR) effective 1-1-16
- ▶ City Manager Evaluation (eval): Performed by Council/Mayor, each calendar year;
  - ❖ Where to document PP, eval. form, in ordinance?, in Policy Manual?



Mr. Rausch said there have been a lot of discussions with regards to the City Manager's evaluation. Mr. Rausch said a couple of the cities that we brought in actually use an Administrative Committee to conduct the evaluation. Mr. Rausch said members of the Administrative Committee could be Council-Mayor, Vice Mayor and Finance Committee Chair. Mr. Rausch said input would be needed from all seven council members on the evaluation for the Clerk and City Manager, but maybe do that as an Ad Hoc or set it up as a separate committee, with their whole role being to do the evaluation

of those two positions. Mr. Rausch said this is something that Council needs to discuss on how to complete, whether we all complete a performance review.

Mr. Dostanko said this is really about comfort level and change management; we do not want to change so many things that it looks odd to everyone. He would recommend using existing processes as much as possible. Mayor Gore said when it is time to do the evaluation, Mr. Dostanko hands him the form. Mayor Gore suggested that whoever is the Council-Mayor gets the form, and then the Council could do their process of talking to other Council members, but the Council-Mayor is responsible for the evaluation. Mrs. Groat said she would rather keep these kinds of major decisions in a policy manual rather than an ordinance situation as we would be more restricted. Mr. Taylor said he has listened to both sides and did not see why we just do not leave it the same way it has always been. Mrs. Richardson said that is where we need to figure out how to get this information to the Council-Mayor, and her recommendation was that everyone provide a copy or some input to the Council-Mayor. Mrs. Richardson asked if there was any kind of open meeting violation if every member of council provides input specifically to the Council-Mayor. Mr. Aslaner said if it is done in writing, we just have public documents which are subject to disclosure. Mr. Aslaner said however, if calls are made and the Council-Mayor is talking to three or more Council members then you might have an opening meeting violation. Mr. Rausch said we could all fill out an evaluation form and give it to the Council-Mayor.

## Ad Hoc Committee Report

### ▶ City Manager Appointment:

- ❖ Incumbent at-will to Mayor (thru 12-31) then to Council (1-1-16);
- ❖ Smooth transition/continuity - **reappoint incumbent? See Law Director letter of opinion on charter section 12.07/12.09 to include (by intent) Director of Administration to City Manager**
- ❖ Future City Manager hire(s), if a concern--let's discuss (similar to Council Clerk process)

### ▶ Council/Administration Communication:

- ❖ Charter/section 3.06
- ❖ City Manager performance plan rewrite (handout?)
- ❖ Weekly Administrative reports



Mr. Rausch said Mr. Aslaner sent out in an email his opinion of what the Charter reads. Mr. Aslaner said the question has come up as to whether the Director of Administration position transitions and carries over when the new form of government changes. The Charter is very clear with respect to all the other positions, which states that all the positions are preserved. Mr. Aslaner said it is his opinion that the Director of Administration carries over to be the City Manager. He said the only change with the position is in title and not in duties.

Mr. Rausch said there is probably more communication under the new form of government between Council and the Administration. He said currently there is a lot of communication between the City Administrator and the Mayor, and then the Mayor brings to Council what he feels is necessary. With the Mayor's position no longer in place, the information is going to go directly from City Manager to Council.

Mayor Gore said one of the things that Mr. Rausch keeps mentioning over the last six months is economic development issues and getting Council more involved in the incentive packages. Mayor Gore said keep in mind that when that is reported to you in writing that is a public record and that can sometimes blow up a deal.

Mrs. Groat said point eight (in the packet) mentions weekly reports to Council, and she thought this was one of the most important items in the packet. Regarding the weekly reports when is it something that needs to be communicated as opposed to a lot of useful time being taken up to just convey information to Council that we would get anyway. Mr. Emery said you take notes every day of the things you accomplish. Mr. Emery said if he fills out the weekly report and gives it to Council, the media could say I would like a copy of your weekly report and might do something with it before we want to act on it. The information you are going to get in the weekly reports is the same information that you will get in the Mayor's reports. Mr. Taylor said he is looking for an informational brief, stuff he needs to know for the following week, and when it is an executive brief, he will see a note that says that we will need an executive session at Council and then he will know he needs to contact Mr. Emery.

