



City of

GOLD HILL

P.O. Box 308 • Gold Hill, OR 97525
(541) 855-1525 Fax (541) 855-4501

GOLD HILL CITY COUNCIL COUNCIL MEETING AGENDA

February 18, 2019

Regular council Meeting at 6:00 P.M.

The City of Gold Hill will meet on Monday February 18, 2019, at 6:00 P.M. For the regular City Council Meeting in the Council Chambers, 420 6th Avenue. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to the City Recorder at 541-855-1525. Council Meetings are recorded.

Call to Order/ Roll Call/Pledge of Allegiance

Agenda Adjustments

Adjustments to the agenda are limited to a change in the order of business to accommodate visitors making presentations or citizens who are attending for the purpose of a single agenda item. Adjustments in the form of additions to the agenda are discouraged because the general public has had no prior notice of their consideration, and therefore interested persons will not have an opportunity to participate. Adjustments in the form of deletions from the agenda may be accomplished here so long as there is disclosure of the reason for the deletion and an indication as to when or if the item will be placed on a future agenda.

Public Input

Limited to 5 minutes or less per Mayors discretion.

1. Appearance:

1.1 Rob Merriman - SOREDI

2. Old Business:

a. Old Business:

- 3.1 Neighborhood Watch**
- 3.2 SOREDI conference**
- 3.3 RVCOG 'Elected Officials' meeting**
- 3.4 Refresh Community vision – 2030**
- 3.5 Appoint Council President**
- 3.6 Review council goals**

4. New Business

- 4.1 Water plant staffing**
- 4.2 First reading of Ordinance re: Land use decision**
- 4.3 Review potential ride share agreement.**
- 4.4 2019 Budget committee**

5. City Manager's Report

- 5.1 Newly Elected Officials binders; Council rules**
- 5.2 Gold Hill ordinances enforced by JCSO**
- 5.3 Proposed Email & Social Media policy**
- 5.4 City Manager recruitment**

Public Input

Limited to 5 minutes or less per Mayors discretion.

Adjournment Note: *This agenda and the entire agenda packet, including staff reports, referenced documents, resolutions and ordinances are available at the Gold Hill City Hall in advance of each meeting 420 6th Avenue (P.O. Box 308), Gold Hill, OR 97525. Information can also be viewed at www.ci.goldhill.or.us*

GOLD HILL - City Council Agenda Report

Meeting Date: February 18, 2019

Agenda Title: Appoint a Council President

Department: Administration

Staff Contact: Rob Lowe, City Manager (Budget Officer)

Brief Summary for Agenda: It is a duty of the Council to appoint one of its own to serve as **Council President**. Said person performs the Mayor's duties in meetings where the Mayor might be absent.

Staff Recommendation: Appoint a sitting Councilor to serve as Council President.

Background/Discussion: Councilor Studebaker was appointed to the role at a previous meeting. However, Councilor Studebaker had not taken his Oath of Office at that time, therefore the appointment is invalid.

Council Options: a) Appoint Councilor Studebaker to the role of Council President b) Appoint another sitting Councilor to the role of Council President c) take no action.

Potential Motion(s): "I move that we appoint (name/names) to serve as Council President of the Gold Hill city council."

Attachments:

2.8

Mathematical Induction

Mathematical induction is a method of proving that a statement is true for all natural numbers. It consists of two steps: the base case and the inductive step.

The base case is the first step, where we prove that the statement is true for the smallest natural number, usually 1.

The inductive step is the second step, where we assume that the statement is true for a natural number n and prove that it is true for $n+1$.

Mathematical induction is a powerful tool for proving statements about natural numbers. It is often used to prove the correctness of algorithms and the properties of mathematical structures.

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Mathematical Induction

4.1

Rob Lowe

From: Michael Bollweg <sowatertech@ymail.com>
Sent: Sunday, February 10, 2019 5:23 PM
To: Rob Lowe; Debbie Bunker
Subject: Re: Assistance in water system staffing

Rob,

Its really no problem it was great to get a chance to sit and meet with you it is nice to see that Gold Hill is in such good hands...what ever choices you make short term long term I/we will do our best to support you. Having Mark on board is a great step as he has a great deal of experience and background in Government as well as a vision for today and future needs of the community and I would step aside for any long term planning to meet his position, its his and your town. First things as hand are adequate and safe drinking water and that can be delivered.

Take care,

Michael Bollweg
Owner/ Operator
Southern Oregon Water Technology
600 Rancho Vista
Grants Pass, Oregon 97526
541-415-1117
sowatertech@ymail.com

On Saturday, February 9, 2019, 5:37:07 PM PST, Rob Lowe <rob.lowe@ci.goldhill.or.us> wrote:

So sorry I missed this email Mike.

I work PT for Gold Hill, and had left for the day at 1pm.

Best,

Rob

From: Michael Bollweg [mailto:sowatertech@ymail.com]
Sent: Friday, February 08, 2019 2:40 PM

4.1

Rob Lowe

From: Heath Cokeley <hcokeley@oawu.net>
Sent: Friday, February 15, 2019 2:36 PM
To: rob.lowe@ci.goldhill.or.us
Subject: Treatment plant operations

Hi Rob,

At this time OAWU does not have the staffing to provide you a bid for day to day operations of your water treatment plant given existing projects and commitments. I am hopeful the other resources we discussed on the phone will prove helpful. We are happy to provide training and technical assistance through our Circuit Rider program if there is a need and if you find yourself in an emergency situation please let us know and we will help in anyway we can.

Thank you,
Heath
OAWU

Sent from my iPhone

The first part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation $f(x) = \int_0^x f(t) dt$. It is shown that $f(x)$ is a constant function. The second part of the paper is devoted to the study of the properties of the function $g(x)$ defined by the equation $g(x) = \int_0^x g(t) dt$. It is shown that $g(x)$ is a constant function.

The third part of the paper is devoted to the study of the properties of the function $h(x)$ defined by the equation $h(x) = \int_0^x h(t) dt$. It is shown that $h(x)$ is a constant function. The fourth part of the paper is devoted to the study of the properties of the function $k(x)$ defined by the equation $k(x) = \int_0^x k(t) dt$. It is shown that $k(x)$ is a constant function.

The fifth part of the paper is devoted to the study of the properties of the function $l(x)$ defined by the equation $l(x) = \int_0^x l(t) dt$. It is shown that $l(x)$ is a constant function.

ESTIMATE OF ANNUAL WATER PLANT EMPLOYEE EXPENSE

EMPLOYEE NAME	EMPLOYEE WAGES	EMPLOYER BENEFITS	TOTAL EMPLOYER COST
DEWETT	\$ 3,348.22	\$ 1,031.62	
HINZMAN	\$ 3,862.02	\$ 1,784.90	
TWO WEEK TOTALS	\$ 7,210.24	\$ 2,816.52	
ANNUAL ESTIMATE	\$ 86,589.49	\$ 33,824.26	\$ 120,413.75

*NOTE: Does not include Vacation Pay Expense

Responsibilities of Water Suppliers

Water suppliers are responsible for taking all reasonable actions to assure that the water delivered to water users does not exceed maximum contaminant levels, to assure that water system facilities are free of public health hazards, and to assure that water system operation and maintenance are performed as required by these rules. Such actions include, but are not limited to:

- (1) Routinely collecting and submitting water samples for laboratory analyses at the frequencies prescribed by OAR 333-061-0036;
- (2) Taking immediate corrective action when the results of analyses or measurements indicate that maximum contaminant levels have been exceeded and report the results of these analyses as prescribed by OAR 333-061-0040;
- (3) Reporting as prescribed by OAR 333-061-0040, the results of analyses or measurements which indicate that maximum contaminant levels have not been exceeded;
- (4) Notifying all customers of the water system and the general public in the service area, as prescribed by OAR 333-061-0042, when the maximum contaminant levels have been exceeded;
- (5) Notifying all customers served by the water system, as prescribed by OAR 333-061-0042, when reporting requirements are not being met, when public health hazards are found to exist in the system, or when the operation of the system is subject to a permit or a variance;
- (6) Maintaining monitoring and operating records and making these records available for review when the system is inspected;
- (7) Maintaining a pressure of at least 20 pounds per square inch (psi) at all service connections at all times;
- (8) Following-up on complaints relating to water quality from users and maintaining records and reports on actions undertaken;
- (9) Conducting an active program for systematically identifying and controlling cross connections;
- (10) Submitting, to the Authority, plans prepared by a professional engineer registered in Oregon for review and approval before undertaking the construction of new water systems or major modifications to existing water systems, unless exempted from this requirement;
- (11) Assuring that the water system is in compliance with OAR 333-061-0032 relating to water treatment;
- (12) Assuring that the water system is in compliance with OAR 333-061-0210 through OAR 333-061-0272 relating to certification of water system operators; and
- (13) Assuring that Transient Non-Community water systems utilizing surface water sources or groundwater sources under the influence of surface water are in compliance with OAR 333-061-0065(2)(c) relating to required special training.

Stat. Auth.: ORS 448.131

Stats. Implemented: ORS 448.123, 448.131, 448.135, 448.150, 448.278, 448.279, 448.450, 448.455, 448.460

1.4

4.1

Neilson Research Corporation

245 South Grape Street, Medford, Oregon 97501 541-770-5678 Fax 541-770-2901

Analysis Report

ORELAP 100016
EPA OR00028

City of Gold Hill
P.O. Box 308
Gold Hill, OR 97525

Lab Order: 1902402
NRC Sample ID: 1902402-01A
Collection Date: 2/13/2019 9:05:00 AM
Received Date: 2/13/2019 10:02:00 AM
Reported Date: 2/14/2019 4:05:26 PM

Routine Bacteria

PWS ID#: 41-00333
Source ID: DIST-A
Sample Type: Routine
Matrix: Drinking Water

Client Sample ID: City of Gold Hill
Sample Location: 475 1st Ave
Chlorine Residual: 1.41
Collectors Name: Aaron Prescott

ANALYTICAL RESULTS

Analyses	Code	Method	NELAP Accredited	Result	Qual	MRL	Units	Date Analyzed	Analyst
Total Coliform Bacteria		Colilert	A	Absent		0	P/A	2/13/2019 1:08:00 PM	DJK
E Coli Bacteria		Colilert	A	Absent		0	P/A	2/13/2019 1:08:00 PM	DJK

Notes: ND - Not Detected at the MRL
MRL = Method Reporting Limit

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1. The first part of the paper is devoted to the study of the

properties of the function $f(x)$ defined by the equation

$$f(x) = \int_0^x \frac{1}{1+t^2} dt, \quad (1)$$

where x is a real number. It is shown that the function $f(x)$ is

continuous and differentiable on the whole real axis. The derivative of the

function $f(x)$ is given by the formula

$$f'(x) = \frac{1}{1+x^2}. \quad (2)$$

It is also shown that the function $f(x)$ is bounded on the whole real axis.

The second part of the paper is devoted to the study of the

properties of the function $g(x)$ defined by the equation

$$g(x) = \int_0^x \frac{t}{1+t^2} dt, \quad (3)$$

where x is a real number. It is shown that the function $g(x)$ is

continuous and differentiable on the whole real axis. The derivative of the

function $g(x)$ is given by the formula

$$g'(x) = \frac{x}{1+x^2}. \quad (4)$$

It is also shown that the function $g(x)$ is bounded on the whole real axis.

