

August 10, 2012  
9:00 A.M.  
Newport, Oregon

The City Council of the City of Newport met in a Special Meeting, on the above date, in the Conference Room A of the Newport City Hall. Allen, McConnell, Roumagoux, Bertuleit, Sawyer, and Beemer were present. Brusselback was excused.

Staff attending was as follows: City Manager Voetberg and City Recorder Hawker.

Also in attendance were Dave Morgan from News Lincoln County and Rick Beasley from the Newport News-Times.

McConnell called the special meeting to order at 9:00 A.M. He reported that Sawyer had requested information from staff that was beyond a normal request. Sawyer explained that he was interested in finding out the top ten most delinquent accounts that the city has. Voetberg noted that to respond to this request would take more than two staff hours, and that it would include city staff and legal staff time. Roumagoux noted that this request was over the line of day-to-day operations. Sawyer asked whether the city is handling other delinquencies in the same manner as court. Beemer noted that this request could be handled generically by providing a list of the number of businesses that are delinquent beyond a specified amount and the same for private parties. Sawyer asked whether staff was monitoring delinquent accounts McConnell asked how much is outstanding per department and what collection efforts are being made. Allen suggested that in the next monthly Finance Department report, a high level overview of past due amounts could be included. He added that this item is not on this agenda, and suggested that it be noticed and discussed at a future meeting. Roumagoux stated that she would like Council to come to a consensus over these types of decisions and act as a body. McConnell added that Council needs to decide how it will deal with these types of requests in the future.

Voetberg distributed a memo from Christy Monson regarding Council authority, confidentiality, and liability particularly as it relates to executive sessions. Monson participated via telephone. She reviewed the memo, noting that individual Councilors have no authority to act or speak on behalf of the city unless Council has expressly delegated authority to that individual, and that individual Councilors have limited liability, and could be personally financially liable for claims that arise out of actions or comments. She noted that Councilors must recognize boundaries and limits set by the City Charter, and that particularly, as the administrative head of the city, the City Manager makes the city's employment decisions, and Councilors are prohibited from attempting to coerce the City Manager in the appointment or removal of any city employee, or in his administrative decisions regarding city contracts. She cautioned that talking about details of a litigation settlement, outside executive session will hamper the ability of experts and is a waste of public money.

A discussion ensued regarding Council Rules and individual requests for non-confidential information. Roumagoux noted that she is uncomfortable with individual Councilors asking for information without the consensus of the Council as a whole.

McConnell noted that Council Rules will be discussed at the next work session, and again in January after the new Council is seated.

MOTION was made by Bertuleit, seconded by Roumagoux, to enter executive session pursuant to ORS 192.660(2)(h) to receive a litigation update from legal counsel. The motion carried unanimously in a voice vote, and Council entered executive session at 9:25 A.M.

Allen recused himself and left the room during discussion of the Reno matter.

MOTION was made by Roumagoux, seconded by Sawyer, to return to the Special Meeting of the City Council. The motion carried unanimously in a voice vote, and Council returned to its Special Meeting at 10:10 A.M. Allen rejoined the group at this time.

Having no further business, the meeting adjourned at 10:10 A.M.

---

Margaret M. Hawker, City Recorder

---

Mark McConnell, Mayor