

December 23, 2009  
3:00 P.M.  
Newport, Oregon

The City Council met in Special Session on the above date and time in Conference Room A of the Newport City Hall. Attending were Mayor Bain and Councilors Patrick, Obtshka, Brusselback, Bertuleit, Kilbride, and McConnell.

Staff attending was Jim Voetberg, City Manager, Penelope McCarthy, City Attorney, and Peggy Hawker, City Recorder.

Also in attendance were Judy Mayhew, Recreation Superintendent, Mark Watkins, Airport Committee member, Larry Coonrod, Newport News-Times, and Steve Schuster, Depoe Bay Beacon.

It was agreed to amend the agenda to include Resolution No. 3489 which revises the recently-adopted recreation center and swimming pool fees. Voetberg reported that this resolution immediately enacts the revised fee schedule. He noted that the attachments have been streamlined with the italics and percentages removed, and the resolution addresses "swim meet participants," rather than "swim team participants." MOTION was made by Patrick, seconded by McConnell, to adopt Resolution No. 3489 with the amendment as noted. The motion carried unanimously in a voice vote.

**Consideration of process for evaluating the performance of the city attorney and city manager.** Bain noted that the process Council had received should reflect the following changes: C. should be B., D. should be C., and B. would follow D. He added that the process should also include: 1. distributing evaluation forms to the City Council; 2. the return of the completed forms to the Mayor or his designee; 3. compilation of the completed evaluation forms; 4. return the compilation to the City Council for discussion during an executive session prior to meeting with the employee; 5. selection of delegates from City Council to meet with the employee. It was further noted that all individual appraisals would be provided to the employee with the compilation.

It was suggested that items of a serious nature not be included in the performance evaluation, but dealt with as they arise by the concerned Councilor(s), as a footnote to the evaluation process. It was noted that all matters must conform to the Charter, Council Rules, and state law. Patrick stated that it is important for all seven Councilors to discuss these matters. Voetberg stated that if there is a problem of a serious nature, he wants to know immediately, rather than waiting for six months for an evaluation. Patrick asked how Council should handle serious and delicate issues. McCarthy noted that the concerned Councilor(s) should meet in person with McCarthy or Voetberg. Patrick suggested another Councilor be present for sensitive discussions.

A discussion ensued regarding a public inquiry form. McConnell asked how comments taken during Council meetings are tracked, noting that the city should be more diligent in its follow-up. There was general agreement that more formal logging of comments/complaints/questions would be desirable, and that tracking and reporting of actions completed and answers provided should become the norm. Forms for recording

such inquiries are already available, but staff will provide updated input, and a process for tracking and reporting.

MOTION was made by Bertuleit, seconded by Patrick, that the process for evaluating the performance of the city attorney and city manager, as outlined by Bain, be adopted. The motion carried unanimously in a voice vote.

Larry Coonrod asked how the city benefits from having handpicked Councilors to meet with the city attorney and city manager. He also asked for a copy of the evaluation forms used last year. He asked whether the press would be excluded from the meeting with the employees in which the evaluations are shared. It was noted that the press would be excluded as this would not occur during a Council meeting. Bain observed that the attendance of the press could be stifling to an open discussion with the employee.

A discussion ensued regarding the deadline for completing the evaluations, and Bain noted that every effort will be made to complete the process by January 15, 2010.

### **ADJOURNMENT**

Having no further business, the meeting adjourned at 3:55 P.M.

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Margaret M. Hawker, City Recorder

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William D. Bain, Mayor