The third part of the paper is devoted to the study of the

properties of the function $h(x)$ defined by the equation

$$h(x) = \int_0^x \frac{t^2}{1+t^2} dt, \quad (5)$$

where x is a real number. It is shown that the function $h(x)$ is

continuous and differentiable on the whole real axis. The derivative of the

function $h(x)$ is given by the formula

$$h'(x) = \frac{x^2}{1+x^2}. \quad (6)$$



City of

GOLD HILL

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4.2

City of Gold Hill

Ordinance No. 19-01

AN ORDINANCE OF THE CITY OF GOLD HILL, OREGON AMENDING THE COMPREHENSIVE PLAN AND CHANGING THE ZONING MAP OF THE CITY OF GOLD HILL

Whereas, the City of Gold Hill received an application for a Comprehensive Plan Amendment from Public to High Density Residential and a Zoning Map Change from P (Public Uses) to R-3 (Multiple-Family Residential), for property located at 404 Sixth Avenue (Map No. 36-3W-15CC, tax lots 3500 and 3600); and

Whereas, after legal notice was provided to owners of property within 300 feet of the subject site, a Public Hearing was convened before the Council of the City of Gold Hill on February 4, 2019, to consider the application and staff report; and

Whereas, the public provided written and oral testimony regarding the appropriateness of replacing the Public Uses designation with residential zoning at density levels ranging from the requested multiple-family to single family residential, and

Whereas, in addition to oral testimony both favoring and opposing the amendment, five parties submitted written testimony opposing the R-3 zoning citing densities incompatible with neighboring properties, while favoring either retaining the Public Uses zone or approving an R-1 designation.

Whereas, the Council of the City of Gold Hill determined, based on the hearings record and the staff findings, that the request for a Comprehensive Plan Amendment and Zone Change is consistent with the applicable criteria if Tax Lot 3500 is zoned R-3 and the vacant Tax Lot 3600 is zoned R-2

Whereas, the Council of the City of Gold Hill approved the request by a vote of 5 in favor and 1 opposed.

15.

THE COUNCIL OF THE CITY OF GOLD HILL ORDAINS AS FOLLOWS:

The Comprehensive Plan Map Amendment and Zoning Map Change are approved as follows:

- Section 1: Title This Ordinance shall be known as the amended Comprehensive Plan and Zoning Map of the City of Gold Hill, Oregon.
- Section 2: Description A map, attached as Exhibit B, identifies the property which is referenced as Tax Lots 3500 and 3600 on the Jackson County Assessor's Map No. 36-3W-15CC.
- Section 3: Amendment The Gold Hill Comprehensive Plan Map is amended from Public to High Density Residential and the Zoning Map is amended from P (Public Uses) to R-3 (High Density Residential) for Tax Lot 3500 on Jackson County Assessor's Map No. 36-3W-15CC; and the Comprehensive Plan is amended from Public to Medium Density Residential and the Zoning Map is amended from P (Public Uses) to R-3 (Medium Density Residential) for Tax Lot 3600 on Jackson County Assessor's Map No. 36-3W-15CC.

Section 4: The City Council adopts as its own, and incorporates by reference, the findings attached as Exhibit A.

PASSED AND APPROVED by the Council of the City of Gold Hill this _____ day of _____, 2019.

Approved:

Attest:

Peter Newport
Mayor

Rob Lowe
Interim City Manager

Council Vote:

Councilor Dell	<u>Y</u>
Councilor Hinkley	<u>Y</u>
Councilor Palmer	<u>N</u>
Councilor Studebaker	<u>Y</u>
Councilor West	<u>Y</u>
Council Wilson	<u>Y</u>

Rob Lowe

From: Dick Converse <dconverse@rvcog.org>
Sent: Wednesday, February 13, 2019 10:59 AM
To: 'Rob Lowe'
Subject: Holder Ordinance
Attachments: Staff Report Holder.doc; Ord Zone Change Adams Way.doc

Rob,

I've attached the Ordinance approving the zone change. The staff report serves as the findings mentioned in the ordinance, and I believe the file includes the map that we used for property owner notice.

Ryan's notes about hearings are below.

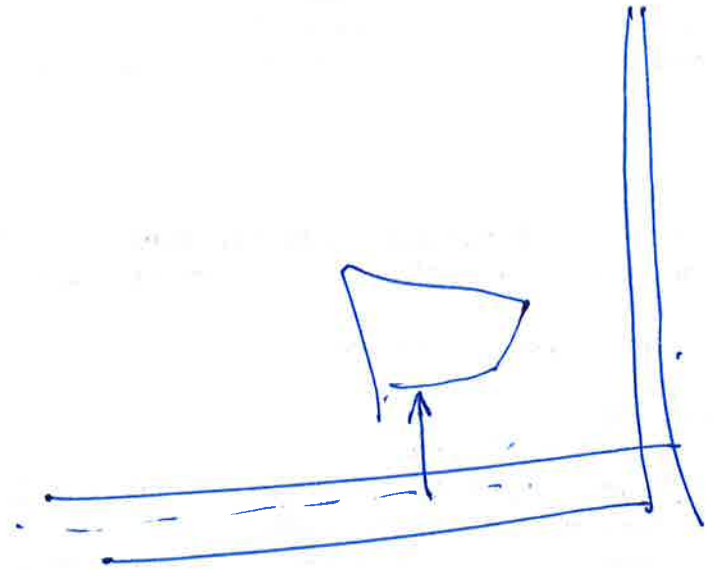
City of Gold Hill

Zone Change Approval Process

- Chapter 2.12.040(E.). Outlines that the Planning Commission shall take action on an application for Zone Change within 30 days of submittal.
- Chapter 17.84 discusses Amendments (including Zone or map Amendments).
 - 17.84.020(C.). Discusses the option of Amendments (including zone map amendments) as the result of property owner application.
 - 17.84.030. States that the Planning Commission shall hold at least one public hearing within 45 days of the filing of the application (in Gold Hill the City Council is acting as the Planning Commission, and the two step process of Planning Commission hearing and then recommendation to the City Council is reduced to a one step process of City Council approval).
 - 17.84.030(B). States that the notice requirements of Section 17.72.030 shall apply, which state that not less than 10 days and not more than 30 days prior to the hearing notice shall be mailed to all property owners within a 300 foot radius.
 - 17.84.040. Outlines that the Planning Commission would have 90 days following the notice of hearing to send a recommendation to the City Council and the Council would make a decision within 60 days of receiving the recommendation. (When there is no separate Planning Commission the decision is still due at the 150 day timeline?)(Note that State statute ORS 215.427 requires a decision to be made within 120 days of filing a complete application)
 - 17.84.060. Initial approval may be made through a Resolution of intent to rezone; however, Council shall by Ordinance effect the rezone. (State statute now requires all rezones to be approved by local government through Ordinance).
- The Charter discusses Ordinances.
 - Chapter 8, Section 35. All Ordinances shall be read fully in open council meetings on two different days, unless a unanimous vote of all council members present vote to approve at a single meeting after full reading. If proper notice has been provided and no councilor objects Ordinances may be read by title only. Recorder and Mayor shall sign within 3 days of approval
 - Chapter 8, Section 36. Ordinances take effect 30 days after the vote approving, unless Council declares an emergency making the Ordinance effective immediately upon approval.

We did find some language in the code regarding sewer hookups. Section 13.16.120 includes the installation requirements, essentially all the work is charged to the customer. Section 13.16.100 covers the application, permit, and inspection. Water connections are handled similarly. I think we need to be more direct upfront when signing off plans. It would be good for Tony or RVSS to sign the clearance sheet before it goes to the County so there aren't any surprises.

2.4



ORDINANCE NO. 3165

AN ORDINANCE RELATING TO VEHICLES FOR HIRE; AMENDING AMC 6.28.080 AND AMC 6.28.190; AND DELETING AMC 6.28.090.

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~bold lined through~~, and additions are **bold underlined**.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. Ashland Municipal Code Section 6.28.080 is hereby amended to read as follows:

6.28.080. Reasonable Accommodations, WAVs.

A. Vehicle for Hire Agencies must provide reasonable accommodations to passengers with disabilities, including passengers accompanied by a service animal, passengers with hearing and visual impairments, and passengers with mobility devices.

Vehicle for Hire Agencies must comply with all applicable requirements of the Americans with Disabilities Act.

B. Vehicle for Hire Agencies and their Drivers shall provide services in a manner that ensures the equal protection, treatment, and representation of all persons and shall not discriminate against any person for any reason, including, but not limited to, age, citizenship status, color, familial status, gender identity or expression, marital status, mental disability, national origin, physical disability, race, religion, sex, sexual orientation, and source or level of income.

~~C. Taxi Companies and TNCs must provide service to any passenger with a severe mobility limitation that requests a Wheelchair Accessible Vehicle. Taxi Companies and TNCs shall provide WAV service within a reasonable amount of time by maintaining one or more affiliated Wheelchair Accessible Vehicles, contracting with a permitted operator of Wheelchair Accessible Vehicles, or a combination thereof. It is a rebuttable presumption that failing to provide a WAV within forty five (45) minutes of receipt of a request for such a vehicle is unreasonable.~~

~~D. Fare rates for WAVs shall not exceed the fare rates for comparable non-WAV vehicles and shall not be subject to Dynamic Pricing.~~

SECTION 2. Ashland Municipal Code Section 6.28.190 is hereby amended to read as follows:

6.28.190. Violations, Penalties.

1 A. It shall be unlawful to operate or provide services as a Vehicle for Hire Agency or
2 Vehicle for Hire Driver in the City without a valid Permit issued pursuant to this Chapter.

3 B. It shall be unlawful to refuse service to a person with a disability.

4 ~~C. It shall be unlawful to operate a Vehicle for Hire in the City without having an~~
5 ~~annual vehicle inspection as required by AMC 6.28.090.~~

6 CD. A violation of subsection A of this section is a Class I violation. A violation of
7 subsection B of this section is a Class I violation. ~~A violation of subsection C of this~~
8 ~~section is a Class II violation.~~ A violation of any other provision of this Chapter is a
9 Class II violation. Each day that a violation continues shall constitute a separate
10 violation.

11 **SECTION 3.** Ashland Municipal Code Section 6.28.090 is hereby deleted in its entirety:

12 ~~6.28.090. Vehicle Safety Inspection.~~

13 ~~Each Vehicle for Hire operating in the City shall pass on an annual basis a standardized~~
14 ~~vehicle safety test as performed by a National Institute for Automotive Service Excellence~~
15 ~~(ASE) Blue Seal recognized shop or by an automotive technician with a current, valid ASE~~
16 ~~certification in any of the areas of ASE A4 A8. Any vehicle that is less than two (2) years~~
17 ~~old, based on model year, or has less than 20,000 miles on its odometer is exempt from this~~
18 ~~requirement. Proof of passage of a standardized vehicle safety test shall be kept in the~~
19 ~~vehicle at all times.~~

20 **SECTION 4. Codification.** In preparing this ordinance for publication and distribution, the
21 City Recorder shall not alter the sense, meaning, effect, or substance of the ordinance, but within
22 such limitations, may:

- 23 (a) Renumber and rearrange sections and parts of sections of the ordinance;
- 24 (b) Change reference numbers to agree with renumbered chapters, sections or other parts;
- 25 (c) Delete references to repealed sections;
- 26 (d) Substitute the proper subsection, section, or chapter numbers;
- 27 (e) Change capitalization and spelling for the purpose of uniformity; and
- 28 (f) Correct manifest clerical, grammatical, or typographical errors.