Mrs. Richardson said we received the idea of Friday reports from some of the other cities that visited with us. Mrs. Richardson said we can contact the other cities and see how it is working and how they communicate. Mr. Rausch said the information will be up to Mr. Emery's discretion.

## Ad Hoc Committee Report

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- ▶ Working Group Meetings:
    - ❖ Need? Ad hoc view: Enhances communication
    - ❖ Create Format; **Council Rules of Procedure?**
    - ❖ Schedule; - **quarterly? After two (2) Committee meetings? When to start?**
  - ▶ Mayoral Ceremonial Type Duties:
    - ❖ **List? Apportion out? Guidance on who attends?**

Mr. Rausch said the Committee spent a lot of time talking about the working group meetings. A lot of the other communities have working group meetings that they meet once a month and there are even a couple that meet every two weeks. The Committee discussed starting to hold quarterly working group sessions. If we thought we needed to meet more than that we could meet every two months or even once a month. Mr. Rausch explained that Mr. Emery's former employer holds committee meetings prior to the monthly work session. Mr. Rausch said that is something that the Committee would like review and see how Gahanna operates. Mr. Emery said sometimes you will have members that are not on a particular committee, not knowing what is going on. Mr. Emery said he will look into getting a time that is good for the Committee to go watch the working group session in Gahanna.

Mr. Rausch said with mayoral duties, if there is a ribbon cutting and a Council member wants to attend, they attend. He did not see a reason to create a list of duties. Mr. Rausch said one thing that Mr. Fogt's wife brought to Mr. Fogt's attention and he asked Mr. Rausch is with the Council-Mayor, should only the at-large Council members be allowed to run for that or should a ward member be allowed to run for that? Mr. Rausch said his thinking is once you are elected to Council, you are a Council member. Mr. Rausch said Mrs. Fogt's thinking is that at-large Council members are voted on by the entire City. He said other communities do it both ways. Mr. Fogt said he supports the Mayor being an at-large Council member but he does not feel we should make all Council members at-large. Mr. Aslaner said that the Charter would not allow limiting the Council-Mayor to just at-large members.

## Ad Hoc Committee Report

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- ▶ Council Compensation:
    - ❖ Current annual = \$4,800
    - ❖ Survey average = \$7,200
    - ❖ OPERS service credit minimum raised to \$7,200
    - ❖ Increase? When/how?
    - ❖ Stipend for Mayor and Vice-Mayor?
  - ▶ Annual Budget Meeting:
    - ❖ When, format, attendees?
    - ❖ For Finance Committee or all of Council?

Mr. Rausch said the new form of government will require more time and effort of Council. There will be more conversations between City Administration and certain committees, there might be 11 to 12 committee meetings in a year. Because of all of these factors, they discussed raising Council compensation. The Ad Hoc Committee's recommendation was to increase Council's salary to \$600.00 from \$400.00 per month. A couple of years ago, Mr. Dostanko and Mrs. Patterson did a survey and the average Council compensation was \$7,200 year or \$600 per month. Mayor Gore said if they are going to change the salaries it needs to be done before the filing deadline for Ward members to be run for re-election. The second part to this topic is the Mayor and Vice Mayor will be spending a considerable amount of time more than they currently do, should there be an additional stipend for those positions? Mr. Taylor told Mayor Gore to bring a proposal to Council and we will discuss it. Mayor Gore said since they did not discuss the stipend for the Mayor and Vice Mayor, he suggested they send that topic to the Public Affairs Committee to discuss. Mr. Taylor thought that Finance Committee was a better place for this discussion because they are the ones that will be looking at the salaries as well.

Mr. Rausch said the Committee has discussed having an annual budget meeting in August. Mr. Rausch said we are going to have an annual retreat at the beginning of the year, with all seven Council Members. Mrs. Groat asked what kind of year? Mr. Rausch said every calendar year in February. Mr. Rausch suggested everyone look at the first Friday and Saturday in February. Friday night, we could spend getting prepared, and all day Saturday doing a strategic planning. There would also be an annual budget meeting, which would work more with Administration.

