

City Manager

From: Charles McNeilly <charlesforrockawaybeachmayor@gmail.com>
Sent: Friday, January 20, 2023 11:33 AM
To: City Manager
Subject: Thoughts on Candidate Interview Process

Follow Up Flag: Follow up
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Luke ...

Some thoughts on the Candidate Interview Process ...

- Candidate interviews would take place at a Workshop (probably need to start the Workshop earlier to give 90 minutes).
- Candidates would be brought in one at a time.
- Each Councilor and Mayor would have the opportunity to ask one question; order would be based on Seat number ending with Mayor's question
- Council discuss the candidates' qualifications
- Appointment would be made at the Council meeting immediately following the Workshop interviews

Just "food for thought."

Charles McNeilly
Mayor
City of Rockaway Beach
small town, big beach
503-641-8437
charlesforrockawaybeachmayor@gmail.com

Submitted by Mayor Charles McNeilly.

The City of Rockaway Beach is accepting applications for an open seat on the City Council.

Applications will be accepted up to and including DAY, MONTH DATE, 2023.

Qualifications for Councilor

A Person shall be eligible for an elective office of the City, if at the time of election he/she is a qualified elector within the City for twelve continuous months immediately preceding the election and remains so during the term of office to which elected.

Please send the following:

- Contact Information
- Letter answering the following three questions:
 - What background or experience do you have that make you an effective member of the City Council?
 - Why would you like to serve on the City Council?
 - Are you willing to commit to attending all city council meetings, workshops, training events and budget committee meetings?
 - Attach a current resume (optional)

Process:

1. The City Council will review the applications and select the top three applicants for interviews.
2. Upon completion of the interviews the City Council will appoint an applicant to fill the vacant Councilor seat.

Send application materials to:

Luke Shepard
City Manager
City of Rockaway Beach
PO Box 5
Rockaway Beach, OR 97136

ORDINANCE 07-403

AN ORDINANCE PROVIDING RULES AND PROCEDURES
FOR GOVERNING COUNCIL MEETINGS AND PUBLIC HEARINGS;
REPEALING ORDINANCE NO. 98-352 AND OTHER ORDINANCES
OR RESOLUTIONS IN CONFLICT

The City of Rockaway Beach ordains as follows:

WHEREAS the 2002 Charter of the City of Rockaway Beach requires an ordinance to prescribe rules to govern City Council meetings and proceedings, and

WHEREAS the City Council desires rules to insure orderly procedures in Council meetings and to insure the rights of all individuals in attendance, and

WHEREAS the rules and procedures for governing Council meetings and public hearings described in Ordinance 98-352 need to be updated;

NOW, THEREFORE, the City of rockaway Beach ordains as follows:

Section 1. AUTHORITY

- 1.1 The authority for the ordinance is the statement in Chapter IV, Section 14, Charter of the City of Rockaway Beach which states "The Council shall by ordinance prescribe rules to govern its meetings and proceedings."
- 1.2 These Council rules are to be supplementary and subordinate to the City Charter, the laws of the State of Oregon, and the United States of America.
- 1.3 The Council shall review these rules at least once every two years. Amendments shall be adopted by a majority vote of the full Council excluding the Mayor.

Section 2. MEETINGS AND WORKSHOPS

2.1 **Definition.** ORS 192.610 (5) states that a meeting means the convening of the governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. Council meetings and workshops are subject to Oregon Public Meetings Law, ORS 192.610-192.990.

2.2 **Regular Meetings.** The Council shall meet regularly {on the second and fourth Wednesdays of each} at least once a month on the second Wednesday at 6:00 p.m. within the City of Rockaway Beach. The meeting calendar shall be set by the Council each December for the following year.

2.2. A Mayor's Vote

The Mayor has no vote unless the voting members of the council are split evenly.

2.2. B Mayor's Functions:

1. Act as Chairperson of Council meetings and preside over deliberations of the Council.
2. Preserve order.
3. Enforce Council rules.
4. Determine the order of business before the Council.

2.3 Special Meetings The Mayor, or in the Mayor's absence, the president of the Council, may call a meeting at any time, or shall on written petition of three councilors, call a meeting at any time for the transaction of the business mentioned in the petition. 24 hours notice is required (ORS 192.640(3)). Written notice of a special meeting shall be given each member of the Council. The notice shall be served on each member personally, or if a councilor is not found, left at his or her place of residence. Written notice shall be posted at City Hall and the Post Office. Members of the media who have asked to be notified of meetings shall be notified in the usual manner.

