

May 6, 2013  
Noon  
Newport, Oregon

## CITY COUNCIL WORK SESSION

Councilors present: Beemer, Sawyer, Busby, Saelens, Allen, Swanson and Roumagoux.

Staff present: Voetberg, Hawker, Marshall, Tokos, Breves and City Attorney Christy Monson by phone.

Others present: John Baker; Cynda Bruce, Director Lincoln County Transit; Linda Neigebauer, Julie Kay, Lincoln County, Dave Morgan from News Lincoln County, and Larry Coonrod from the Newport News-Times.

Roumagoux called the meeting to order and the roll was taken.

1. Roumagoux asked for additional work session items that are not listed on the agenda, for this or future work sessions.

Roumagoux asked to be excused at 1 P.M. to address the National Association of Retired Federal Employees.

Busby requested a discussion about way in which the Finance Department could be assisted to help alleviate recent mistakes made on public documents. Voetberg reported that there have been several personnel changes in the Finance Department in an effort to rectify the issues. There was a discussion as to whether the Council needs a detailed financial report of smaller ticket items. Council agreed that it is important that financial information is accurate.

Roumagoux asked Busby what type of assistance he was thinking of. Busby reported that he is thinking of an outside firm to look at the management of the Finance Department. Sawyer asked Marshall if software updates would fix the problem. Marshall commented that the Finance Department has been understaffed for years. He believes that by the fall of this year, the issues should be resolved.. Marshall added that he needs time to train the new staff, and that he is uncomfortable with the idea of having an outside agency coming in at this time. Swanson suggested that Marshall be given until January to resolve the issues before considering further action. Allen commented that he feels that Marshall has made progress and that the Audit Committee has discussed taking a more active role. Allen suggested that the Audit Committee members update the Council on accounts payable issues, and Council concurred.

Sawyer asked if the city was scheduling a Mayor's clean-up day, and suggested that it be an annual event. Voetberg stated that these are unofficial clean-ups and are not free. Saelens agreed that an annual clean-up day would be good, and that he and Allen will discuss the possibilities with Thompson's Sanitary Service.

Roumagoux reported that Astoria was recently made a Coast Guard USA City and added a cement sign in front of city hall. She suggested that Newport do the same.

Saelens suggested having the Council as a whole be a part of the Loyalty Days Parade as a possibility.

2. John Baker, of Northwest Management Specialists, appeared before Council to deliver a status report on his contract with the city. Voetberg explained that Baker was contracted to help with human resource issues on an as needed basis. Baker reviewed the results of the employee survey conducted several years ago. Baker reported that the majority of employees felt good about the work they were doing. He added that communication issues were a key component in the survey, and based on that, he recommended the creation of a City Employee Committee. Baker reported that the City Employee Committee has been established, and further, Coffee with the Manager has been reinstated. Baker added that as he is out and about in the city, he is not hearing negative comments about the city. He noted that he has offered management training to individual department.. Baker stated that he has billed the city approximately \$11,000 for his services. Allen asked whether Baker felt he that the work would be complete when the contract ends in October 2013, and Baker indicated that he would be. A discussion ensued regarding the recommended frequency of the employee survey, and Baker noted that surveys should be minimally two years apart. Saelens suggested Councilors attend the City Employee Committee meetings, and Council developed the following schedule: Saelens in May; Busby in June; no July, Swanson in August; and Sawyer in September. Roumagoux asked Voetberg for his opinion Baker's services. Voetberg stated that Baker's work has been useful and productive for the city. He added that as the city transfers many of Bakers tasks to JJ Scofield, the in-house human resources staff, it will be useful to have Baker available to assist when requested. Allen suggested that Baker review the new City Manager's evaluation tool when it is completed.
3. Roumagoux asked Voetberg for an overview of the city loop transit bus subsidy. Voetberg reported that on May 15, 2006, Bruce announced that Lincoln County Transit had received a grant for a free city loop shuttle from October 2006 to October 2007. He noted that on October 16, 2006; Linda Neigebauer requested funding for signage and advertising in the amount of \$3,800. Voetberg stated that in 2007, the Budget Committee recommended that \$25,000 be allocated, and Council approved \$12,500 from the Payment in Lieu of Parking Fund. He added that the FY2008/2009 budget included \$84,000 for the shuttle from the Room Tax Fund. He added that \$90,000 was budgeted in the two following years, and that