The question with this is whether it should include all seven council members or just Finance Committee. Mr. Rausch said with the full council retreat at the beginning of the year to set our strategic plan, the annual budget meeting could be something that just the Finance Committee attends. Mrs. Richardson recommended in one of the quarterly work sessions, we could have the Finance Committee address some of the points that were discussed during the annual budget meeting.

## Ad Hoc Committee Report

- ▶ Council Rules of Procedure:
  - ❖ Rewrite, **who, when, what's in the update?**
- ▶ Strategic Planning: Ad Hoc recommends some form of Strategic Planning (Strat Plan);
- ▶ Break
  - ❖ Then discuss past City Strat Plan efforts
  - ❖ Lessons Learn from past
  - ❖ Vision Statement review
  - ❖ What's next?



Mr. Rausch said Council Rules of Procedures is currently going through a rewrite in the Public Affairs Committee. Mr. Rausch said after the rewrite is complete, we need to incorporate any changes for the new form of government, because they reference President and Vice President which will become Mayor and Vice Mayor. Mr. Rausch said we need to add the annual retreat for strategic planning. If we decide to use an administrative committee, that would need to be added into the Council Rules of Procedure. Mr. Rausch said we as the Ad Hoc Committee recommend some kind of strategic planning. Mr. Rausch said that it has been a while since they have actually sat down as a Council and worked on a strategic plan.

Mrs. Richardson said that she wanted to mention that the Ad Hoc Committee has discussed developing a New Councilmember Guide.

**Review Previous Strategic Planning Meetings & Review the strategic Planning Process:**

Mr. Dostanko gave the following presentation.

## Past City Strat Planning

- ▶ Paragraph 14 of Ad Hoc Report
- ▶ Marysville Planning Project Retreat (Report sent to Council)
  - ❖ Sawmill Creek Resort, May 12-13, 2006
  - ❖ Community Vision Statement created
  - ❖ 23 Strategic Objectives (see additional legal-sized summary)
  - ❖ 52 Action Steps (also in the summary)
- ▶ 2008 Follow-up Meetings: Notable-Safety Infrastructure Working Group - ½% Income Tax increase



## Past Strat Plan - Lessons Learned

- ▶ Some Great Results: Community Vision Statement, many action steps taken with great results; some success!
- ▶ Some Pitfalls:
  - ❖ **Bottom-up Input:** Not enough lower-management (Division Head) input; lowered level of “buy-in” and plan sustainment
  - ❖ **Non-Standard Structure:** Five (5) Subcommittees formed = Ad Hoc in nature vs. use of existing management infrastructure; lowered level of sustainment
  - ❖ **Council/Administration Joint Commitment:** Without a Joint Council/Administration commitment to stay the Strat Plan course - sustainment is impossible



## Vision, Mission, and Core Values

- ▶ Community Vision - Review:
  - ❖ *“The safe, friendly hometown where families and economic opportunity grow together...we are committed to community pride, healthy families, well-planned neighborhoods and a vibrant economy.”*
- ▶ Prime Goal/Mission Statement Created (circa 2008-9):
  - ❖ *To provide timely, friendly, quality services to our citizens, businesses, clients, and customers--to include our internal customers, our employees.*
- ▶ Core Values (Gore Administration):
  - ❖ Quality Customer Service,
  - ❖ Respect,
  - ❖ Proactive Communication,
  - ❖ Accountability (throughout the organization), and
  - ❖ Teamwork (added 2014)



## What's Next

- ▶ Plan the Work/Work the Plan: The Ad Hoc report and this meeting creates the transition plan
- ▶ Budget Meeting: **August 2015?**
- ▶ Working Groups: **Start last quarter Oct-Dec 2015?**
- ▶ Strat 2016:
  - ❖ Annual report/state of city (where we are) + Department/Division SWOT/input (where we go) = Strat 2016 Agenda
  - ❖ Jan 2016: Strat Plan 101 learn session(s)??
  - ❖ Feb 2016: First Strat Plan (2 days? Off-site?)
    - Friday: Department/Division SWOT (input) Briefs
    - Saturday: Strat Plan Drafted...



Mr. Dostanko agreed that the City does need to do some kind of strategic planning soon. He said we can do a strategic planning 101 around January, and then the strategic planning in February. He suggested if they are going to do a two day strategic planning session that on Friday night have the Division Heads give their input, and on Saturday draft a strategic plan.

