

A work session meeting of the Astoria Common Council was held at the above place at the hour of 6:00 pm.

Councilors Present: Nemlowill, Herzig, Price, Mayor LaMear

Councilors Excused: Warr

Staff Present: City Manager Estes. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

**WORK SESSION - CITY COUNCIL RULES:**

This discussion of City Council rules was continued from the work session of January 19, 2015.

City Council and Staff discussed whether the work session should focus on the team agreement or Council rules. Forest Grove's team agreement and Council Rules would be used as a template. Mayor LaMear wanted to discuss both documents because she and Councilor Price had previously submitted comments to Staff about the rules. She believed establishing Council rules would be an evolving process. Councilor Herzig wanted more time to read through the Team Agreement to determine which sections would be applicable to Astoria. However, he was open to discussing both documents. Councilor Nemlowill particularly wanted to discuss any items that differed from how meetings were currently being conducted, including time limits for speakers and ending the meeting by 10:00 pm. Councilor Price agreed and wanted to discuss certain things Astoria does not currently do at meetings. City Manager Estes explained that the team agreement would serve as a set of headings that would be incorporated into the City Council Rules. Therefore, he suggested Council discuss the team agreement and asked for direction from Council about incorporating rules for procedures. Mayor LaMear added that decorum should also be discussed. The public should be allowed to say what they want, but there should also be rules for decorum. She liked the team agreement because it set a tone.

Discussion of Team Agreement:

Councilor Herzig was concerned that Astoria did not have Council Rules because workshops often teach that Councilors should refer to such rules. However, the rules must not contradict the charter because the charter can only be amended through a ballot vote. Astoria has already been observing most of what is in Forest Grove's team agreement at least somewhat regularly, except the time limit for speakers and ending the meetings by 10:00 pm. He believed it might be necessary to hold a work session to discuss formal parliamentary procedures because Astoria has only informally observed those procedures.

Mayor LaMear recalled hearing that Roberts Rules of Order should only be used as a last resort because meetings can be conducted without formal procedures. City Manager Estes believed the team agreement indicated Forest Grove uses an informal process. Councilor Price added that Forest Grove's rules refer to Roberts Rules of Order as their formal procedure and Astoria's charter does not. She would be happy to adopt the team agreement.

Discussion of Time Limits for Public Comments:

Councilor Herzig believed Astoria should adopt the County's structure taking public comments, which requires comments on non-agenda items to be taken at the beginning of the meeting and comments on agenda items to be taken during discussion of that agenda item prior to the vote.

Councilor Nemlowill believed it would be good to improve decorum through rules, but she was unsure if certain procedural formalities were necessary. She had wanted to impose time limits during some Planning Commission meetings, but it seemed inappropriate because time limits were not the norm. She suggested possibly imposing time limits on big issues that would have a lot of testimony because most of the time, time limits are not necessary. Mayor LaMear noted that if Council agrees to implement Councilor Nemlowill's suggestion, the public would need to be notified in advance of the time limit.

Councilor Price said her conversations with people have indicated that they would not feel restricted by a four-minute time limit. She did not agree with the way the County uses a timer at the dais, which ticks while a person is speaking. A flexible four-minute time limit would be appropriate. There have only been a few times when someone has spoken for too long.

Councilor Herzig noted that in the past, the Mayor has asked members of the audience if they wanted to self-impose a time limit, which was the right thing to do. He suggested this method be implemented at meetings with a large number of attendees. Many people have said they would like to make comments on agenda items as the item is being discussed by Council, not after the vote. Allowing public comments on agenda items prior to the vote would improve citizen involvement.

Mayor LaMear was concerned about long meetings and believed they should end by 10:00 pm. She believed a four or five-minute time limit on public comments allowed plenty of time for people to make their point.

City Manager Estes said the team agreement should simply state whether there should be a time limit. The specific amount of time would be stated in the Council Rules. For now, Council should just discuss if time limits should be established. If so, the appropriate amount of time can be set when the rules for procedures are discussed.

