

**MINUTES  
PAYETTE CITY COUNCIL  
Special Meeting  
February 5, 2015**

**SPECIAL MEETING**

A special meeting of the Payette City Council was called to order at 4:00 PM by Mayor Jeff Williams in the City Council Chambers of Payette City Hall, 700 Center Avenue.

**ROLL CALL**

Members Present: Mayor Jeff Williams, Lee Nelson, Alan Massey, Ray Wickersham, Craig Jensen, Kathy Dodson and Nancy Dale.

Members Absent: None

Staff Present: Mary Cordova; Randy Schwartz, Sewer Supervisor; Jake Hust, Water Supervisor; Mark Clark, Chief of Police; Steve Castenada, Fire Chief; Matea Gabiola, Administrative Assistant; Denise Rueschhoff, Office Assistant.

**AGENDA ITEMS**

A. Discussions of Creating New Job Descriptions-

Mayor Williams stated that he hoped the Council would review the job descriptions and move forward to take care of our citizens. A couple of things happened this last week that may not have been in the City's best interest, but it all worked out fine. We had a development meeting on Tuesday, and because there is no Municipal Coordinator position, Mary did not go to that, and the Department heads had to answer all of the questions the developer had, and the engineer was there. He answered best he could, but there were some things about zoning and ordinances and codes that we muddled through, but he didn't think we put our best foot forward. A couple of Department heads were embarrassed because we didn't have all of the information. He thought we salvaged it. There was a builder that came in this week, a new builder that hasn't been here before, and has an offer on five lots. He did get taken care of. Mary stepped up and took care of that even though she wasn't really supposed to. He was happy when he left. Those are little things that happened and we need to get our house in order to take care of daily requests.

Mayor Williams continued that his thoughts are that the City Council takes a look at the different job descriptions and talk about what else to we need to fill the gap, and who and how are we going to fill that. He stated he tends to be a little solution based, and if there is a challenge, bring a suggestion how we are going to fill everything that is not included in the City Clerk job description.

Councilor Massey stated that one of the reasons that we added the last line – additional duties as assigned modified by the Mayor, is so that as things like this come up, we would be able to identify the integral things that need to be done. I think we all recognize that as a small rural community, there was going to be some overlap between the various areas. But, what we are trying to accomplish here is widen the bottleneck we have seen occur in the past. So we are looking at this as a template to go forward on this, and we all understand there may be some things that may need to be added. But, this is going to be the start, and we are open for suggestions as they come along, but we are trying to get away from just a blanket Municipal Coordinator does everything.

Mayor Williams stated specifically the job description of Municipal Coordinator that we had until Monday night includes some things that he would like a clear understanding. Does the Council want to leave that to his discretion to how that is done? He will go through the duties. "Provides clear and consistent line of communication between the Mayor, City Council, Department Heads and Supervisors." Ms. Dodson stated that that is reasonable. Councilor Dale stated no.

Mr. Massey stated that is one of the things as the Mayor gets more involved with the direct supervision of them he thought the Mayor would have as he became more involved with all the department heads and Mary and Matea and anybody else there who he can talk to and the Council can talk to. He did not think it was up to the Municipal Coordinator to be the liaison between everybody. Mayor Williams stated that as he mentioned the other night, that in meeting with the all department heads they stated that they come in just to bounce ideas off of somebody that is here at City Hall all the time. Mr. Massey replied that they are still free to do that.

Councilor Dale stated that one thing we need to clear up is that if Mary didn't attend a meeting because she's no longer the Municipal Services Coordinator, and because we didn't assign a job title to her, then why is she here at all. If we're going to take that approach, and how much of this we may need to discuss in executive session she will let the Mayor determine at this point.

Mayor Williams asked what do you want her to do. He wants to go through these things and find out if she has the ability to do that, or is it his discretion.

Councilor Nelson commented that as far as Mary being here, she is still appointed the Clerk/Treasurer, and there is no question that she should be here. Mayor Williams stated that was not too valid of a comment. Ms. Dale replied that she was sure that would not be the last thing they don't agree on either.

