

Depoe Bay City Council  
Workshop Meeting  
Monday, September 2, 2003 - 7:30 PM  
Depoe Bay City Hall

PRESENT: Mayor B. Silver, J. White, A. Brown, G. Romans, J. Brown, M. Lavery

ABSENT: P. Taunton

STAFF: City Recorder P. Murray, Recording Secretary S. Fox

#### I. CALL TO ORDER

Mayor Silver called the meeting to order and established a quorum at 5:00 PM.

#### II. REVIEW COUNCIL RULES – DEVELOP WRITTEN POLICY RELATING TO CORRESPONDENCE

Murray reported that she consulted Toledo (City Manager) and Yachats (Mayor and City Council) regarding their correspondence policies. The Toledo City Council does not see correspondence, as it is handled by the City Manager. Yachats does not have a written policy on correspondence. Their process is similar to Depoe Bay's: when correspondence is received, copies are distributed to Councilors, it is reviewed, and if there is a request or requirement for City Council action (including the decision to take no action), it is presented as an agenda item or under Correspondence at a public meeting. When a request to read correspondence into the record is received, the question is put to the City Council before the reading is done. Yachats' complaint procedure is also similar to Depoe Bay's, and requests for anonymity are honored to the extent possible. Mayor Silver noted that he consulted Newport and Lincoln City, both of which have City Managers, and neither of these City Councils usually sees correspondence.

Suggestions for consideration included:

- 1) Don't read complaints about individuals (specifically people working at City Hall) into the record.
- 2) Complaints about a person's conduct should come before the Council; complaints between neighbors, etc. should be handled by Staff.
- 3) Incorporate a written policy in Council Rules.
- 4) What types of complaints the Council should review.
- 5) Let Staff decide what should or should not be presented to Council, and provide a written policy to support Staff decisions.
- 6) Let Staff handle routine matters regarding complaints and correspondence.
- 7) Describe the correspondence involving a complaint without reading it, state that a request was made to read the letter into the record, and let the Council decide whether or not it should be read aloud.
- 8) What correspondence to the City is appropriate for Councilors to receive.
- 9) Whether or not to inform the Council of actions taken (or not taken) in response to all complaints.
- 10) Correspondence from publicity-seekers.

Other discussion included: 1) Staff noted that there are instances where written testimony for public hearing is provided by people unable to attend the hearing but want their input included in the record. 2) The City Attorney has provided counsel that when correspondence is

received, it automatically becomes a part of the record without being read. 3) Correspondence was defined as letters received which are addressed to the Mayor and City Council. 4) Staff noted that complaints received are via telephone or by completion of a complaint form, and that complainants typically rely on Staff handling the complaint in a timely manner. Staff has direction through ordinances on how to handle most complaints, and when there is no written direction, Staff refers the complainant to the Council. There was further discussion regarding processing of complaints and what the requirements should be for submitting a complaint (verbal vs. written). 5) What constitutes "city business". 6) Staff noted health and safety complaints need to be addressed immediately. 7) Staff noted that complaints against employees are handled internally per the process outlined in the Employee Handbook, and should not be included in this discussion.

Specific items to be included into the written policy included: 1) Complaints against persons should not be read at a public meeting. 2) Requests to read letters into the record will be addressed by giving the Council an opportunity to object by stating: "Without objection, I would like to read this into the record". 3) Councilors are to receive copies of all correspondence addressed to the Mayor and/or City Council. 4) Staff will provide a brief note on actions taken, or not taken on complaints. 5) Complaints required to be submitted in writing. 6) The City Recorder is to present correspondence at Council meetings. 7) Complaints regarding Councilors, appointed officials, or Staff are to be forwarded to the mayor, followed by an investigation, if the complaint involves conduct of a City official in City Council meetings or other meetings where the City Council is represented. Whether or not to take action depends on the outcome of the investigation. If the complaint is against the mayor, it is forwarded to the Council President. 8) The mayor or mayor pro-tem will determine the appropriateness of correspondence which is accompanied by a request to read it into the record.

It was the consensus of the Council to recess the meeting to 7 PM on September 23, 2003, at which time the Council will review a draft policy regarding correspondence which Staff was directed to develop, to include the above-mentioned specific items to be incorporated into the Council Rules. Staff was directed to obtain written complaints on all verbal complaints where the complainant requests action.

### III. ADJOURN

There being no further business, the meeting was adjourned at 6:38 PM.

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Mayor Bruce R. Silver

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Silver Fox, Recording Secretary