Mayor Gore said compared to where we are today, March 3, 2015, and where we started in May, 2014, the committee has come a long way. It started out with everyone having their own idea of what this transition should look like. He said even tonight, he heard more steps forward in the process.

Mr. Taylor thanked Mr. Dostanko and the Ad Hoc Committee. He suggested that they look at the second or third weekend in February, because you never know when the Super Bowl is going to be and we do not want to affect anyone's travel plans during the Super Bowl. Mr. Taylor said he could not thank the Committee enough for their hard work. He thanked Mayor Gore. He also stated that if you have any questions about any topic discussed, get your questions to one of the members, and get prepared because 2016 will be here faster than any of us realize.

Mr. Rausch said this process has been enlightening to him, he was one of the ones that was not a fan of changing the form of government. After researching this form of government, he believes it is very efficient and will work very well for the City of Marysville. Mr. Rausch thanked Mr. Dostanko for putting the presentation together and taking notes for the Committee.

Mrs. Richardson said it really was a pleasure and opportunity to journey on this Ad Hoc team. It helped her process the change. She too was not a fan of the change in government, but she kept an open mind. She looked at the changes as we do what the people tell us we need to do. If people elected and voted for it, then we are going to make it happen. She is looking forward to the opportunity to embrace a sense of team work in the Council, even more. To take this team and really start working forward more efficiently and effectively. She said there are a couple of things that she heard that are still outstanding; they are going to need to do some Rules of Procedure changes, and some strategic planning. She said we should be thinking about our top priorities as well as listening to Mayor Gore, Mr. Emery and Ms. Chavarria to see what they are going through right now. She said the only other thing that we talked about today, but did not discuss was the Admin Committee. She thanked Mr. Dostanko and Mr. Rausch.

Mrs. Groat addressed the issue of minutes and talked with Mrs. Jones and Mr. Aslaner and that we need to work it out for the benefit of the whole Council. I told Mrs. Jones to use Public Affairs Committee as her example, because it was relatively a short meeting. You have in front of you minutes she did verbatim and one turned into summary. Also is a copy of the Ohio Open Meetings Act excerpt that says what our minutes actually need to be. There is a copy of the software program that captures the language and how it messes things up sometimes, and then the summary she has included. Mrs. Groat said we need to give her positive concrete direction. In positive she means proactive and supportive direction as to how she needs to proceed with our minutes.

There have been conversations that the minutes should be verbatim and others that the minutes should be summarized. Mrs. Groat said she does not know how, but somehow Mrs. Patterson over the years had developed something that seemed to make everyone happy. Mrs. Groat said she thinks that is impossible, but Mrs. Jones is faced with the same problem.

Mr. Taylor said to get back with Mrs. Jones on what you feel the best style of minutes should be. He said there is not a black and white, this is how you do it. Mr. Taylor said he knows it needs to almost be verbatim when an outsider comes in and talks and when we are talking about finances. The other speakers are when the area becomes gray. Mrs. Groat said somewhere down the road, a decision needs to be made, not that one committee wants them done one way and another committee another way. Mr. Taylor said to look through the packet you were given and get back with Mrs. Jones before the next council meeting and we will talk about it then. It will also go back to the Public Affairs Committee to come forward. Mrs. Richardson said you do not want us to say verbatim or summary, is there somewhere in between? Mrs. Groat said she does not know what the outcome of this is going to be.

Mr. Reams told Mrs. Jones that we went through this before with Mrs. Patterson and that it is not you. Mrs. Patterson, when she started out, her minutes were really long, and we had to work with her on scaling it back. Mr. Reams said it still seemed to be a lot more than we received from the Clerk before Mrs. Patterson, and we will get there. Mr. Reams said he is looking forward to the strategic planning.

Mr. Berbee said earlier you had a slide up there that said work to plan, plan to work. He said currently in Public Affairs we are going through the 10 year Comprehensive Plan. He said it amazes him that if you have something measurable, how easy it is to be obtainable. He said he is hoping out of the sessions that we are planning to do in February, the end goal is to have something that we can wrap our minds around.

**ADJOURNMENT:** There being no further business to come before Council, the meeting adjourned at 7:15 p.m.