Dale asked Mayor Williams that as he read through the proposed job description what things did he see missing or what did Mary see. Mayor Williams stated that the things on the job description are pretty much covered, but the things that are on the Municipal Coordinator job description that are not covered is what he is trying to go through. Councilor Dale asked what piece on here – is it the Planning and Zoning that was on the old one.

Mayor Williams stated that he will go through them from the top: "Implements the policies and plays of the Mayor and Council", that's covered. Councilor Dale replied right. "Provides clear and consistent lines of communication between Mayor, Council and Department Heads and Supervisors". Mayor Williams said that he is not going to be at City Hall all of the time, and if the Council wants to have a full time Mayor, that make take a vote of the public, and a whole different concept of how our government is run. We can eventually get there, but he is talking about Monday. Councilor Wickersham asked to be read the passage again, which the Mayor did.

Councilor Wickersham asked if we have to have someone in the middle to explain everything to all of us? He commented that he did not quite follow that one. Mayor Williams explained that for example, if Steve came in and said I have this problem, what do you think. Mayor Williams added that he bounces work ideas off of his wife, and he was sure the other Council members may do that too. There are times this week that the Department heads have texted him a whole lot more, but he is not the risk mitigator for the City. He can field their questions, but there are a lot of technical things that are not in his wheelhouse.

Councilor Jensen asked if we mentioned anything about Mary not being able to talk to Department heads. Councilor Massey stated that the Mayor is misconstruing the whole thing. There is nothing that mitigates Steve to talk to Mary, or Mark to talk to Jake. Everybody can talk to everybody. Councilor Dale added it is actually quite the opposite of what is happening. In reality, they are being discouraged to talk to the Council, and the Mayor has informed us not to talk to them. As far as "Provides clear and consistent lines of communication between Mayor, Council and Department Heads and Supervisors", what that says is that everything goes through her and doesn't come to us directly. That is the problem with that sentence. Mayor Williams disagreed.

Councilor Jensen commented that he thinks we are missing the point on this. He did not know how nit-picky they want to be, but he did not think they ever wanted to stop anyone from talking to anybody. Mayor Williams stated the thought Mary thought that she was not supposed to talk to Department heads. Councilor Dale asked when did we send that direction. Mayor Williams replied when the Council eliminated the City Coordinator position. Just this afternoon, all of the Department heads time cards are signed off by someone here, and he did that today. Councilor Massey stated that what that is saying is that Steve can't talk to Jake, and that is wrong. And there is no reason why Mary can't talk to them and they can't talk to Mary. We are just getting rid of the supervision part. Not everything has to go through Mary. Mayor Williams ask if Chief Clark has a question about running his department. Massey replied if it is something Mary can help him with, he can go talk to her. Wickersham added that now he doesn't have to if he doesn't want to. We aren't saying he can't talk to her. Massey added that we are trying to increase communication, not funnel it. Wickersham commented that clerk/treasure is a common position in any city. They can go talk to who they want to. Mayor Williams said that the Department heads go through the chain of command, and that is not the Council. Massy replied it is the Mayor, it's not through Mary. We are just clarifying that.

Mayor Williams wondered if this was appropriate for open session, but what things don't you want her to do? Ms. Dale replied the Planning & Zoning. Again, to free her up and isn't spread so thin. And, as the Mayor suggested in a meeting, and hopefully we are going to talk about today, the possibility of having another individual to handle the Planning & Zoning. Mayor Williams stated that and once we find out what she can do, and what she's not do, we'll know the whole fit.

Mr. Massey stated one of the things that the Council talked about in executive session, we talked about finding somebody, and one of the things she could be doing is exactly what she didn't do. Working with developers and stuff like that. Mayor Williams stated Ms. Cordova did not attend the pre development meeting as a result of not being the Municipal Services Coordinator. Mr. Massey stated that is still something that as the Mayor you have that discretion, and yes, we are going to be taking about that. Mayor Williams commented that there are things that happen on the fly. So, I will end up giving the Council notice after the fact. Massey stated if things are happening on a regular basis that really fall under Mary's expertise then that is fine. Mayor Williams stated we needed this meeting to get that clarification.

