

**CITY OF PORT ORFORD
SPECIAL SESSION OF THE COMMON COUNCIL
GABLE CHAMBERS
MONDAY FEBRUARY 6, 2006 AT 9:00 a.m.**

(To Select City Administrator)

Councilors present: C. Eskelson, J. Steinhorst, E. Beck, J. Campbell,
M. Finch, Sr., S. Abbott and Mayor J. Auburn

Councilors absent: None

Staff present: B. Manes, City Recorder

Others present: E. Kramer, Port Orford Today

Citizens present: 1

Mayor Auburn called to order the Session of the Common Council of the City of Port Orford in the Gable Chambers, Monday, February 6, 2006, at 9:00 a.m. The purpose of this meeting was to select the candidate for City Administrator from those interviewed, and to review the contract for same.

Councilor Campbell stated that his concern was that he heard there had been a vote for the candidate selection and it was a tie. Since he wasn't there he didn't know how it could be a three to three vote and since it wasn't a meeting in which there could be any decision he felt there should be a more official meeting in which to have this take place.

Evan Kramer asked how a vote could have been taken, and Mayor Auburn replied the council members simply agreed or disagreed on the candidates but there was no vote. Councilor Abbott stated that the meeting was called today in order to vote to select the candidate of choice.

Councilor Finch commented that he wondered why there was such a rush to do this. We did this so quickly without really thoroughly discussing all of the candidates and he wanted to know why since no one we hire will start work until March 1st. Councilor Beck stated that they had been doing this for months and he simply could not leave work to come in every day for a meeting, so he wanted to see this completed.

Mayor Auburn stated that this needed to be done today because he was going out of town for a month.

Councilor Abbott stated that he felt there was no problem with voting on the candidate today, but he did have some issues with the terms of the contract. He felt every councilor should review the terms of the contract and that there should be a vote to approve it in its final form.

Councilor Campbell stated that he agreed with Steve (Councilor Abbott) and although he would trust him with a contract of his own, he personally would not vote to approve a contract until the City Attorney has looked it over.

Councilor Abbott suggested the council vote on the candidate and then during the next regular session vote to approve the contract. Councilor Abbott asked if in the past after an interview evaluation the results were posted. Mayor Auburn replied that the results were not posted and in fact the interviews are done in executive session in case a candidate does not want his present employer to know that he was applying for this job.

MOTION: Councilor Abbott moved to offer George Bennett the position of City Administrator to be effective March 1st, but the contract to be offered George would have to be reviewed and approved at the February 28th Regular Session of the Council. The motion was seconded by Councilor Eskelson.

Councilor Finch stated that the job description is for City Administrator/Recorder.

AMENDED MOTION: Councilor Abbott moved to offer George Bennett the position of City Administrator/Recorder to be effective March 1st, but the contract to be offered George would have to be reviewed and approved at the February 28th Regular Session of the Council.

Councilor Steinhorst stated that the City Administrator is not a Recorder, Beverley is the recorder. Councilor Finch stated that the Personnel Subcommittee had gone through the job description, brought it to the Council and it was approved as Administrator/Recorder. Councilor Steinhorst asked, "Why is that?" Councilor Finch stated that he didn't know.

Mayor Auburn stated that on September 8th during a Special Session the council made Beverley City Recorder Pro Tem. Since that time all the ads and job descriptions for the City Administrator went out without the "/Recorder".

Councilor Abbott withdrew his motion and amended motion.

MOTION: Councilor Abbott moved to call this job City Administrator and delete /Recorder. The motion was seconded.

Roll Call Vote:

"Yes" C. Eskelson, J. Campbell, E. Beck,
J. Steinhorst, S. Abbott

"No" M. Finch

Motion Passed: 5 to 1

MOTION: Councilor Abbott moved to offer the position of City Administrator to Mr. George Bennett, effective March 1, 2006. Councilor Eskelson seconded the motion.