29 **SECTION 5. Severability.** Each section of this ordinance, and any part thereof, is severable,
30 and if any part of this ordinance is held invalid by a court of competent jurisdiction, the
remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this 5th day of February, 2019.

ATTEST:

Melissa Huhtala, City Recorder

SIGNED and APPROVED this 6th day of February, 2019.

John Stromberg, Mayor

Reviewed as to form:

Katrina L Brown, Assistant City Attorney

4.4

GOLD HILL - City Council Agenda Report

Meeting Date: February 18, 2019

Agenda Title: Appoint residents to 2019 Budget Committee

Department: Administration

Staff Contact: Rob Lowe, City Manager (Budget Officer)

Brief Summary for Agenda: In order to fully staff our budget committee we need to appoint 3 residents to fill current vacancies.

Staff Recommendation: Consider applications being presented to Council

Background/Discussion: By state law the budget committee must have an equal number of lay persons and elected officials. Council will need to appoint qualified residents to meet that

Council Options: a) approve the present applications b) do not approve present applications and continue to solicit applications

Potential Motion(s): "I move that we appoint (name/names) to serve a three-year term on the Gold Hill budget committee"

Attachments: Applications on file

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4.4

APPLICATION FOR BUDGET COMMITTEE

We greatly appreciate your interest in our community. The following information will assist the Gold Hill City Council in their consideration of your application.

Name: Larry Holm Date: 2-15-19

Street Address: 1212 2nd Ave, Gold Hill, OR 97525

Mailing Address (if different from above): same

Daytime Phone Number: 541-944-8839 Message Phone Number: _____

Are you a registered voter? yes

How long have you resided within the city limits of Gold Hill? 40 years

Do you have any relatives employed by the City?(If so, please name) no

Please indicate why you are interested in serving on the Gold Hill Budget Committee:

I'd like to have input on decisions for the city.

Please list any experience you have had with public finance and budgeting:

List any other experience you have that you feel would benefit the Gold Hill Budget Committee:

Larry Holm
Signature of Applicant

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APPLICATION FOR BUDGET COMMITTEE

4.4

We greatly appreciate your interest in our community. The following information will assist the Gold Hill City Council in their consideration of your application.

Name: Carol Holm Date: 2/14/19

Street Address: 1212 2nd Ave. Gold Hill, OR 97525

Mailing Address (if different from above): same

Daytime Phone Number: 541-944-8829 Message Phone Number: same

Are you a registered voter? yes

How long have you resided within the city limits of Gold Hill? 40 years

Do you have any relatives employed by the City?(If so, please name) no

Please indicate why you are interested in serving on the Gold Hill Budget Committee:

I would like to see + help Gold Hill "get its house in order".

Please list any experience you have had with public finance and budgeting:

I served on the council in Gold Hill from 1979-1981

List any other experience you have that you feel would benefit the Gold Hill Budget Committee:

Carol Holm
Signature of Applicant

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**CITY OF GOLD HILL
RESOLUTION NO.12-R-11**

**A RESOLUTION REPEALING RESOLUTIONS 98-R-08 and 98-R-23
AND ADOPTING NEW CITY COUNCIL RULES AND PROCEDURES**

WHEREAS: The Gold Hill City Charter states that the City Council shall, by resolution, prescribe rules to govern its meetings and proceedings, and

WHEREAS: This Resolution will assist the City Council by documenting accepted practices and clarifying expectations. Administration of City Council affairs is greatly enhanced by the agreement of the City Council and staff to be bound by these practices. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide Council Members in their actions, and

WHEREAS: This Resolution will provide basic City Council procedural rules that are important to preserve and implement effective City Government as prescribed in the City's Charter, and

WHEREAS: The City Council operates under a charter which was voted on and approved by the citizens of Gold Hill, which requires the City Council to follow the laws and ordinances of the City, and the laws of the State of Oregon and the United States Government. Unless the Charter provides to the contrary, all powers of the City are vested in the City Council, the representative legislative body of the City. Any revision or amendment to the Gold Hill City Charter requires a vote of the electors, and

WHEREAS: The Gold Hill Municipal Code is a compilation of regulatory and penal ordinances, and certain administrative ordinances of the City, as adopted by the Council and approved by the Mayor. The Code may only be amended by an ordinance adopting such amendment, and

WHEREAS: The City of Gold Hill operates under a Council-Manager form of government, as follows:

- a. Council. The City Council's role is to establish City policies and priorities. The City Council appoints a City Manager to implement those policies and undertake the administration of the organization.
- b. Manager. The City Manager is appointed by the City Council to enforce its laws, to direct the daily operations of city government, to prepare and monitor the City budget, and to implement the policies and programs initiated by the City Council.

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Now, therefore, be it Resolved that Resolutions 98-R-08 and 98-R-23 are hereby repealed and the following City Council Rules and Procedures are adopted:

**RULES OF THE CITY COUNCIL
CITY OF GOLD HILL**

SECTION 1. ROLE OF CITY COUNCIL MEMBERS

City Council Members are collectively responsible for establishing policy, adopting a budget and providing vision and goals to the City Manager. The following outline is a brief description of the various duties of Council Members. The description is not intended to be comprehensive, but rather it is an effort to summarize the primary responsibilities of the City Council.

- a. Establish Policy
 - I. Adopt goals and objectives
 - II. Establish priorities for public services
 - III. Approve/amend the City budget
 - IV. Adopt resolutions
- b. Enact Local Laws
 - I. Adopt Ordinances
- c. Supervise Appointed Officials
 - I. Appoint City Manager
 - II. Evaluate performance of City Manager
 - III. Establish advisory commissions and committees
 - IV. Make appointments and/or removals to advisory bodies
 - V. Provide direction to advisory bodies
- d. Provide Public Leadership
 - I. Relate wishes of constituents to promote representative governance
 - II. Mediate conflicting interests while building a consensus
 - III. Call special elections as necessary
 - IV. Communicate the City's vision and goals to constituents
 - V. Represent the City's interests at regional, county state and federal levels

- e. Decision-Making
 - I. Study problems
 - II. Review alternatives
 - III. Determine the best course of public policy

SECTION 2. ROLE OF MAYOR

The Mayor serves as the presiding officer and acts as chair at all meetings of the City Council. The Mayor shall have the responsibility to act as the City Council's ceremonial representative at public events and functions. As prescribed in the City Charter the Mayor shall:

- a. Preside over deliberations of the City Council,
- b. Preserve order,
- c. Enforce Council rules,
- d. Determine the order of business under the rules, and
- e. Have no vote on all questions before the Council except in the event of a tie.

SECTION 3. MEETING SCHEDULES

- a. Regular Council Meetings. The Council shall meet at 6:00 p.m. on the first and third Monday of each month in the City Hall Council Chamber or at any place that the Council may direct. In the event a regularly scheduled meeting falls on an official holiday, the meeting shall be held at the same hour on the next following day that is not a holiday.
- b. Special Meetings. The Mayor, or in the Mayor's absence, the Presiding Officer may call a special meeting of the Council. Three Councilors may also call a special meeting by filing a request with the City Recorder. Notice shall be given to each Councilor at least 24 hours in advance of the meeting. Notice may be given in writing, in person, by telephone or by electronic communication. No business other than that for which a special meeting is called can be transacted at a special meeting.
- c. Executive Sessions. An executive session (a meeting closed to the public) may be held in accordance with the Oregon Public Meetings Law. The Mayor or Presiding Officer or any two members of the Council may call any regular, special or emergency meeting into executive session by citing the specific provision of ORS 192.660 which authorizes the session. Executive sessions may also be separately scheduled pursuant to the requirements for special meetings.
 - I. Attendance at Executive Sessions. The Mayor or Presiding Officer shall determine which persons other than Council shall attend an

executive session. No matter discussed during executive session may be disclosed by any person present during such session.

II. Media Attendance. Representatives of recognized news media may attend executive sessions, other than those pursuant to ORS 192.660 (2.d) (deliberations with persons designated to carry on labor negotiations). The Presiding Officer shall instruct any media representatives present not to disclose the substance of any discussion during executive session. Only the matter creating a need for an Executive Session may be discussed during the meeting called for such reason.

III. Final Decision Prohibited. No final decision shall be made in executive session. To make a final decision, the presiding officer shall either call the meeting into open session or place the decision on the agenda of a future open session.

d. Workshop Meetings. Workshop meetings may be scheduled as necessary by the Mayor or at the request of a majority of the members of Council. Workshop Meetings are informal sessions to review upcoming issues, receive special reports, conduct goal setting sessions and for special training purposes. All discussions and conclusions held during a workshop are of an informal nature. No vote or final action is taken while in a workshop meeting. No audience participation is allowed during the course of a workshop, unless permitted by the consent of a majority of the council present.

e. Emergency Meetings. An emergency meeting of the Council may be called on less than 24 hours' notice provided that an actual emergency exists. The minutes of such meeting must describe the emergency justifying less than 24 hours' notice, and the Council must be able to point to some reason why the meeting could not be delayed. The Public Meetings Law requires that such notice as is appropriate to the circumstances be given in the event of such emergency meeting. The Council or its designee must attempt to contact the media and other interested persons to inform them of the meeting. Only the matter creating a need for an emergency meeting may be discussed during the meeting called for such reason.

SECTION 4. MEETING PROCEDURES

a. The Presiding Officer. The Mayor shall chair all meetings of the Council, but shall not vote, except in the case of a tie vote of the Council.

I. Council President. At the first meeting of each calendar year, the Council shall elect a president from its tenure membership. In the

event of the Mayor's absence from any Council meeting, the Council President shall act as the Presiding Officer. Whenever the Mayor is unable, on account of absence, illness or other cause, to perform the functions of the office, the Council President shall act as Mayor Pro Tem.

II. Temporary Presiding Officer. In event of the absence of the Mayor and Council President, the City Recorder shall call the Council to order and call the roll of the members. If a quorum is present, those Councilors present shall elect, by majority vote, a Temporary Presiding Officer for that meeting. Should the Mayor or Council President arrive, the Temporary Presiding Officer shall relinquish the chair immediately upon the conclusion of the item of business then in consideration before the Council.

III. Privileges Not Affected by Status. The Presiding Officer may debate and vote on any issue and shall not be deprived of any of the rights and privileges of a Council member by reason of acting as the Presiding Officer.

b. Quorum Requirements. The Mayor or Presiding Officer shall call the meeting to order at the time designated for a scheduled meeting. Except to adjourn, a quorum is necessary to conduct business at any meeting of the City Council. Quorum is defined by charter as a majority of Council.

c. Order of Business and Agenda Items. The order of business for all regular meetings of the Council shall be as follows:

Call to Order – Mayor or Presiding Officer calls the meeting to order.

Roll Call – Attendance of members is noted.

Pledge of Allegiance

Adjust Agenda. Adjustments to the agenda are normally limited to a change in the order of business to accommodate visitors making presentations or citizens who are attending for the purpose of a single agenda item. Adjustments in the form of additions to the agenda are discouraged because the general public has had no prior notice of their consideration, and therefore interested persons will not have an opportunity to participate. Adjustments in the form of deletions from the agenda may be accomplished here so long as there is disclosure of the reason for the deletion and an indication as to when or if the item will be placed on a future agenda.

Announcements, Awards and Proclamations.