Mrs. Dale stated we discussed this in executive session and made it clear what we felt her strengths were, and one of her strengths was working with developers. Even if you want to say this doesn't exist, so she is just the clerk, Mayor Williams knew what the Councils intentions were by reading this job description, and we had talked about that we weren't asking for the Mayor's permission, or the Mayor wasn't asking for the Council's permission to give her other duties. We were just asking for notification so things didn't get so far out there again.

Mr. Wickersham asked the Mayor what is his solution to fixing the job description. Mayor Williams stated that he believes that Ms. Cordova has no problem stepping away from Planning & Zoning, but there will be a learning curve as we don't have someone in place. Bobbie can fill that, but we are going to have to find out the holes we currently have.

The Mayor read the job duty of "Oversight for public works activities." Mr. Massey and Mrs. Dale asked why she would need to do that. Mayor Williams stated that if departments are working together, maybe there needs to be an indivual coordinating efforts. Ms. Dale stated maybe we need to hire a Public Works director. Mayor Williams said that is not going to happen by Monday and asked what the long term plan is, are we going to budget next year for additional people, what is that going to cost us. Williams said he is looking for parameters so she doesn't feel like her hands are tied. Mr. Massey stated Ms. Cordova's hands are tied only to the Mayors extent. If you see a need for someone to do it, we need to add it to Mary's description.

Councilor Jensen asked what would be wrong with one department head talking to another department head in that situation and then working together. The Mayor replied there was something about a water line and it was going to take a right angle, and the engineer and Jake were working together, and sometimes it takes another set of eyes. Councilor Wickersham stated there is nothing in there that says they have to do it if they don't need to do it. The Mayor pointed out it says 'oversight', so maybe we want to reword that. He wants to see a written job description so it is not being changed forever. Wickersham added that the Council gave the Mayor the ability to fill that gap. There is a comment in there that says at the Mayor's discretion, he can assign this. That was thrown in by Alan. The Mayor asked then do we need to talk anymore, or he will let you know what you're going to do.

Mr. Massey stated that one of the things he hoped to do is this is a start of revamping what the job description is; it was never intended to tell everybody not to talk to anybody, and there's no reason why Jake and Jamie can't get together and say we have to do this, or what's going to happen here. They can talk to the Mayor because he is their direct supervisor, or if it really falls under Mary's wheelhouse, he can say let's go talk to her about it. That's just a good manager. Or they can go talk to the engineer, there is nothing in here that says they can't do that. They are all good people; they are all smart. The Mayor said that is what he tried to explain the other night. Wickersham added that the Mayor did not need to explain that; they have known all along.

Councilor Nelson stated that in previous meetings, there was some insinuation that they reported to Mary, which was countered by the Mayor, but that is part of the insinuation that they report to the Mayor. Mayor Williams stated he had asked Mary, since it was in the previous job description, and when he goes to City Hall, he hears a lot of things about what is going on. There are times they get a hold of him directly, but he is not a full time Mayor, and he didn't know if that is what the City wants. We can't change that right now. Wickersham stated that he works in a lot of cities where the Mayor is not full time. The Department heads talk to the Mayor if they want to.

Mr. Massey stated that one thing the Mayor wants is to have the funneling go through Mary, and that is what we are trying to get away from. If they have a question, that's fine. Not everything has to go through Mary. They are big boys; they can talk to the Mayor and the Mayor can talk to them. They're not going to have to call you up and say I'm going to go paint something. They know what their jobs are. They shouldn't have to go to Mary every fifteen minutes either. Mayor Williams commented that they don't do that. Mayor Williams would like clear understanding of what, if it is up to his discretion, he can just say he doesn't know the answer, go to Mary.

Councilor Massey stated that one thing the Mayor can do, and he can take the time to do it, is if there are going to be ongoing things that require Mary's participation dynamically, there is no reason in the world why he can't write that down and bring it to the Council as this is what we want Mary to do. We are not saying she can't do anything, she just can't do everything. Mayor Williams asked if Massey wanted him to log everything down. Massey replied no. If Mary is going to be involved with building developers, and a big guy comes in here and wants to do something, there's no reason why Mary can't do that. Just say she is going to do this, and we say okay, or we don't say anything. The Council just wants to be notified of what is going on. Mayor Williams asked if that would be at every meeting, and Massey replied no, that would be in the job description. Mayor Williams clarified that the Council does not need to be notified of that every time, just keep adding to the job description. Massey replied right, and we review it, and when it becomes too much, we say hey, slow down, let's figure out another way of doing this.