Roll Call Vote:

“Yes” C. Eskelson, E. Beck, J. Steinhorst,
S. Abbott
“No” J. Campbell, M. Finch
Motion Passed: 4 to 2

MOTION: Councilor Abbott moved to have the contract being offered to Mr. Bennett reviewed by the council members and the City Attorney before the February 28th meeting, but to have it voted on by the council as to its terms at the Regular Meeting on February 28th.

Roll Call Vote:

“Yes” C. Eskelson, J. Campbell, E. Beck,
J. Steinhorst, M. Finch, S. Abbott
“No” None
Motion Passed: 6 to 0

Mayor Auburn asked George Bennett if he had any comments. Mr. Bennett stated that he did not. Mayor Auburn then reported that the items that were different in the contract that Councilor Abbott and he negotiated with George and the draft contract the council had previously reviewed were: The resignation notification time was changed to 30 days written notice instead of 60 days; the employee wanted more vacation as he is retired and would like four weeks, to be approved by the Mayor so that he doesn't take four weeks all at once; also the salary range in the ad was \$36,000 to \$45,000 and we negotiated \$37,000; and finally the employee will receive health insurance benefits for his spouse and himself.

Councilor Abbott stated that it could be sent to the City Attorney as is, as he won't care about the salary or paid vacation, etc.; all of that can be negotiated with the candidate.

The Mayor asked George Bennett if he had any comments. He basically stated that he asked for the lower salary range in exchange for the four weeks of vacation, so that he could visit his children. He was not on a mic at this point. He also mentioned his education, experience and background.

Councilor Campbell agreed that his education was good, but stated that he didn't think his past experience in a municipal government was that strong, and he would probably not be in favor of four weeks vacation at this time. This, because it might set a precedent which would carry right on to the next City Administrator hired.

Councilor Abbott stated that he would propose that after the probationary period is finished they take another hard look at it. Councilor Beck stated he was concerned about when the four weeks would start; would it be after the six months were up? He continued, noting that this is a contract package so \$37,000 per year is three thousand something dollars per month so we're actually offering pay of \$40,000 if he takes four weeks paid vacation.

Mayor Auburn stated that to answer questions regarding vacation; vacation will accrue on a monthly basis for a total of four weeks per year as approved by the Mayor. After six months he will have two weeks vacation, after nine months he would have three weeks. He can negotiate to take some vacation before it is accrued due to unusual circumstances, but if he leaves before it has been accrued he must pay the City back.

Councilor Finch then stated that in the Employee Manual under Vacation Benefits: "All full time and regularly scheduled part-time employees are eligible for vacation based on the schedule below. All accruals are from the first day of employment and no vacation time may be taken or paid during the introductory probationary period unless specific arrangements have been made at the time of hire."

Mayor Auburn stated that George wants to take some vacation in June when his kids graduate from school, and he felt that was a reasonable thing for him to do.

The consensus of the council was to deliberate over the contract and have it ironed out by the 28th. Mayor Auburn stated that in the past the Mayor and the current Administrator negotiated with the candidate and the council did not get involved in it. He stated that he had tried to do this with Councilor Abbott, whom the council agreed to, but apparently we're going back on that. Councilor Campbell stated that he had never been comfortable with the Mayor just arbitrarily making an offer without the council's approval, although he agreed it had happened in the past.

Mayor Auburn then stated that he felt the council should negotiate the contract with the prospective employee soon as he did not feel it would be proper to wait until the end of the month to do it. Councilor Abbott stated that he felt comfortable with whatever happened as the City had been without a City Administrator for quite some time and he wasn't concerned about hurrying things up.

Councilor Campbell stated that if it is felt to be necessary to have a meeting to review and approve the contract and to negotiate with the candidate, then a meeting could be held even in the absence of the Mayor.

There was discussion regarding a time to have such a meeting and it was agreed to send the contract to the City Attorney, set a Special Session for Monday, February 13 at 5:00p.m., with an Executive Session to negotiate the contract with the candidate.

The meeting was adjourned at 9:40 a.m.

By _____
Jim Auburn, Mayor

ATTEST:

Beverley Manes, City Recorder