Audience Participation. For items of discussion not on the agenda. Discussion items or presentations should be limited to 5 minutes. Persons wishing to speak during audience participation are encouraged to sign the "Speaker's Roster" with the person's name and address and the topic upon

which the person wishes to speak, not later than the end of the opening exercises. The Mayor or Presiding Officer shall ask those interested in speaking to sign the "Speaker's Roster." Those persons who signed the "Speaker's Roster" will have first opportunity to speak.

Public Hearings

Consent Agenda. In order to expedite the Council's business, the approval of minutes, and other routine agenda items shall be placed on the Consent Calendar. All items on the Consent Calendar will be approved by a single motion, unless the item is pulled for further consideration. Any item on the Consent Calendar may be removed for separate consideration by any member of the Council. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the staff report, or a determination that debate on a proposed course of action is deemed desirable, any questions to staff on any item, and any item where a Councilor must declare a conflict of interest.

Council Consideration. These are items placed on the Agenda which normally require action of some kind by the Council. This includes new and old business.

Reports from Councilors

Department Reports

Good of the Order

Executive Session (If necessary)

Adjournment

The Mayor or Presiding Officer has authority to adjust the agenda items and order of business.

The Mayor and the City Manager shall prepare an agenda of the business to be presented for all meetings of the Council. The agenda packet shall be available for the City Council and the public no later than the Friday before the Monday Council meeting. A Councilor may request that an item be placed on a future agenda by bringing the item forward during a Council Meeting. The decision to place the matter on the next agenda shall be made by a majority vote from Council. The City Manager may place routine items and items referred by staff on the agenda without Council action.

- d. Minutes: Meeting minutes shall include the title of the agenda item, the record of motions and votes of each Councilor and a general description of the discussion that took place prior to the vote. The meeting shall be digitally recorded to serve as the complete record of the meeting, a copy of which shall be posted on the City website the next business day following the meeting. The written meeting minutes, in the form as described above, shall be placed on the next regular City Council meeting agenda for approval. The approved minutes and digital recording shall

serve as the official record for compliance with regulations for retention of public records.

e. Public Hearings:

I. Scope of Rules. The rules contained in this section shall govern the conduct of administrative and quasi-judicial hearings held by the City Council including, but not limited to, those held pursuant to land use matters of the City. The City Council may take quasi-judicial actions on various City Ordinances that specify an appeal to Council.

II. Nature and General Conduct of Hearing.

- The City Council, when conducting any such hearing, shall afford persons entitled under the ordinances of the City, such as the nuisance ordinance, to notice of hearing, an opportunity to be heard, to present and rebut evidence to an impartial tribunal, and to have a decision based on substantial evidence.
- No person in attendance shall be disorderly, abusive or disruptive of the orderly conduct of the hearing and any person may be removed from the hearing for such conduct.
- No person offering testimony shall speak more than once without obtaining permission from the presiding officer. Each person speaking shall be limited to 5 minutes.
- No person shall testify without first standing, receiving recognition from the presiding officer and stating his or her name and residence or business address.
- No person shall present irrelevant, immaterial or unduly repetitious testimony or evidence; provided, however, that reports and documents prepared by City personnel shall be deemed relevant, material and the weight or competency thereof shall be determined by the City Council.
- There shall be no audience demonstrations, such as applause, cheering, display of signs, or other conduct disruptive of the hearing.
- The Mayor or Presiding Officer, Councilors, City Manager, City Attorney and with the approval of the Mayor or Presiding Officer, any other employee of the City may question and cross-examine any person who testifies.

III. Challenging Participation by a Councilor.

- Any proponent, opponent of, or other party interested in a matter to be heard by the council may challenge the qualification of any councilor to participate in such hearing and decision. Such challenge must state facts relied upon by the party relating to a councilor's bias, prejudgment, personal interest, or other facts from which the party has concluded that the councilor will not participate and make a decision in an impartial manner. Such challenge must be made prior to the

commencement of the public hearing and shall be incorporated into the record of the hearing.

- No councilor shall participate in discussion or vote on the matter when for any reason the councilor determines he or she cannot participate in the hearing and decision in an impartial manner.
- No employee of the City who has a financial or other private interest shall participate in discussion with, or give an official opinion to, the council on the matter without first declaring for the record the nature and extent of such interest.
- The general public has a right to have councilors free from pre-hearing or ex parte contacts on matters heard by them. It is also recognized that a countervailing public right is free access to public officials on any matter. Therefore, councilors shall reveal any significant pre-hearing or ex parte contacts with regard to any matter as early as possible under the circumstances in the hearing of the matter. If such contacts have impaired the councilor's impartiality or ability to vote on the matter, the councilor shall so state and shall abstain.
- Notwithstanding any provision of this or any other rule an abstaining or disqualified councilor may be counted for purposes of forming a quorum; and a councilor may represent himself or herself, a client or any other member of the public at a hearing, provided that said councilor abstains from the vote on the matter, removes himself or herself from the council area and joins the audience, and makes full disclosure of his/her status and position at the time of addressing the council.

IV. Order of Procedure. The Mayor or Presiding Officer, in the conduct of the hearing, shall comply with the appropriate City ordinance and/or state law for specific types of hearings so regulated. For administrative hearings not subject to other City ordinances or state law, the hearing will be conducted in the following manner:

- Commence the hearing. Announce the nature and purpose of the hearing and summarize the rules for the conduct of the business.
- Call for Abstentions. Any councilor announcing a decision to abstain shall identify the reasons for abstaining and shall not participate in discussion of the matter or vote on the matter.
- Staff Report. The City Manager or designee shall summarize the nature of the matter, explain any graphic or pictorial displays, which are a part of the record, and provide such other information as may be requested.

- Audience Participation. Those present wishing to speak in favor of the proposed action will be allowed to speak, followed by those opposed to the proposed action.
- Close of Hearing and Deliberation by Council. The Mayor or Presiding Officer shall conclude the hearing and the council shall deliberate the matter. The council shall either make its decision or continue its deliberations to a subsequent meeting, the time and place of which must then be announced. The subsequent meeting shall be for the purpose of continued deliberation, and the presiding officer shall not allow additional submission of testimony, except upon approval by the council.

f. Motions and Voting Procedures: All motions shall require a second by another Councilor prior to being put to a vote. The Mayor shall state the name of the Councilor who made the motion and the name of the Councilor who made the second. Any motion failing to receive a second shall be considered failed. The mover, without the consent of the councilor seconding it, may not withdraw a motion once made. No councilor shall be allowed to speak more than once on a particular question until every other councilor has had an opportunity to do so. When the Council concurs or agrees to an item that does not require a formal motion, the Mayor shall summarize the agreement at the conclusion of the discussion.

- Motions Reduced to Writing. Any Councilor may request that a motion to be reduced to writing and read by the City Recorder
- Council Questions to Staff. Every Councilor desiring to question the administrative staff shall address his or her questions to the City Manager who shall be entitled to either answer the inquires or designate some member of the staff for that purpose.
- Citizen Participation. Citizens desiring to address the Council shall first be recognized by the chair and shall limit remarks to the question then under discussion. All remarks and questions shall be addressed to the Council as a whole and not to any individual councilor thereof. Any remarks and questions regarding administration of the City shall be referred to the City Manager by the Mayor or Presiding Officer.
- Precedence of Motions. When a question is before the Council no motion shall be entertained except for the following. These motions shall have precedence in the order indicated. Any such motion except a motion to amend shall be put to a vote without debate.
 - 1) To abide by the rules
 - 2) To adjourn
 - 3) To lay on the table
 - 4) For the previous question
 - 5) To postpone to a certain date
 - 6) To refer
 - 7) To amend

8) To postpone indefinitely

- Motions to be Stated by Mayor or Presiding Officer/Withdrawal. When a motion is made and seconded it shall be stated by the originator or the Mayor or Presiding Officer before debate. A motion may not be withdrawn without the consent of the member seconding it.
 - Motion to Adjourn—When not in Order—When not Debatable. A motion to adjourn will be in order at any time except as follows. A motion to adjourn is debatable only as to the time to which the meeting is adjourned.
 - 1) When made as an interruption of a member while speaking
 - 2) When the previous question has been ordered
 - 3) While a vote is being taken
 - Motion to Table. A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, consideration of the subject may be resumed only upon motion of a member voting with the majority and with the consent of two-thirds of the members present.
 - Division of question. If the question contains two or more distinct propositions the Mayor or Presiding Officer shall, upon request of all the members, divide the same.
 - Motion to Postpone. All motions to postpone excepting to postpone indefinitely, may be amended as to time. If a motion to postpone indefinitely is carried, the principal question shall be declared defeated.
 - Suspension of Rules. No rule shall be suspended except by the vote of the majority of the Councilors present at the meeting. A motion to suspend a rule is not debatable.
 - Adjourned Meetings. Upon motion and majority vote of Council members present, any meeting of the Council may be continued or adjourned from day to day or for more than one day, provided that no adjournment shall be for a period longer than until the next regular meeting thereafter.
- g. Point of Order. Any member may raise a point of order at any time and the Mayor or Presiding Officer shall determine all points of order, subject to the right of any councilor to appeal the decision to the full council.
- h. Duty to Vote: The Mayor shall call for the vote on each motion receiving a second. Upon a call for the vote, each Councilor shall respond by a show of hands or roll call. After a vote has been taken the Mayor or Presiding Officer shall announce the results of the vote, and, unless the vote is unanimous, the vote of the members by name. Every member present when a question is called shall vote, unless the Council, by unanimous consent, excuses a member for a special reason or unless a member has a conflict of interest under applicable law, in which case no consent is required. There shall be no debate on such a request. Unless excused pursuant to this rule, if any member refuses or fails to vote, and the result of such refusal creates a tie, that member's vote shall be counted as an aye;

in all other situations, that member's vote shall be counted with the majority. If a member is excused from voting as provided by this rule, that member may be counted toward making up a quorum, but shall not be counted toward the minimum number of votes required to pass or reject a motion. Any Councilor responding "abstain" must state the reason for such abstention from the vote. An abstention shall not count as either an affirmative or a negative vote and shall not be counted toward the number of votes required to pass or reject a motion. Except to the degree allowed a member of the public, no Councilor shall discuss or vote upon any matter in which the Councilor has declared a conflict of interest.

- i. Reconsideration of Actions Taken. Any Councilor who voted with the majority may move for a reconsideration of an action at the same or the next following regular meeting and may be seconded by any member. Once a matter has been reconsidered at the same meeting, no motion for further reconsideration shall be made without unanimous consent of the Council.
- j. Tie Vote. In accordance with the City Charter, the Mayor shall have no vote on all questions before the Council except in the event of a tie. In case of a tie in votes on any proposal, in the absence of the Mayor, the proposal shall be considered lost. In the absence of the Mayor, if a tie vote occurs in the appeal of any quasi-judicial matter, the decision by the lower level decision maker shall be affirmed.
- k. Rules of Order
 - I. Councilor Presentations. Every Councilor desiring to speak shall address the Mayor or Presiding Officer and upon recognition by the Mayor or Presiding Officer, shall confine their remarks to the question under debate.
 - II. Questioning of Staff. Councilors desiring to question the administrative staff may direct the inquiry to the City Manager or the person designated by the City Manager to answer the inquiry during the Council meeting.
 - III. Administrative Staff, City Employees Addressing Council. City administrative staff and other city employees desiring to address the Council shall first be recognized by the Mayor or Presiding Officer and shall address such remarks to the Mayor or Presiding Officer. The staff shall respond to questions or comments by Council or members of the public with permission of the Mayor or Presiding Officer, and shall do so in a polite, tactful manner.
 - IV. Citizen Question or Discussion.