Mr. Jensen stated we are looking for a point of all of a sudden she is doing it on a regular basis, not spur of the moment, if it falls under her expertise, have Mary do it. Whatever is best for the

citizens of Payette is how the City Council needs to go forward. Mayor Williams noted that was his frustration this week was there was not things done in the best interest of the citizens.

Wickersham added that as far as ordinances and all that stuff that is what a clerk does. That is a clerk's job. And if there are legal questions as to what they can and can't do, that is a clerk's job.

Mayor Williams brought up "Monitors and interprets changes in laws and regulations related to assigned activities and functions;" Wickersham and Massey replied that is a Clerk's job. "evaluates their impact on City activities and drafts changes to ordinance, regulations, policies and procedures" Massey replied that Bert advised us that those need to go through him. Councilor Dale said the drafting of ordinances that is actually, by statute that is our job. Now Mary actually drafting, not on her own, but once it has been discussed with us, so we don't have a situation like we did where the decision was already made, the ordinance was already written to suspend the impact fees before we even made that decision, had that discussion. Again, us understanding what our jobs are. Mayor Williams added that it did go before the Impact Fee Advisory Committee. Dale stated it needs to come through us before we find ourselves in a public hearing. Mayor Williams explained that is has to be drafted before a public hearing. Dale pointed, we hadn't even decided if we were going to suspend them yet; we hadn't even had that discussion yet. It comes before the Council. Mayor Williams asked if that means a work session, and Dale replied yes, we should at least be part of the conversation.

Mr. Nelson brought up the question if Mary not drafting the ordinances, and we get them all the time before we know because she is in the know about what needs to be done. We always can vote it down; we don't have to vote for it. Wickersham added if there is an ordinance that needs to be done, that is Mary and Bert's job to prepare it for us. Dale pointed out after we've had the discussion. It was like it was just pulled out of the air this is what we are going to do. Wickersham replied that if it is an ordinance issue, Mary needs to point that out to us so we can discuss it. Mayor Williams stated there was urgency since we may end up doing some refunds. Wickersham was concerned that we didn't look at it earlier. Dale stated that we are trying to get things off her plate.

Mayor Williams asked what don't you want her to do? Dale stated eventually Planning and Zoning because we really need someone who can monitor codes and it is a huge piece. Having her handle it is not beneficial to the City at all.

Mayor Williams stated if he works with staff for the do it yourselfer, and we start working toward not doing the Planning & Zoning, what other things to we want to take away right now. Councilor Jensen stated that if there is a big project, we want them to work with Mary because she has the expertise. The building inspector working on small projects can get things done faster. The Mayor explained that they are going to start having people get advice from an architect.

Councilor Nelson wondered if the Mayor will not be able to vote in the case of a tie vote. Mayor Williams stated yes, there is a potential. Jensen commented that he doesn't have a problem with the Mayor helping.

Councilor Massey stated that one of the things we all discussed in executive session. Mayor Williams interrupted Massey and warned him not to discuss what was said in executive session. Massey continued that some of the things we have discussed at various times, just as a realistic concept, we are a small, rural community, and we rely on Department heads or business managers or people that do things in the City. We know that we have limited time and personnel and they all have unique abilities. We all understand that someone might be working as XYZ in the morning and they might switch over to a different box in the afternoon. We understand there has got to be some flexibility here. We are not saying that is something they cannot do. But that is

where the Mayor is going to come in too. He is the chief executive of this corporation, this business, this City, and as he sees some of this come up, he needs to write some of this down too, because we can't supervise, we are not trying to supervise. Mayor Williams said administrative versus legislative. Massey continued that he needs to make the determination, fill out the detail, and bring it back to us. Mayor Williams summarized that what he is hearing is that this job description that is in front of him is that this is a start and can grow over 6 months or a year. Mr. Massey stated that this was described as a template to begin conversation, and yes, he would like to have something done by the next Council meeting. Wickersham said there is nothing in here that the guys can't talk to her to get her expertise.