funding was reduced to \$85,000 in the current budget. Voetberg reported that he had spoken to two hoteliers who indicated that their customers do not really use the shuttle, although it is used primarily by hotel employees. He added that a decision needs to be made regarding whether this a Room Tax budget item or a General Fund budget item. A discussion ensued regarding shuttle users, appropriate funding, and appropriate funding. Voetberg stated that the shuttle is not funded in the proposed budget. He added that the Room Tax Fund does not have funds to continue supporting the city loop system. Neigebauer reviewed the history of the public transit system in Lincoln County and the city loop. Neigebauer and Bruce explained the transit system funding sources. Bruce stated that tourists do not know about the loop and that Lincoln County Transit does not have advertising monies. Further discussion ensued regarding funding. Allen suggested that this item be discussed at the Budget Committee meeting scheduled for May 7. Allen asked Voetberg to ask the City Attorney if it is appropriate to use room tax money for people other than tourists to ride the shuttle that is funded with room tax monies. Allen requested that copies of the information from Neigebauer could be provided for the Budget Committee.

4. An article regarding economic development in the Gresham was discussed. Sawyer asked Tokos and Lorna Davis, executive director of the Greater Newport Chamber of Commerce, for an opinion on the article. Tokos reported that the obstacles in Newport are very old buildings and parcelized lots. He added that opening a Northside Urban Renewal District is one way to address the situation. Voetberg suggested a design overlay, but noted that it takes the support of businesses. After a brief discussion, it was noted that Davis plans to provide additional information regarding the proposed business development position at the evening meeting.
5. A discussion ensued regarding the potential public disclosure of the audio file and exempt public document from the April 15, 2013 executive session. City Attorney, Christy Monson, participated in this discussion via telephone. Allen asked Hawker why this item is on the agenda. Hawker explained that there was a public records request from Larry Coonrod for two different exempt public records and the audio file from the April 15, 2013 executive session. Allen asked whether the letter addressed to Jim Voetberg regarding an increase in attorney's fees had been addressed. Hawker explained that since the letter was addressed to Voetberg, he had decided to disclose it. Allen asked why it was necessary to have this discussion when the engagement letter was a part of public record and discussed publicly. Monson explained that as a matter of policy her materials are stamped as confidential, and only a majority of Council can waive the confidentiality. Allen asked for clarification on why some letters have been stamped confidential and others have not. Monson explained the client should treat all information from the City Attorney as confidential. Allen asked why Monson treats a memo from February 13 differently than a memo from April 15. Monson explained that Council training materials are not considered confidential. Monson addressed the materials she had provided regarding serial meetings. Monson asked that Council redact her comments if it chooses to disclose the

draft resolution. Allen expressed concern regarding consistency in whether documents are discussed publicly or privately. Monson suggested that if something is stamped as "Attorney Client Privilege," Council should probably have a conversation with her so that she can provide the pros and cons of disclosing the document. Allen addressed the document discussed during the April 15 executive session on which Monson had written comments on the side. Monson explained that this document was a working document and that the Council has the right not to release it under two different statutes. She added that Council has a basis to deny release of that document, but that Council can decide if it wants to disclose those documents. She again recommended that if Council chooses to disclose the document that her comments be redacted. Monson recommend against releasing the minutes from executive session. Allen and Monson had a discussion regarding inconsistencies in dealing with documents. Monson clarified that the issue before Council is whether to disclose the document and the audio file from executive session of April 15. She reiterated that she does not recommend release of the audio file. Monson clarified her recommendation on the document disclosure. Allen stated that he believes Council should lean on the side of openness even with executive sessions. Hawker recommended that the public requestor appeal to the district attorney regarding the denial and a staff recommendation not to release the documents and let it go to the DA for a decision. Council concurred with Hawker's decision to deny release of the requested documents.

Having no further business, the meeting adjourned at 2:25 P.M.