- (a) No person shall enter into any discussion without being recognized by the Mayor or Presiding Officer. Any citizen desiring to address the Council should come to the designated location to address the Council and be recognized by the Mayor or Presiding Officer. After being recognized by the Mayor or Presiding Officer, the person shall state their name and address for the record and their remarks shall be limited to the question under discussion.
- (b) Any Citizen addressing the Council shall be limited to five minutes unless further time is granted by the Mayor or Presiding Officer. No citizen shall be allowed to speak more than once upon any one subject until every other citizen choosing to speak has had an opportunity.
- (c) After a motion has been made, no citizen shall address the Council without first securing permission from the Mayor or Presiding Officer.

m. General Decorum.

- I. Presiding Officer. The Mayor or Presiding Officer shall preserve decorum and decide all points of order, subject to appeal to the Council.
- II. Councilors. Councilors shall preserve order and decorum during Council meetings, and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these Rules. Councilors shall, when addressing staff or members of the public, confine themselves to questions or issues then under discussion, shall not engage in personal attacks, shall not impugn the motives of any speaker, and shall at all times conduct themselves in a manner appropriate to the dignity of their office.
- III. Staff and Public. Members of the administrative staff, employees of the City and other persons attending Council meetings shall observe the same rules of procedure, decorum and good conduct applicable to the members of the Council.

IV. Improper Conduct. The following items are not condoned by the City Council and may be cause for the Mayor or Presiding Officer to have the person(s) removed from the Council Chambers:

- (a) Using or making of loud or disruptive language, noise or conduct which obstructs the work or the conducting of the business of the Council.
- (b) Engaging in violent or distracting action.
- (c) Willful injury of furnishing or of the interior of the Council Chambers or other meeting place.
- (d) Refusal to obey any rules of conduct, including the limitations on occupancy and seating capacity.
- (e) Refusal to obey an order of the Mayor or Presiding Officer or an order issued by a Councilor which has been approved by a majority of the Councilors present.

V. Sergeant-at-Arms.

- (a) Removal of Any Person. Any person who demonstrates improper conduct while addressing the Council or attending a Council meeting shall be removed from the room if the Sergeant-At-Arms is so directed by the Presiding Officer. In case the Presiding Officer should fail to act, any member of the Council may obtain the floor and move to require enforcement of this rule; upon affirmative vote of the majority of the Council present, the Sergeant-at-Arms shall be authorized to remove the person or persons, as if the Presiding Officer so directed.
- (b) Enforcement of Decorum. The City Manager, or such member or members of the Police Department as the City Manager shall designate, shall serve as the Sergeant-at-Arms of the Council meetings and shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum.

SECTION 5. CENSURE

- a. The Council has the inherent right to make and enforce its own rules and to ensure compliance with those laws and generally applicable to public bodies. Should any Councilor act in any manner constituting a substantial violation of these rules or other general laws, the Council, acting as a whole, may discipline that Councilor to the extent provided by law, including public reprimand.
- b. To exercise such inherent right, the Council has the right to investigate the actions of any member of the Council. Such investigation shall be referred to the committee of the whole upon finding that a reasonable ground exists that a substantial violation has occurred.
- c. The Committee of the whole shall investigate the actions and present a report to the Council. Neither the Committee of the whole nor the Council or any member thereof shall have the right to make public any information obtained through such investigation.
- d. Any member accused of a substantial violation of the Council Rules or any other general law shall have the right to present a defense to the allegations, including the right to present rebuttal evidence, and to have representation by Counsel. Upon finding, by clear and convincing evidence, that a substantial violation has occurred, and that such violation affects the Councilor's ability to represent the interest of the City as a whole, the Council may, by unanimous vote of Councilors other than the councilor subject to censure proceedings, impose a proper sanction.

SECTION 6. CITY BOARDS, COMMISSION, LAY-COMMITTEES AND COUNCIL COMMITTEES

- City Boards, Commissions, and Lay-Committees. Unless otherwise provided by statute, ordinance or resolution, the following shall be procedure for the creation of and appointments to all City Boards, Commissions, and Lay-Committees:
- Creation and Dissolution. At any time, the Council may by Ordinance or Resolution establish and City Board, Commission or Lay-Committee deemed necessary and in the best interest of the City, other than Planning Commission. Any Committee so created may contain one or more Councilors as members, and unless otherwise provided, all City Boards, Commissions, or Lay Committees so created shall sunset at the end of their mission, but in all events shall be reviewed yearly from the date of initial creation, and at such time shall either be reauthorized or dissolved.

- Qualifications. All appointees to City Boards, Commissions and Lay-Committees shall be registered electors, and shall have resided in the City of Gold Hill for a period of one year. No appointee may serve on more than two City Boards, Commissions or Lay-Committees at any one time.
- Term. The term of all appointments shall be for one year or less, unless otherwise stated beginning with the first Council meeting in January. Appointments may be renewed for any number of terms.
- Vacancies. Any qualified citizen may submit a letter of interest for any open position on a City Board, Commission or lay-Committee. Vacancies shall be advertised in the local media, and letters of interest shall be received only during the time set forth in the advertisement.
- Nominations and Confirmations. Nominations for positions on City Boards Commissions or Lay-Committees may be made by the Mayor, or any two Councilors, and shall be subject to confirmation by the Council. Such nominations shall be in writing, and shall be submitted for consideration at least two weeks prior to the scheduled date or confirmation. Confirmation may be made by written ballot, and shall require majority vote.
- Notification of Expiration of Terms. The Deputy Recorder shall give written notice to the Council of the expiration of the term of office of all members of City Boards, Commissions and Lay-Committees at least thirty (30) days prior to expiration date of any appointee's term of office.
- Removal. All Lay members of City Boards, Commissions, or Lay-Committees serve at the pleasure of the Council, and may be removed at any time, for any reason whatsoever upon motion and vote by majority of the Council.
- All Council seats on City Boards, Commissions or Lay-Committees are reserved for sitting Councilors; upon expiration of any councilor's term, or upon resignation, removal or death, the Councilors seat on any City Board, Commission or Lay-Committee occupied by that person shall be immediately declared vacant, and a sitting Councilor appointed as a replacement.

Council Committees.

- Creation and dissolution. Council Committees may be created at any time by resolution or motion. All Council Committees shall have a Chairman and Secretary, who may be either appointed by the Mayor or by majority vote of the members of the committee in the absence of such appointment. Such committee shall report to the council without unnecessary delay upon matters referred to them. All Council Committees so created shall sunset at the end of their mission, but in all events shall be reviewed at the first council meeting of January each year for reauthorization, and at such time shall either be reauthorized or dissolved.
- Membership. Membership on such Council Committees shall only include only sitting Councilors, who shall be appointed by the Mayor or the Presiding Officer, subject to confirmation by the Council. Council Committee appointments shall be for a term of one year, unless otherwise

stated and Councilors may be reappointed for an indefinite number of terms.

- Meetings. Council Committee meetings may be called by the Chairman, or by any two members. A majority of the members of a Committee shall constitute a quorum to do business.
- Meetings Subject To Oregon Open Meetings Law. All meetings of any City Boards, Commission, and Lay-Committee or Council Committee shall be subject to and comply with the Oregon Public Meeting Law, ORS 192.610-192.710
- Quorums. A majority of the sitting members of Any City Board, Commission, Lay-Committee or Council Committee shall constitute a quorum to do business.
- Registry. The City Recorder shall prepare, keep current and retain on file in the office of the City Recorder a list of all appointees to all City Boards, Commissions and Lay-Committees, the date of their appointment, the length of their unexpired term, and their addresses and phone numbers. All Councilors shall be given a copy of this list at least once yearly or upon any substantial change in membership of any City Board, Commission, or Lay-Committee.

SECTION 7. COMMUNICATIONS

- a. Mail. Letters addressed to Mayor and/or City Council requiring a response from staff are copied to all Council members with a note as to which staff person will be preparing a response for the Mayor's signature. A copy of the response mailed, along with the original letter will be provided to each Council member. Letters addressed to the Mayor and/or entire City Council that do not require a response, but provide information on Council agenda items or like matters are copied to the full Council. Cards and other mail addressed to the Mayor marked "personal" and/or "confidential" will not be opened. Letters addressed to individual Council members will not be opened. The envelopes will be delivered/mailed to the individual Council member's home address. If a Council member is requesting a response to be prepared by staff, the letter is copied to all members of the Council with a note as to which staff person will be preparing a response for the addressee's signature. A copy of the response mailed, along the original letter will be provided to each Council member.
- b. Council Correspondence. All Council member correspondence written with City resources (letterhead, typing, staff support, postage, etc.) will reflect the position of the full Council, not individual Council member's positions. All Council member correspondence using City resources will be copied to the full Council. For example, if a citizen writes a letter to an individual Council

member, the response to the letter along with a copy of the citizen's letter will be copied to the full Council.

- c. Clerical Support. The City Manager's office will coordinate the typing of correspondence requested by individual Council members. All correspondence typed for Council members will be on City letterhead and will reflect the position of the full Council, not individual Council members, and will be copied to the full Council. From time to time, citizens write to the Mayor to voice concern, request assistance, or to request information on an issue/item. When such letters are addressed to the Mayor, the City Manager will prepare a response letter for the Mayor's review and signature. The response, along with a copy of the citizen's letter, will be provided to the full Council.

SECTION 8. INTERACTION WITH CITY STAFF/OFFICIALS

City Council policy is implemented through dedicated and professional staff. Therefore, it is critical that the relationship between Council and staff be well understood by all parties so policies and programs may be implemented successfully. To support effective relationships, it is important that roles are clearly recognized.

- a. City Manager. The City Manager is responsible to the City Council, rather than to individual Council Members, and directs and coordinates the various departments. The City Manager is responsible for appointing all department directors and authorizing all other personnel positions. The City Council authorizes positions through the budget process; based upon that authorization, the City Manager makes the appointments.
- b. City Council Non-Interference. The City Council is to work through the City Manager when dealing with administrative services of the City. In no manner, either directly or indirectly, shall a Council Member become involved in, or attempt to influence personnel matters that are under the direction of the City Manager. Except for the purpose of inquiry, the Council and its members will deal with the administrative service solely through the City Manager or designee, and neither the Council nor any committee or member of a committee shall give orders to any subordinate of the City Manager.

SECTION 9. ROLES AND INFORMATION FLOW

- a. Council Roles. The full City Council retains the authority to accept, reject, or amend the staff recommendations on policy matters. Members

of the City Council must avoid intrusion into those areas that are the responsibility of staff. Individual Council Members may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities without the prior knowledge and approval of the City Council as a whole. This is necessary to protect staff from undue influence and pressure from individual Council Members, and to allow staff to execute priorities given by management and the Council as a whole without fear of reprisal. If a Council Member wishes to influence the actions, decisions, recommendations, workloads, work schedule, or priorities of staff, that member must prevail upon the Council to do so as a matter of Council policy.

- b. Access to Information. The City Manager is the information liaison between Council and City Staff. Requests for information from Council Members are to be directed to the City Manager and will be responded to promptly. The information requested will be copied to all members of Council so that each member may be equally informed. The sharing of information with City Council is one of the City Manager's highest priorities. City staff will make every effort to respond in a timely and professional manner to all requests for information or assistance made by individual Council Members; provided that, in the judgment of the City Manager, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full City Council.