2.3. A Council President.

Except in voting on questions before the council, the President shall function as Mayor when the Mayor is:

1. Absent from a Council meeting
2. Unable to function as Mayor

The President shall attempt to contact the Mayor, by the most expeditious means possible, if the President schedules a special meeting or executive session of the Council in the Mayor's absence. The intent would be to provide the Mayor with the opportunity to attend the meeting, if possible.

2.3 Emergency Meetings. In the case of an actual emergency, the Mayor, or in the Mayor's absence, the President of the Council, may call an emergency meeting on less than 24 hours notice. The minutes of the meeting shall describe the emergency

justifying less than 24 hours notice. (ORS 192.640(3) An attempt must be made to contact the media and other interested parties to inform them of the meeting. Such contacts may be by telephone, e-mail, or facsimile.

2.5 **Public Hearings.** The format for public hearings shall be established as a city policy subject to revision as state law requires.

2.6 **Executive Sessions.** Executive sessions may be held during regular or special meetings, or as stand alone meetings, so long as appropriate statutory limitations are met. Written notice shall be posted at City Hall and the Post Office. Members of the media who have asked to be notified of meetings shall be notified in the usual manner.

2.7 **Continuation of a Meeting.** Upon majority vote of the Council any meeting may be continued to a later date or time, provided that no continuation or adjournment shall be for a period longer than the next regular scheduled meeting.

2.8 **Workshops.** Workshops shall be held as needed to gather information and informally discuss specific issues or questions. The location, date, and time shall be determined at regular Council meetings. The public may attend workshops, but may not participate unless expressly asked.

2.9 **Attendance by City Manager.** The City Manager shall attend all Council meetings unless excused by the Council or the Mayor. Staff shall attend when requested by the City Manager.

Section 3. **MECHANICS OF MEETINGS.**

3.1 **Quorum.** The Mayor, or in his/her absence the president of the Council, shall call the meeting to order at the hour designated for the meeting. The city Charter defines a quorum as a majority of the Councilors (Section 14), **which means three (3) members of the Council, one of which may not be the mayor.** If a quorum is not present, the City Manager shall immediately inform the absent members, except those known to be unavoidably detained, that their presence is required. If the absent member or members do not appear after the notice, the *members present shall adjourn until a specific time or until the next regular meeting.*

3.2 **Rules of Order.** Unless otherwise provided by law or by these rules, the procedure for council meetings shall be governed by Robert's Rules of Order, Revised. The Council has an obligation to the citizens to be clear and simple in its procedures and in the consideration of questions coming before it. Therefore, the rules of procedure should be liberally construed to *that purpose. Councilors should avoid invoking the finer points of*

parliamentary rules that serve only to obscure the issues and arouse the suspicion of the audience at public meetings and the citizens in general. The Presiding Officer shall determine all points of order, subject to the right of any member to appeal to the Council.

- 3.3 **Agenda.** An agenda for each regular Council meeting shall be prepared by the City Manager. Council members may request that specific items be included on the agenda. The city Manager should be given enough time to do necessary research or prepare necessary reports to address the agenda items. Members of the public may request items of business according to city policy. Agendas for regular Council meetings shall be posted at City Hall and the Post Office at least 5 days prior to the meeting time. The Council shall consider at the meeting only matters that appear on the agenda for that meeting, except in the case of an emergency. The Council may discuss items added by a Council member at the meeting.
- 3.4 **Consent Calendar.** In order to make more efficient use of meeting time, the City Manager shall place minor administrative items, such as the approval of the order of business on the agenda, meeting minutes and financial reports, that are routine in nature and concerning which no debate is expected on a "consent calendar". Any item placed on the consent calendar shall be removed at the request of a Councilor prior to the time a vote is taken on the consent calendar. All remaining items on the consent calendar shall be disposed of by a single motion "to adopt the consent calendar," which shall not be debatable. Adoption of the consent calendar shall be by the affirmative vote of all Councilors present at the time the vote is taken and shall have the same effect as a separate vote for each item. If there are dissenting votes, each item on the consent calendar shall be voted upon separately in the usual manner.
- 3.5 **Order of Business.** The order of business at regular Council meetings shall be as follows unless amended by the Council when adopting the consent calendar:

THE FOLLOWING SHOULD BE ALTERED AS
NEEDED OR DESIRED

- 1) Call to Order
- 2) Roll Call
- 3) Oaths of Office
- 4) Consent Calendar
- 5) Presentations, guests, and announcements
- 6) Public comment on non-agenda items
- 7) Public Works Department report
- 8) Public hearings

- 9) Old Business
- 10) New Business
- 11) Committee reports
- 12) City Manager report
- 13) Mayor and Councilor comments
- 14) Attorney's comments
- 15) Adjournment

3.6 Record of Proceedings. A written record, commonly called minutes, shall be kept of all meetings except Executive Sessions. (ORS 192.650). The minutes shall be prepared in a timely fashion, and shall be presented to the Council as soon as possible for review, amendment and approval. All motions made, seconded or not, shall be recorded. Whenever results of an election are announced at a meeting, the vote counts shall be recorded in the minutes. Approval of the minutes shall be the authentication required by Section 17 of the Charter. Executive Sessions shall be recorded on audio tape only; no written record shall be provided except as required by law. (ORS 192.650(2)) Audio tapes of any meetings other than Executive shall be retained for seven years.

3.7 Councilor Decorum. The Presiding Officer shall preserve decorum and decide all points of order, subject to appeal by a member of the Council. The Councilors shall help the Presiding Officer preserve decorum and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to follow the lawful directions of the Presiding Officer or these Council Rules. Council members shall at all times conduct themselves in a manner appropriate to the dignity of their office.

3.8 Audience Decorum. Any person in the audience who makes personal, impertinent, slanderous remarks or who become boisterous while addressing the Council or attending a Council meeting or workshop may be removed from the room, after fair warning, if the Presiding Officer so directs. In case the Presiding Officer should fail to act, any Councilor may obtain the floor and move to require enforcement of this rule. Upon affirmative vote of the majority of the Council present, the person or persons shall be removed as if the Presiding Officer so directed.

3.9 Flags, Signs and Posters. No banners, flags, posters, placards or signs may be carried or placed within the city council chambers unless authorized by the Presiding Officer prior to the meeting. The Presiding Officer will only authorize use of these devices when it is determined that their use will not be visually nor audibly disruptive to the meeting.

3.10 Permission to Video Tape Meetings. Requests to video tape a meeting shall be made 24 hours in advance. The video taping shall be from a fixed location.

3.11 Speaking by Council Members and City Manager.

3.11.A. Councilors, the City Manager and staff shall be recognized by the Presiding Officer before speaking, unless bringing up a point of order. Upon recognition by the Presiding Officer the Council member or City Manager shall speak and confine his or her remarks to the matter at hand.

3.11.B A Council member desiring to question a city employee shall address the questions to the City Manager who shall be entitled to either answer the inquiry or designate a staff member to do so.

3.12 Speaking by Members of the Audience.

3.12.A. Non-Agenda Items. A member of the audience desiring to address the Council shall raise a hand and wait to be recognized by the Presiding Officer. If the presiding officer determines that such item is appropriate for discussion. The council shall be polled to determine if they, too, agree. If a quorum of members present agree to discuss the item proposed, the presiding officer may establish a time period and limit discussion to 10 minutes. After recognition, the person's name and address shall be stated for the record. All remarks and questions shall be addressed to the Presiding Officer and not to any individual Councilor, staff member or other person unless authorized by the Presiding Officer. No person shall enter into discussion without being recognized by the Presiding Officer. A member of the audience addressing the Council shall be limited to five minutes unless further time is granted by the Presiding Officer.

3.12.B Agenda Items. The members of the audience shall have the opportunity to address the Council on an agenda item when that item is reached in the meeting. A member of the audience desiring to address the Council shall raise a hand and wait to be recognized by the Presiding Officer. After recognition, the person's name and address shall be stated for the record and the remarks shall be limited to the question under discussion. All remarks and questions shall be addressed to the Presiding Officer and not to any individual Councilor, staff member or other person. Non member of the audience shall comment or enter into discussion without being recognized by the Presiding Officer. A member of the audience addressing the Council shall be limited to five minutes unless further time is granted by the Presiding Officer. No member of the audience shall be allowed to speak more than once upon any one subject until every other member

of the audience choosing to speak has spoken. After a motion has been made and seconded no more public comment will be allowed.