Councilor Jensen stated that when he had an insurance gig, he had fights with a division manager in regards to if he put somebody's two vehicles on a policy that only had one, then people would go to the manager and say they want that account now for me, I added two vehicles so I did more work than the other guy. Finally, the Division Manager came to me and said this is the other guys client, your job is to help him if the other agent isn't there. If you want to add the three cars then great, it's not your business, but you will add the three cars. Take care of the client, don't worry about where the chips fall. Everyone should work together to do what is best for the citizen. It may not be in your job description, but if you are there and can help, then do it.

Councilor Dale stated that sometimes you just have to step back and ask how did we all get here, what started all of this. As we have discussed in executive session, there were issues that we felt there needed to be some intervention, and also trying to find out where this came from and what is the background of how City Coordinator came to be. For a job description to read for an individual to have "extensive leeway is granted for the exercise of independent judgment and initiative", that's like setting somebody up. How many times has Mary said yes, yes and yes? It just seems to be in her nature. Sometimes we just don't know how much we can handle. So what do you do, you stop, backup, see how this was created, you go legal. Alright, what do we need? We have to have by statute a clerk, a treasurer and an attorney. Let's get that addressed first. So, here we are. Maybe the piece that we missed, which is very obvious now, is that who did we have in mind to step in and handle these issues in the interim like planning and zoning. I'm sorry; I'm not sorry I'm discouraged that the decision was made for Mary not to attend a meeting where she was obviously needed, and that the Mayor didn't feel comfortable saying that yes, go to the meeting, and we will settle it at the next meeting. Mayor Williams stated that the timing was not good because the meeting was the next morning. Dale stated it would have been nice to have a flag up to say how do you want us to handle that. Mayor Williams said he did not know about it until after the fact. Councilor Dale stated bad choice. Mayor Williams stated the Council needs to own that a little bit. We all make decisions, and there are consequences for every decision you make. He wouldn't say bad choice on her part; it's all of us. Councilor Dale asked what other things are we not seeing that has not been conveyed to us; the other train that is coming down the track. Mayor Williams said the builder that comes in, if Matea calls me, I would probably say tell Mary to handle it.

Mayor Williams stated that Tuesday morning, the Department heads were surprised too when they learned that things had changed a bit. Councilor Massey added they did, that's fine. Dale stated but that's not the message that was conveyed in executive session. Mayor Williams reminded that we can't talk about what happened in executive session. We need to own it too. Dale asked that in the interim, do we say that Mary does the big projects and the Mayor and Matea do the smaller projects. Mayor Williams replied as it evolves, he will let you know. Things will evolve. Dale said she thinks this is something that is in the interim or is this something long term so we can be a better city. She stated in her mind, she is really settled on that individual being on staff who is going to handle the planning and zoning piece of it and keep the codes up to where they need to be and maybe keep us from spending engineering money that Holladay Engineering does. Wasn't there someone here before that handled that? Wickersham pointed out that doesn't save you money. When we had that position, the engineer doesn't do it all as there are different fields of

engineering. Councilor Dale commented that she had a conversation with Dan Cummings, and he stated in the past he felt that he was using them more than we needed to.

Mayor Williams stated that our neighboring city has a different engineer for each specialty and a public works director. He thought that Paul Stevens, was the public works director, and also the engineer. And there is a check and balance with that position as far as checking plans.

Councilor Massey suggested that in regards to a public works director, perhaps one of our Department heads can grow in to that. They are much more intimately familiar with what is going on, and if they need legal advice or engineering advice, there's no reason why one of them can't do it. One of the reasons for having the organizational chart as we grow as a city, was an HR department, an Economic Development department, and it doesn't mean it's a full time thing, but there is a block there that somebody needs to do it. We just haven't got to that point. We are trying to make it more efficient for everybody.

Mayor Williams stated that there is no doubt that if I can't answer something, I will tell them to go through Mary. Wickersham stated he had no problem with that.