SECTION 10. USE OF TELEPHONIC AND ELECTRONIC COMMUNICATION DEVICES

Meetings by use of telephonic or electronic devices shall be held in compliance with ORS 192.670 "Meetings by means of telephonic or electronic communications", which is a part of the Public Meetings law, ORS 192.610 thru ORS 192.670.

Electronic communication devices are defined as laptop computers, smart phones, cell phones, or other similar devices capable of transmitting or receiving messages electronically and are used for e-mail, text messages, or other forms of communication transmitted or received by technological means.

It is the policy of the Council, in keeping with the intent of the state's open meetings law, that the use of electronic communication devices during Council meetings be limited and shall otherwise comply with rules and laws applicable to proceedings before the Council.

Any electronic communication regarding a quasi-judicial matter to be considered by the Council is an ex parte contact, and shall be disclosed as required by law.

This rule does not prohibit the use of City provided interactive computers on the Council dais for viewing the Council meeting agenda and agenda packet. This

rule does not limit the use of electronic communication devices outside of public meetings. However, all electronic communications sent and received by Councilors must comply with the rules and laws applicable to public records.

During Council meetings all telephonic and electronic communication devices shall be kept in the silent or vibrate mode.

SECTION 11. CONFLICTS OF INTEREST AND ETHICS CODE

Conflicts of Interest.

Councilors shall review and be bound by the requirements of the State Ethics Law dealing with use of public office for private financial gain. Councilors shall give public notice of any potential conflict of interest and the notice will be reported in the meeting minutes. In addition to matters of financial interest, councilors shall maintain the highest standard of ethical conduct and assure fair and equal treatment of all persons, claims and transactions coming before the council. This general obligation includes the duty to refrain from:

- Disclosing confidential information or making use of special knowledge or information before it is made available to the general public.
- Making decisions involving business associates, customers, clients and competitors.
- Appointing relatives, clients or employees to boards and commissions.
- Requesting preferential treatment for themselves, relatives, associates, clients, coworkers or friends.
- Seeking employment of relatives with the City.
- Actions benefiting special interest groups at the expense of the City as a whole.
- Expressing an opinion which is contrary to the official position of the Council without so stating.

Ethics Code.

The City Council believes that it is expedient and proper to adopt a Code of Ethics in order to clarify the authority exercised by the Council, or individual Council members, and general rules applicable to Council member's conduct of City business. The Council is committed to excellence in leadership that results in the highest quality of service to its residents and taxpayers, as follows:

- Council shall attempt to maintain an environment emphasizing the dignity of each individual Council member, the importance of respect for the style, values and opinions of one another, and encouraging responsiveness and attentive listening in our communications.
- Council's primary responsibility is the formulation and evaluation of policy; the employment of a City Manager to be in charge of the City business under the direction of the Council; and to discharge other duties as directed by policy of the Council. Matters concerning the operational aspects of the City shall be the responsibility of the professional staff members of the City.
- The Council commits itself to the highest standards of ethical conduct and behavior, shall hold no secret meetings, and have no hidden agendas or

engage in gossip. It shall conduct the business affairs of the City before the general public in accordance with Oregon law.

- The Council commits itself to focusing on issues rather than personalities and encourages the presentation of other's opinions. It shall avoid cliques and voting blocks based on personalities rather than on issues.
- The Council is committed to supporting Council action. The Council agrees that while an individual Council member may disagree with a policy or action adopted by a majority vote of the Council he/she will support said policy or action as being the considered judgment of the Council. Individual members shall have the right and duty to present further evidence and argument to the Council, and the Council shall have the duty of reconsidering upon proper evidence. The Council acknowledges the right of individuals to disagree with ideas without being disagreeable.
- The Councilors shall operate as a part of the whole. Issues will be brought to the attention of the Council as a unit rather than to individual members selectively. Councilors recognize that, except when the Council is in formal meeting, the authority of any Council member is equivalent only to the rights and authority of any other individual community member.
- The Council shall be responsible for monitoring the City's progress in attaining established goals and objectives.
- Individual Council members shall not discuss disputed Council actions or policies with patrons or others except for counsel and then with the utmost discretion and in a manner which will foster confidence in the operation of the City.
- Councilors shall be prepared by reviewing City materials and will engage in a program of development toward improving policy and decision making capabilities.
- The Council shall be committed to developing short and long range planning goals for the future needs of the City.

SECTION 12. CONFIDENTIALITY

Council members shall keep all written materials provided to them on matters of confidentiality under law in complete confidence to ensure that the City's position is not compromised. No mention of the information read or heard should be made to anyone other than other councilors, the City Administrator or City Attorney.

If the council, in executive session provides direction or consensus to staff on proposed terms and conditions for any type of negotiation, whether it be related to property acquisition or disposal, pending or likely claim or litigation, or employee negotiations, all contact with other parties shall be made by designated staff or representatives handling the negotiations or litigation. A council member will not have any contact or discussion with any other party or its representative nor communicate any executive session discussion.

Although Oregon state law requires that the media be allowed to attend an executive session, no council member should engage in discussion with the media

outside the executive session on the topic. The media is no longer bound by the requirements of confidentiality should discussion continue once the executive session is adjourned.

Council members are bound by the confidentiality of executive sessions even after they no longer serve on the City Council.

The council, by resolution, may censure a member who discloses a confidential matter.

SECTION 13. DISPUTE/CONFLICT RESOLUTION.

Any Councilor, Citizen of City Staff member may use the established Dispute/Conflict Resolution process to initiate investigation and resolution of situations identified as the dispute/conflict.

SECTION 14. SUSPENSION OF RULES

By a majority vote, the Council may suspend any section of these Council Rules of Procedure, except for those sections regulated by City Charter, City Ordinance or State law.

SECTION 15. LEGAL ADVICE

Use of the City Attorney's time must be authorized by the Mayor or, by the Council President in the absence of the Mayor. Requests for the City Attorney for advice requiring legal research shall not be made by a Councilor except with majority approval of the Council. The City Manager is authorized to communicate with the City Attorney on routine legal matters and to coordinate on Council authorized research. Before requesting research or other action by the City Attorney, the Council is encouraged to consider consulting with the City Manager to ascertain whether the request or action can be accomplished more cost effectively by alternate means. Outside a Council meeting a Councilor should make requests of the City Attorney through the City Manager. Exceptions to this are issues related to the performance of the City Manager and unique and sensitive personnel matters that involve city business-related requests. The City Attorney shall in either case provide any written response to the full Council and City Manager.

SECTION 16. EXPENSES AND REIMBURSEMENT

Councilors will follow the same rules and procedures for reimbursement as those which apply to City employees, as established by City policy. Councilor expenditures for other than routine reimbursable expenses (e.g., conference registration, travel, etc.) must require advance Council approval according to the purchasing rules which apply citywide.

A Councilor who will be traveling on City business may make his/her own reservations for travel and lodging in accordance with City policy. Upon request to the City Manager, travel accommodations for Councilors will be made by City Staff.

The City does not reimburse Councilors for expenses by their spouses/partners.

APPROVED by the City Council this ____ day of _____, 20__.

Mayor

ATTEST:

Deputy Recorder



Gold Hill City Ordinances

1. Vehicles and traffic:

- a. **10.16.020** Time Limit: *It is unlawful to park, store, leave or permit the parking or storing of any licensed or unlicensed motor vehicle of any kind for a period of time in excess of seventy-two (72) hours, which is in a wrecked, junked, partially dismantled or inoperative condition; whether attended or not, upon any public or private property within the city.*
- b. **10.16.080** Repairing on a Public Way; *It is unlawful to disassemble, construct, reconstruct, repair and/or service motor vehicles of any kind in or upon any street, road, alley or public thoroughfare in the city except for emergency service.*
- c. **10.04.090** Prohibited Parking – time limitation; *Vehicles are required to abide by posted Time limitations on designated city streets.*
- d. **10.30.030**: Recreational Vehicles: *Overnight camping in a travel trailer or recreational vehicle is allowed only in organized camping and recreational vehicle parks within the city.*

2. Health and Safety:

- a. **8.04.010** Garbage Removal: *It is the duty of every person, firm or corporation within the city to cause their garbage accumulations to be removed throughout the year at least once every seven days*
- b. **08.08.50** Public health affected: *No owner or person in charge of property shall cause or permit on such property any nuisance affecting public health. (i.e., Debris, stagnant water, noxious weeds, surface drainage, odors, animal quarters and water.*
- c. **08.08.70** Attractive nuisances: *No owner or person in charge of property shall permit thereon: Unguarded machinery, equipment or other materials which are attractive, dangerous and accessible to children.*
- d. **08.08.100** Trees: *No owner or person in charge of property shall allow any brush or tree to project over a sidewalk at an elevation less than eight feet or over a roadway at an elevation less than thirteen feet six inches.*
- e. **08.08.120** Public Health Endangered: *Any condition, substance or activity which constitutes a danger to the public health, safety or welfare is declared to be a nuisance.*

GOLD HILL - City Council Agenda Report

Meeting Date: February 18, 2019

Agenda Title: Adopt LOC Model Email and Social Media Policy

Department: Administration

Staff Contact: Rob Lowe, City Manager (Budget Officer)

Brief Summary for Agenda: Given the widespread use of Social Media in today's world, it is advisable for the staff and elected officials to agree to abide by a standard set of guidelines.

Staff Recommendation: Following review and discussion, adopt the model created for cities by League of Oregon Cities.

Background/Discussion: At the present time there are no clear standards/guidelines for staff and elected officials. While many (most?) cities do maintain an "official" Facebook page, CIS frowns on the practice unless it is carefully monitored and controlled.

Council Options: a) Adopt the model policy b) study the proposal further c) take no action

Potential Motion(s): "I move that we adopt the LOC Model Email and Social Media Policy and require all city staff & elected officials to agree to abide by it"

Attachments: Copy of the LOC Model Email and Social Media Policy

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1871-1872, 1873-1874, 1875-1876, 1877-1878, 1879-1880

1871-1872, 1873-1874, 1875-1876, 1877-1878, 1879-1880
1881-1882, 1883-1884, 1885-1886, 1887-1888, 1889-1890

1891-1892, 1893-1894, 1895-1896, 1897-1898, 1899-1900
1901-1902, 1903-1904, 1905-1906, 1907-1908, 1909-1910

1911-1912, 1913-1914, 1915-1916, 1917-1918, 1919-1920
1921-1922, 1923-1924, 1925-1926, 1927-1928, 1929-1930

1931-1932, 1933-1934, 1935-1936, 1937-1938, 1939-1940
1941-1942, 1943-1944, 1945-1946, 1947-1948, 1949-1950

1951-1952, 1953-1954, 1955-1956, 1957-1958, 1959-1960

1961-1962, 1963-1964, 1965-1966, 1967-1968, 1969-1970
1971-1972, 1973-1974, 1975-1976, 1977-1978, 1979-1980

1981-1982, 1983-1984, 1985-1986, 1987-1988, 1989-1990
1991-1992, 1993-1994, 1995-1996, 1997-1998, 1999-2000



MODEL

LEAGUE OF OREGON CITIES

Model Email and Social Media Policy

APRIL 2018

5.3



FOREWORD

Technology has become an everyday part of the workplace. Computers and the internet are now standard workplace tools. In a very short span of time, social media has evolved from a technological fad to a potentially long-term, effective communication option for cities. Cities should develop a comprehensive email and social media use policy to manage legal risks such as violations of public records law and protections on free speech. This model does not address the off-duty private use of email and social media accounts that does not relate to public business. However, emails and social media posts are considered public records if they relate to the city's business regardless if the email is sent from, or the social media is posted from a private account. Thus, these public records must be properly retained pursuant to the city's records retention policy. Additionally, cities may not restrict an individual's First Amendment free speech rights by regulating the content of their social media posts. Cities may, however, regulate the time, place, and manner in which free speech is permitted and thus, manage public comments on the city's social media accounts accordingly.