Councilor Price said if time limits are implemented, they should be flexible. Councilor Nemlowill believed Council should consider enforcement of the time limits. Mayor LaMear said she was fine with the wording "may impose or enforce or suggest" and suggested adding "if there is a contentious issue". She did not believe the public should be asked to choose a time limit for every agenda item; Councilor Nemlowill agreed. Councilor Herzig disagreed, saying that most items would be about issues the public would have no comments on. Council's goal is to make sure everyone has the chance to speak and still adjourn the meeting at a decent time.

City Manager Estes understood Council was interested in adopting a team agreement, similar to the Forest Grove model, retaining the language that requires meetings to end by 10:00 pm, adding more specific language to the rules for procedures, and editing the document to state, "Attendance is given. Contact the City Manager if unable to attend.", and adding language allowing the Mayor to impose or suggest time limits on an as-needed basis. Councilor Price wanted to allow meetings past 10:00 pm with unanimous consent of Council. City Manager Estes said this would be built into the rules.

#### Proposed Changes to the Team Agreement:

Councilor Herzig was uncomfortable with the statement, "Council members agree to avoid saying or doing anything that would discredit or harm the City." There are times when he believes the City is taking an incorrect action and saying so could be interpreted as discrediting the City. He wanted to preserve each Councilor's ability to act as individual representatives of their constituents. Councilor Nemlowill suggested removing the word "discredit". Councilors Herzig and Price agreed.

City Manager Estes understood there was a consensus on the team agreement.

Councilor Nemlowill was concerned that Councilor Warr was not present to give input. City Manager Estes explained that the team agreement and Council Rules would need to be reviewed by the City Attorney, and then adopted at a City Council meeting with all Councilors present. Mayor LaMear added that this work session was just a discussion.

Councilor Herzig also sought guidance on "Call the City Manager with designated [26:25] questions and requests prior to the meeting." There were times when he has been unable to communicate with City Manager Estes and found it difficult to send emails from his touch-screen iPad. City Manager Estes said he was always available and suggested Councilor Herzig speak with him five or 10 minutes prior to meetings.

City Manager Estes reviewed previously submitted comments from Mayor LaMear and Councilor Price

At the request of Mayor LaMear and Councilor Price, the following sections of Forest Grove's Council Rules were discussed, based on comments they submitted prior to the work session, with the following key comments:

- Section 3.3 Saturday Coffee Hour Work Sessions – Forest Grove holds work sessions 1<sup>st</sup> and 3<sup>rd</sup> Mondays, Council meetings on 2<sup>nd</sup> and 4<sup>th</sup> Mondays, coffee hour work sessions on 1<sup>st</sup> Saturdays. Astoria City Council should decide when to hold work sessions.
- Councilors discussed what would be the most convenient time. Councilor Herzig reminded the City was required to give a public notice of meetings at least 24 hours in advance.
- City Manager Estes said Forest Groves' charter was more specific than Astoria's and they conduct many different types of meetings. He would need to clean up the language in Forest Grove's rules to make it more consistent with Astoria's charter. City Council can call a meeting whenever necessary, as long as the State's requirements for public notification are met.
- Section 3.13 Telephonic Attendance – Is allowed in Astoria and can be beneficial when a quorum is necessary. Skype could be used, but Staff preferred the telephone because it is easy to plug into the sound system. Council agreed to allow telephonic attendance to meetings in Astoria.
- Section 6.1 Agenda Preparation – City Manager Estes explained Staff's current procedures for preparing agenda, which in accordance with the City's charter is approved by the Mayor prior to the meeting. Staff tries to deliver the final agenda packet to Councilors at least five days prior to the meeting.
- Councilor Herzig requested Councilors be formally informed as soon as an item is officially added to the agenda. This would allow the Councilors more time to prepare for discussions. City Manager Estes said he could send out draft agenda items and reminded that there would be times when the Mayor needs to add or remove items after approving the agenda.
- Councilor Price suggested Staff send Councilors a draft agenda on the Friday or Monday prior to a meeting. City Manager Estes agreed and reminded that agendas tend to be fluid. Councilor Herzig agreed with Councilor Price, noting he hoped the draft agendas would include work sessions and executive sessions.
- Section 6.4 Order of Business – Mayor LaMear and Councilors Price and Herzig proposed moving citizen communications of non-agenda items to beginning of the meeting.
- Councilors discussed a statement from a constituent who preferred non-agenda public comments remain at the end of the meeting. Councilors Herzig said it would not be appropriate to require citizens to sit through an entire meeting only to give them three minutes to speak at the end. However, he did not believe Council was ready to implement universally applied time limits.
- Councilor Priced liked Forest Grove's agenda format. She and Councilor Nemlowill preferred the following order of business: non-agenda public comments at the beginning, public comments on agenda items allowed as each item was being discussed and prior to the vote, and Councilor communications at the end of the meeting. This format would not lengthen meetings and it would be easy to waive Reports of Councilors if the meeting ran long.
  - Councilor Herzig believed the public should be notified if Council agrees to end meetings by 10:00 pm unless by unanimous consent of Council. This would help the public understand that Council is trying to be done within a time that does not punish everybody. He believed the public would be considerate of this.
- Mayor LaMear believed the document would be revolving, not set in stone. Council agreed to try the order of business suggested by Councilor Price to see how it works. The agenda can be adjusted if the format is unsuccessful.
- Comment Cards: City Manager Estes asked if Council wanted speakers to fill out a comment card prior to speaking on non-agenda items. He believed the cards would help meetings run smoother for Staff because Astoria does not have a recorder that calls out the next speaker by reading the cards at the meetings. Council agreed to require comments cards and give people a grace period at first, still allowing people to speak even if they failed to sign up.
- Time Limits: City Manager Estes understood Council wanted time limits to be established on an as-needed basis and the specific amount of time would be determined at the meeting. From the Forest Grove document, Staff would delete all references to specific time limits and a roster, and update the sections as discussed and to comply with Astoria's charter.
- Section 14.4 Council Member Liaisons to Citizen Advisory Boards: Mayor LaMear proposed deleting this section because she believed the position was a disservice to the boards. Boards and commissions look to the liaison as though they have the answers. She encouraged Councilors to attend board and commission meetings, but even as an ex-officio member, commissioners tend to rely on a liaison too much. City Council wants the boards to be independent and make recommendations to Council. Deleting this section would not require a change to the charter. Councilor Nemlowill agreed.
- Councilor Herzig noted that Section 14.1 discussed the Mayor appointing board members with Council's consent. The County Elections Office said it would cost the City between \$500 and \$800 to put this issue on

the May ballot, which is not an outrageous expense. Therefore, it would be most cost effective to put a charter amendment on a regular ballot.

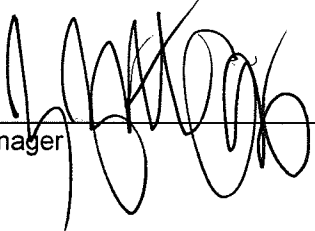
- Section 16.1 City Council Goal Setting: Mayor LaMear and Councilor Price wanted goals adopted prior to budget, but Councilor Herzig did not believe this would give Council enough time to discuss all of the goals. City Manager Estes confirmed that Council goals would definitely be discussed at future work sessions and Council meetings.

City Manager Estes asked Councilors to call or email him with feedback about these items so he could incorporate the comments into updates that would be presented probably at the next meeting.

**ADJOURNMENT TO REGULAR SESSION:**

There being no further business, the work session was adjourned at 6:52 pm to convene the regular session.

**APPROVED:**

  
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City Manager