Mr. Castenada addressed the Council on how he approaches talking to Ms. Cordova about his department. Mr. Castenada stated that never once has Ms. Cordova told him how to run his department, and he goes into Ms. Cordova's office is if he has a personnel problem to verify that he is following all the proper steps to avoid legal repercussions and bounce ideas. Mayor Williams asked Castenada to explain what happened with a downtown business. Castenada said that some businesses stretch the rules a bit, and the business owner stated that he was very happy with his recent dealings with Mary and the staff, which in turn opened the door for the Fire Chief to get the owner in to compliance. They came in to compliance the very next day. Mayor Williams stated that we always hear the bad things first.

Ms. Dale stated part of the Mayor being brought in to the discussion rather than Mary when it came to light that Mary was also handling the HR and employee problems and when we discussed it with ICRMP, they even said let's get some other designations going here. By statute, this is the Mayor's responsibility. So if the guys are having problems with employees, they need to be calling the Mayor. With Mary handling risk management and HR, I see her being brought in to that discussion, but the other piece is someone else handling the HR needs to be addressed. Dale stated that we never thought they were supposed to call the Mayor if they had a contract or need a purchase order signed. Our intention was under the personnel issues. Mayor Williams stated that most of the personnel issues are way out of his wheelhouse. Maybe eventually he may be able to advise a department head on personnel. He will refer most of that back to Mary. Dale added in the interim.

Mr. Nelson stated he keeps hearing we need an individual in Human Resources, Planning and Zoning, and Planning Director, engineer, but what can we afford. Personally he believes we can't afford to bring on another 2-3 more individuals. Wickersham sometimes that just makes it worse.

Councilor Dodson stated she has been researching outsourcing the Human Resources department and we can have a certified Human Resources Generalist at the city's disposal to handle payroll, taxes, deposits, and all other reporting. One company that Ms. Dodson was researching prices range from \$12,000 a year and the max Cadillac plan ran up to \$21,000. They also keep your employee handbook up to date, and they assume the liability for depositing your taxes and doing quarterly reports. Mr. Nelson stated he sees that as a payroll function rather than Human Resources. Ms. Dodson stated they handle those tasks as well as all Human Resources aspects. Ms. Dodson and Ms. Dale stated this is a cheaper avenue then hiring another person to the staff as well as relieving current staff of these duties. The Mayor asked the department heads if they believed that someone in house was needed to handle Human Resources. Mr. Schwartz stated

that he has personally never had any issues, ever in the years he has been employed with the City.

Councilor Massey stated that as the Mayor is working on the holes that they have, that is part of what we are trying to do, trying to make it better for the citizen. Mayor Williams asked Ms. Cordova is she has anything thought on what she heard in this meeting. Ms. Cordova stated yes she does have thoughts, but she would like to talk with staff first to get their input.

Councilor Dale stated over the two years she has been here, she has had several conversations with Mary, and have asked her what do you like to do, because it was evident from the beginning it was too much for one person, and in trying to get that from her she even suggested she write her job description what do you want to do. We need that feedback, and when we don't get the feedback and don't get the answers we will draw our own conclusions, and because we have go forward and accomplish some things, and that is where we are now – alright, can't get answers we will draw this up ourselves. And whether we do it in open session or executive session, it would be good to hear from Mary. Mayor Williams stated she has been absorbing. He has been down here a lot more lately.

A motion was made by Massey and seconded by Wickersham to accept this as the beginning job description for the City Clerk & City Treasurer as written by Mr. Massey on 2/2/2016. Mayor Williams added as it is a work in progress for the City Clerk & City Treasurer, with discretion from the Mayor as long as he keeps the council informed.

After a voice vote by the Council, the motion CARRIED.

B. Discussion of Creating New Positions in Administration Department – No discussion

**ADJOURNMENT**

A motion was made by Nelson and seconded by Dodson to adjourn the special meeting at 5:05 pm

After a voice vote by the Council, the motion CARRIED.

Signed this 17<sup>th</sup> day of February , 2016.

ATTEST:

  
\_\_\_\_\_  
Matea Gabiola  
Administrative Assistant

  
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Jeffrey T. Williams, Mayor