DISCLAIMER

Any model document provided by the League is intended to be used as a starting point in an individual city's development of its own documents. Each city is unique, and any adopted document or policy should be individually tailored to meet a city's unique needs.

This model is not intended as a substitute for legal advice. Cities should consult with their city attorney and/or the CIS Pre-Loss Legal Department before adopting an email and social media policy to ensure that the policy complies with all aspects of federal, state, and local law.

MODEL EMAIL AND SOCIAL MEDIA POLICY

Part I: Email

Use

1. Each staff member and official will be assigned a unique email address that is to be used while conducting city business via email. The unique email address assigned to an employee is the property of the city. An individual may only use their assigned email address while employed by the city.
2. The city retains the right to intercept, monitor, review and disclose any and all messages composed, sent or received.
3. All email systems are city property. All messages stored on city systems or composed, sent or received by any staff or official are the property of the city. Furthermore, all messages composed, sent or received by any person using city-provided equipment are property of the city. Emails are not the property of any employee or official.
4. Email systems are intended to be used primarily for business purposes. Any personal use must not interfere with normal business activities, must not involve solicitation, and must not be associated with any for-profit business activity.¹ All messages sent by email are city records.
5. The use of privately owned email accounts for sending and receiving work related email messages is highly discouraged. However, if these resources are used for work-related purposes, the user must transfer all work-related messages to a city-owned system or network and must realize that these private accounts may be subject to public disclosure and retention requirements.
6. All communications via email in connection with the transaction of public business constitute public records except under certain circumstances. Electronic communications, like other public records, must be available upon request to any individual, agency or others outside the organization, unless the information is legally exempt from disclosure.
7. Except as specifically designated below, city staff and officials are prohibited from using City email accounts to send or receive:
 - a. Information about actual or potential claims and litigation involving the city;
 - b. The intellectual property of others, without written permission;

¹ Cities who wish to limit email use to business purposes only should replace this language with the following:
“Email systems are to be used for business purposes only. Personal use of city email systems is strictly prohibited.”

- c. Photographs of employees or members of the public, without written permission;
- d. Any personal, sensitive or confidential information;
- e. Computer viruses or other harmful programs;
- f. “Chain letters” or junk mail;
- g. Material or comments that are derogatory to any individual or group, or of a defamatory, threatening or harassing nature;
- h. Racist, sexist and other disparaging language about a group of people;
- i. Obscene, pornographic, offensive or illegal materials or links;
- j. Sexual comments about, or directed to, anyone; or
- k. Any communication for any other purpose which is illegal, against city policy, or contrary to the city’s interest.

This prohibition does not apply to attorney-client communications between city staff and officials and the city attorney or other city staff and officials designated to assist with legal matters.

Records Retention:

1. The city must maintain and preserve records in compliance with the Oregon Public Records Law. The Public Records Law applies regardless of whether the email communication is sent from a public or private email address.
2. The retention of records stored in electronic systems, including email, is governed by the city’s retention schedule and OAR Chapter 166, Division 200. If you have a question regarding the retention of a record, please contact the city recorder².
3. An email inbox should not be used for storage. The email should be printed and put into the appropriate file.³ However, email related to a current project or issue may be retained on the system as a reference tool. Once the project is completed or the issue resolved, the user should transfer all relevant email to the appropriate file and delete the email from their inbox.

² If appropriate, replace “City Recorder” with the city’s designated records custodian.

³ If the city utilizes an electronic filing system, this sentence should be modified to designate the proper electronic file location (e.g. “The email should be saved in the ‘Email’ folder in the E: drive”).

Security Precautions

1. Viruses and other malicious code can spread quickly if appropriate precautions are not taken:
 - a. Be suspicious of messages sent by people not known by you.
 - b. Do not open attachments unless they were anticipated by you.
 - c. Disable features in emails that automatically preview messages before opening them.
 - d. Do not forward chain letters; simply delete them.

Any staff member in violation of this email policy is subject to disciplinary action pursuant to the city's personnel manual, including but not necessarily limited to termination.

Part II – Social Media

Use

1. “Social media” includes blogs, Facebook, Twitter, YouTube and other similar accounts.
2. The city shall identify those employees authorized to use social media on behalf of the city. Only those employees who are authorized shall engage in social media activities on behalf of the city. The city manager⁴ shall maintain a list of authorized social media users.
3. All social media accounts shall be created using a city-issued email address, whenever possible.⁵ This will ensure that:
 - a. Personal and professional communications are separated;
 - b. The city can back up public conversations because the city owns and controls the email address;
 - c. The city can access the site when the employee is out on vacation or otherwise away from the office or leaves employment with the city; and
 - d. The city can determine that the site is legitimately the city’s and not a rogue site generated from a private email address.
4. The city shall notify users and visitors to the social media site that the purpose of the site is to facilitate communication between the city and the public. Each site shall contain the following message:

This site is created by the city of _____. This site is intended to serve as a mechanism for communication between the public and the city of _____ on all topics relevant to city business. The city of _____ reserves the right to remove comments or postings that violate any applicable laws. A list of content that will be removed may be viewed at: *[insert hyperlink to user guidelines⁶]*. Postings to this site are public records of the city of _____ and may be subject to disclosure under the Oregon Public Records Law.

The city of _____ does not endorse nor sponsor any advertising posted by the social media host, that the social media is a private site, or the privacy terms of the site apply. The city of _____ does not guarantee reliability and accuracy of any third-party links.

⁴ Or another designated staff member.

⁵ Some social media sites, such as Facebook, prohibit creation of a government “page” without the use of a personal account. In those instances, the city should provide a process for transition of page management in the event the person holding the primary personal account associated with the page leaves the city.

⁶ Sample social media user guidelines are provided in Appendix A.

5. Where possible, all social media sites will display the city's logo for consistency and authenticity.
6. Social media posts are considered public records if posts are made on an official city account; *or* on a city staff member or official's private account which makes or receives comments on city matters.
7. The city and its employees and officials shall not discriminate against public speech based on content or viewpoint. The city, its staff and its officials may not engage in viewpoint discrimination. All persons who wish to "friend," "follow," "re-tweet," etc. must be allowed to do so.
8. The following content posted by the public may be removed:
 - a. Comments not topically related to the particular article being commented upon;
 - b. Comments in support of or opposition to political campaigns or ballot measures;
 - c. Profane language or content;
 - d. Content that promotes, fosters or perpetuates discrimination upon the basis on race, religion, gender, gender identity, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, source of income, or other protected status under applicable law;
 - e. Inappropriate sexual content or links to inappropriate sexual content;
 - f. Solicitations of commerce, *e.g.*, ads;
 - g. Conduct or encouragement of illegal activity;
 - h. Private and confidential information;
 - i. Information that may tend to compromise the safety or security of the public or public systems; or
 - j. Content that violates a legal ownership interest of any other party.

These guidelines shall be displayed to all users or made available by hyperlink. Any content removed must be retained, including the time, date and identity of the poster when available.

Records Retention

1. The city must maintain and preserve social media records in compliance with the Oregon Public Records Law. The Public Records Law applies regardless of whether the social media site is hosted by the city or a third party.
2. Those engaged in social media activities must be familiar with the city's records retention schedule. Any posted original content that is not a copy of a preexisting city record must be captured and retained by saving a copy and providing it to the city's records custodian.
3. Social media content shall be retained by composing and retaining message in local software and noting the time and date posted, or by capturing screenshots of the post once it is on the page.⁷
4. Non-Original Social Media Content Maintained Elsewhere
Any posted content that is a copy of a city record that exists in another location does not need to be separately preserved, provided that the original content is being retained in compliance with the appropriate city retention schedule and media preservation requirements. Employees should use social media applications exclusively as a mechanism for providing the public with links or references to content that is maintained as an official city record elsewhere. Links or references posted to social media accounts are considered convenience copies which need to be retained only "as needed" or "until superseded."
5. Original Social Media Content
Any posted original content that constitutes a city record and that is not preserved and retained elsewhere in compliance with the appropriate city retention schedule, must be captured by the city and retained according to the appropriate schedule and preservation requirements. The person who posts the content is responsible for retaining and preserving the record.
 - a. Speeches/Statements/News Releases/Program Activity Records
Content that contains written or photographed accounts of a city event, or summary of such events posted to social media are considered statements and reports for retention purposes and should be retained generally for two years from the time they are "published." If these posts contain policy or historically significant content, they must be retained permanently.
 - b. Correspondence
Incoming messages from the public that arrive via the city's social media account should be treated as correspondence. Messages completely unrelated to the city's activities does not need to be retained. If the message relates to the city's activities or functions, it must be captured and retained per the retention category that most closely corresponds to the content of the message. Staff are advised to respond to

⁷ A city may also utilize third party software that can coordinate multiple social media accounts and capture social medial content automatically for a city.

correspondence via email or other “offline” messaging methods and if possible, communicate directly with the individual and maintain that correspondence.

c. Content Associated with a Specific Function or Activity

Information received from the public in response to social media posts used as a public entry point to solicit specific information—such as conducting a poll or to launch a process or placing an order—should be retained along with other records associated with that function or activity using the appropriate retention schedule.

Any staff member in violation of this social media policy is subject to disciplinary action pursuant to the city’s personnel manual, including but not necessarily limited to termination.

Appendix A – SAMPLE SOCIAL MEDIA USER GUIDELINES

The city of _____ encourages the public to share thoughts as they relate to the topics being discussed on the city's social media sites. The views expressed in visitor comments reflect those of the comment's author and do not necessarily reflect the official positions of the city of _____. Public comments are considered public information and may be subject to monitoring, moderation and disclosure to third parties. Users shall refrain from posting and the city of _____ reserves the discretion to remove:

- a. Comments not topically related to the particular article being commented upon;
- b. Comments in support of or opposition to political campaigns or ballot measures;
- c. Profane language or content;
- d. Content that promotes, fosters, or perpetuates discrimination upon the basis on race, religion, gender, gender identity, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, source of income, or other protected status under applicable law;
- e. Inappropriate sexual content or links to inappropriate sexual content;
- f. Solicitations of commerce;
- g. Conduct or encouragement of illegal activity;
- h. Private and confidential information;
- i. Information that may tend to compromise the safety or security of the public or public systems; or
- j. Content that violates a legal ownership interest of any other party.

These user guidelines may be subject to modification at any time.

Please run the following ad in your jobs listing.

Amity, Oregon – City Administrator

City Administrator - \$63,750 - \$82,467 annually plus benefits. The City of Amity is currently recruiting for a City Administrator. Amity is a small community (population 1,640) in the heart of Oregon wine country, located about an hour away from both Portland and the Oregon coast. Amity is a full service city with the following departments: Administration, Community Development, Building, Library, Municipal Court, Parks, Streets, Water and Sewer. Amity contracts with the Yamhill County Sheriff's Office for law enforcement. A Bachelor's degree in public administration, business administration, or related field as well as 2 – 4 years' experience as a City Administrator, Assistant City Administrator or Department Head is required. Any combination of experience and education which provides the applicant with the level of required knowledge and abilities may be considered.