3.13 Decisions. The Council shall not make a decision on any item that affects the public, or any individual member of the public, unless the item is on the posted agenda, except in the case where an emergency is declared.

3.14 Voting Generally

3.14.A. The vote on every motion shall be taken by roll call. Members shall not explain their votes during roll call. Names of voters in favor and against shall be entered in full upon the record. Any member of the Council may change his or her vote prior to the next order of business.

3.14.B. An affirmative vote of the majority of the full council eligible to vote shall be required to adopt ordinances, order appropriations, authorize loans, fill vacancies on the Council, further reconsider a motion, or amend this Rules Ordinance.

3.14.C. An affirmative vote of the majority of the Council present eligible to vote shall be required to adopt the consent calendar, adopt resolutions, and pass any motion before the Council other than those referred to above.

3.14.D. An affirmative vote of two-thirds of the Council present shall be required in the event of an emergency.

3.14.E. Any other question before the Council may be decided by general agreement unless a motion is requested by any member of the Council.

3.15 Duty to Vote. When a question is taken, every member of the Council eligible to vote shall vote unless a Councilor states a valid reason to abstain or has a direct conflict of interest.

3.16 Reconsideration of Actions Taken. A Councilor who voted with the majority may move for a reconsideration of an action at the same or the next following regular meeting. Once a matter has been reconsidered, no motion for further reconsideration shall be made without unanimous consent of the Council eligible to vote.

3.17 News Media. The provisions of this ordinance shall not be construed to prevent news media representatives from performing their duties so long

as the manner of performance is not unreasonably disruptive of the meeting. Any member of the news media which would like to receive copies of agendas or minutes of Council meetings shall request such copies in writing. There may be a charge for such copies.

3.18 Standing Committees/Commissions/Boards.

3.18.A The Budget Committee, as required by state law, shall be a standing committee. It shall be subject to Local Budget Law, ORS 294.311-294.565.

3.18.B The Planning Commission, required by state law, shall be a standing commission. It is subject to City Ordinance and any other ordinances and resolutions which may amend it.

3.18.C. There are no standing boards.

3.19 Ad Hoc and Advisory Committees.

3.19.A. The Council may establish ad hoc and/or advisory committees as needed. Each such committee shall be established by ordinance or resolution for a specific purpose. It shall have a deadline to accomplish its purpose and shall be considered dissolved when its purpose is accomplished. If such a committee needs additional time to complete its purpose it shall request additional time from the Council. A Councilor may serve as liaison to a committee, but may not chair or vote.

3.19.B At the first meeting of such a committee the members shall select a Chairperson, select a Secretary, and set a meeting schedule. Written minutes of meetings should be delivered to City Hall within two weeks of each meeting or before the next meeting if scheduled for less than two weeks. It shall be the responsibility of each committee Secretary to see that notice is posted of each meeting at City Hall and the Post Office. The Secretary may ask City staff to do a posting.

3.19.C. All meetings held by such committees are subject to the Oregon Public Meetings Law ORS 192.610-192.990.

3.20 Appointing and Dissolving Committees, Commissions or Boards

The Council may appoint and dissolve committees, commissions or boards as needed at their discretion.

Section 4. **Ethics.** Councilors are advised to be familiar with the ethics law, ORS Chapter 244. Each Councilor shall be provided a copy of the current


publication, "A Guide for Public Officials", published by the Oregon Government Standards and Practices Commission.

Section 5. **Severability.** The invalidity of a section or subsection of this ordinance shall not affect the validity of the remaining sections or subsections.

ADOPTED by the City Council this 24th day of October, 2007 by the following vote:

CITY COUNCIL ROCKAWAY BEACH, OREGON	Aye	Nay	Absent/Abstain
<u>May</u>	<u>X</u>	<u> </u>	<u> / </u>
<u>Daugherty</u>	<u>X</u>	<u> </u>	<u> / </u>
<u>McFarlane</u>	<u> </u>	<u>X</u>	<u> / </u>
<u>Swanson</u>	<u>X</u>	<u> </u>	<u> / </u>
<u>Watts</u>	<u>X</u>	<u> </u>	<u> / </u>


John Williams, Interim City Manager

ATTEST:

Lisa Phipps, Mayor