Application information and required forms are available at www.cityofamityoregon.org Submit cover letter, resume, list of professional references and veteran's preference documentation to colsen@ci.amity.or.us or mail to City of Amity, P.O. Box 159, Amity, OR 97101 by March 14, 2019 (open until filled).

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City	Population	CM salary			
Eagle Point	8,765	\$116,300			
Hood River	7,760	\$137,950			
Milton-Freewater	7,070	\$124,000			
Scappoose	6,785	\$125,000			
Brookings	6,700	\$110,000			
Seaside	6,605	\$114,564			
Talent	6,305	\$105,000			
Madras	6,275	\$129,152			
Junction City	6,010	\$98,838			
Winston	5,410	\$90,000			
Warrenton	5,265	\$95,000			
Veneta	4,800	\$96,000			
Philomath	4,665	\$104,628			
Phoenix	4,585	\$92,500			
Reedsport	4,155	\$75,000			
Lafayette	4,000	\$92,800			
Aumsville	3,945	\$96,800			
Coquille	3,920	\$90,000			
Harrisburg	3,645	\$88,904			
Toledo	3,586	\$95,000			
Myrtle Creek	3,490	\$81,000			
King City	3,425	\$70,000			
Mt. Angel	3,410	\$89,000			
Nyssa	3,285	\$72,000			
Dundee	3,185	\$80,340			
Estacada	3,085	\$86,284			
Shady Cove	3,045	\$65,000			
Jacksonville	2,920	\$73,000			
Burns	2,830	\$65,196			
Sublimity	2,755	\$72,000			
Dayton	2,635	\$82,820			
Gervais	2,555	\$73,472			
Myrtle Point	2,525	\$66,500			
Sisters	2,390	\$109,907			
Gold Beach	2,275	\$68,000			
Union	2,150	\$60,000			
Carlton	2,125	\$87,985			
North Plains	2,015	\$150,000			
Millersburg	1,730	\$90,000			
Cascade Locks	1,250	\$80,000			
Gold Hill	1,220	\$60,000			
Coburg	1,070	\$90,167			
Median	3,458	90,000			
Average	3,943	91,669			

EMPLOYMENT AGREEMENT
Interim City Manager
(City of Gold Hill, Oregon/Dale Shaddox)

THIS EMPLOYMENT AGREEMENT ("Agreement") is made and entered into on _____, 2016, by and between the City of Gold Hill, Oregon and Dale Shaddox, an individual (hereinafter "Shaddox" or "Interim City Manager"), both parties collectively hereinafter "Parties".

In consideration of the mutual covenants contained in this Agreement, the sufficiency of which is acknowledged by the signatures of the Parties of this Agreement, the Parties agree as follows:

- 1) Purpose. The purpose of this Agreement is to provide for a term of employment for Shaddox as the Interim City Manager for the City.
- 2) Duties. The City hereby agrees to employ Shaddox as the Interim City Manager during the time needed for the recruitment and hiring of a successor City Manager. Shaddox will perform the duties of City Manager for the City as specified in law and ordinance and will perform other legally permissible and proper duties and functions as the City Council will, from time to time, assign. Shaddox agrees that he will, at all times, loyally and conscientiously perform all of the duties and obligations required of him either expressly or implied by laws, ordinances, personnel rules and terms of this Agreement. Shaddox will be subject to the direction and control of the City Council. The City shall provide the customary staffing, facilities and tools necessary for performance of the City Manager position.
- 3) Housing. (N/A)
- 4) Term of Employment/Termination. Shaddox will be employed by the City as a temporary employee. This employment will be for an unspecified period of time commencing _____, 2016 and terminating at a time to be determined by the City Council. Any termination may be with or without cause. The City Council may use its full discretion in this determination and its determination will be final and will not require any showing of cause or proof.
- 5) Resignation. Shaddox may voluntarily resign from this position at any time, provided that he gives the City seven (7) days notice in advance of the effective date of the resignation.

- 6) Compensation – Hourly Rate. The City will pay Shaddox an hourly rate of \$45.00, payable at the same time each month that other employees are paid, and shall be limited to 20 hours per week unless approved by the Mayor on a case-by-case basis.
- 7) Compensation – Overtime. The City Manager position is exempt from overtime under the Fair Labor Standards Act. Accordingly, Shaddox is not eligible for overtime compensation.
- 8) Compensation – Employee Benefits. As a temporary employee not constituting an ongoing employment relationship, Shaddox will not be enrolled in any employee benefits program including health, dental, vision, retirement and similar plans. City shall, however, be responsible for paying all associated payroll taxes including but not limited to Social Security and Medicaid taxes and Federal/State payroll withholding income taxes.
- 9) Compensation - Vehicle Allowance. Shaddox will not be assigned a City vehicle. Instead, Shaddox will use his personal vehicle for business related travel while performing duties under this Agreement and City will pay to Shaddox a mileage reimbursement at the current IRS allotted mileage rate.
- 10) No reduction in Compensation. The City will not, at any time during the term of this Agreement, reduce the hourly rate, compensation, or other financial benefits of Shaddox.
- 11) Professional Organizations and Meetings. The City agrees to pay for the attendance of the Interim City Manager at professional meetings and conferences when the Mayor and the Interim City Manager agree that such attendance is in the best interest of the City.
- 12) Reimbursement of Expenses. The City will reimburse Shaddox for all sums necessarily incurred and paid by him in the performance of his duties. Shaddox will submit a standard City reimbursement form, accompanied by required receipts as required by City policy.
- 13) Bonds. The City will bear the full cost of purchasing and maintaining any fidelity or other bonds as required for Shaddox during the term of this Agreement.
- 14) Office Hours/Time. Shaddox will establish and maintain regular office hours at City Hall consistent with the City's ordinary business hours. He will spend additional time in the performance of his duties for the City as necessary or as may be required from time to time by the City Council, including but not limited to City Council and City Commission/Committee

meetings. Shaddox will provide approximately 20 hours of service in each full week of service.

- 15) Applicability of Personnel Rules. All provisions of City ordinances, policies and regulations pertaining to City personnel will apply to Shaddox as they would to other management employees of the City, except as modified by this Agreement.
- 16) Indemnity. The City will defend, indemnify and hold harmless Shaddox from all claims and actions arising out of Shaddox's employment which pertain to actions of Shaddox within the course and scope of his employment with the City, provided Shaddox acted in a manner which was reasonable and which would be commonly expected of a City Manager. All provisions of this section will survive the termination of this Agreement and remain in effect after termination of Shaddox's employment with the City.
- 17) Notice. Any notice required or desired to be given pursuant to this Agreement will be given in writing by personal delivery or sent by certified mail, return receipt requested, postage prepaid to the Parties to this Agreement at their last known addresses. Notice will be deemed given as of the date of personal service or as of the date five (5) days following deposit of the notice in the United States mail.
- 18) Entire Agreement. Except as provided in this section, this Agreement contains the entire agreement concerning the employment of Shaddox and is not inclusive of any prior agreements, promises, inducement, representations, or warranties made by either Party pertaining to the employment of Shaddox. Exceptions may be made either when the City makes modifications which apply to all employees of the City and Shaddox agrees to have this Agreement so modified, or as may be mutually agreed to, in writing, between the Parties.
- 19) Binding Effect. This Agreement will be binding upon the Parties and their respective successors in interest, heirs, and personal representatives. Shaddox's rights and interest arising under this Agreement are personal and may not be assigned.
- 20) Governing Law. This Agreement will be governed by the laws of the State of Oregon.
- 21) Severability. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement or portion thereof will be deemed severable and will not be affected and will remain in full force and effect.

- Approved by the Gold Hill City Council on: 5.01.2016, 2016.

Dale Shaddox

Journal of Management Education 32(10)

Date:

City of Amity, Oregon

Population 1,640



CITY ADMINISTRATOR

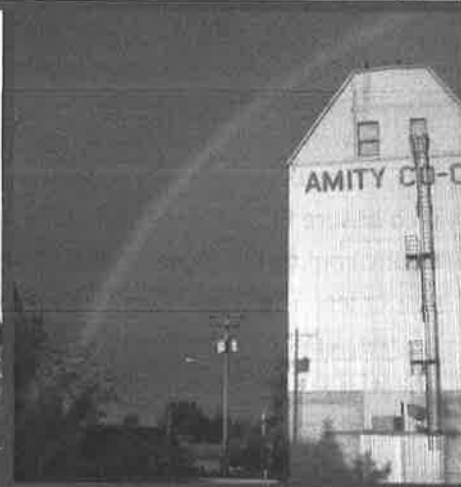
\$63,750 - \$82,467

Plus Benefits

Apply by

March 14, 2019
(open until filled)

5.4



Amity is a charming rural town that offers local artisan shops and great wine tasting. Amity is a place where friendships begin and where residents enjoy the simplicity of a relaxed lifestyle in small town Oregon.

Community Highlight



Amity was established in 1848 by two brothers who immigrated via the Oregon Trail. Amity is a place of beauty, taste, and friendship. Amity is nestled within the Eola-Amity Hills

American Viticulture Area (AVA) and is located about an hour away from both Portland and the Oregon Coast. The AVA is famous for its warm days and ocean breeze cooled nights that help produce ultra-premium pinot noir grapes. Amity offers a unique mix of dining options, whether you are looking for local specialties or a casual dining experience.

City Organization

The City of Amity operates under the Council-Manager form of government. The Council consists of a Mayor and six Councilors nominated and elected from the City at large. The Mayor serves a four-year term and the six Councilors serve four-year staggered terms. The total FY 2018-2019 City budget is \$9,930,892 with a general fund budget of \$623,356. There are 7.225 FTEs, and departments include Administration/Finance, Municipal Court, Public Works, Planning, Parks, Library, Building, Streets, Water, and Sewer.

The Position

The City Administrator reports directly to the Mayor and City Council. The mission of the City Administrator's office is to ensure City services are performed in accordance with Council policies and goals within the capability of the City's resources. The City Administrator presents the City budget to the Council and keeps them advised of the City's financial condition and the future needs of the City. The City Administrator is responsible for the long-range strategic planning for the organization and development of recommendations to the City Council on a variety of public policy issues.

Through collaboration with its citizens, other public agencies, private businesses, elected officials and City

Departments, the City Administrator's office can meet or exceed these goals and the expectations of its customers and community.

Ideal Candidate

Amity is looking for a progressive, forward-thinking "hands-on" working administrator who understands all aspects of municipal government. Amity is a friendly community, so the ideal candidate will be approachable, responsive, and down-to-earth and must be able to embrace community involvement.

The successful candidate will be a proven leader with passion for public service and an ability to work with the City Council to keep and build upon a vibrant vision for Amity. The ideal candidate must be professional and non-political, with strong fiscal discipline who can balance the priorities of departments and work to continue and improve efficient City operations. This person should have strong skills in organization, and be able to manage multiple projects and priorities. The City Administrator should be proactive in bringing issues to the Council and should keep the Council informed in a timely and accurate manner, as well as provide his/her best professional recommendations in helping the Council shape the vision of the City.

Experience & Education

Graduation from a four year college or university with a degree in public administration, business administration, or closely related field. Knowledge of Oregon Land Use Laws preferred. Any combination of experience and education which provides the applicant with the level of required knowledge and abilities may be considered.

Compensation & Benefits

- \$63,750 – 82,467 DOQ
- Medical, Dental, and Vision Insurance (100% City paid)
- PERS Retirement Program (100% City Paid)
- 12 Paid Holidays
- Vacation & Sick
- Equal Opportunity Employee