

**RIO DELL CITY COUNCIL  
SPECIAL MEETING  
DECEMBER 13, 2017  
MINUTES**

A Special Meeting of the Rio Dell City Council was called to order at 4:00 P.M. by Mayor Wilson.

**ROLL CALL:** Present: Mayor Wilson, Mayor Pro Tem Johnson, Councilmembers Garnes and Strahan

Absent: Councilmember Marks (excused)

Others Present: City Manager Knopp, Interim Chief of Police Beauchaine, City Clerk Dunham and City Attorney Gans

**SPECIAL MEETING MATTERS**

Confirm Appointment of Chief of Police and Authorize the City Manager to Sign Employment Agreement

City Manager Knopp provided an overview of the recruitment process and said as the Council is aware it has been a lengthy process. He said he was excited to announce the selection of Jeffrey Conner as the new Chief of Police for the City. He pointed out that although the City and the department are small; the challenges for the Chief of Police are diverse and very intense at times. He added that this position requires someone with a very well-rounded disciplined character with unquestioned integrity and he believes the City has found that in Mr. Conner. Also, that he is the person to take the department forward to help make sure the department is adjusting to the changing legal environment and to the standards that all peace officers across the nation are held to.

He said the staff recommendation is for the City Council to confirm the appointment of Jeffrey Conner as Chief of Police and to further authorize the City Manager to execute the proposed employment contract.

Councilmember Strahan asked if the Council was given prior opportunity to review the employment agreement as submitted.

Mayor Wilson indicated that this was the first review by the Council as a whole.

Councilmember Strahan questioned the two year term for a new hire and said she would like to see a one year term with a 90 day grace period before the term of the contract begins. The reasoning behind it was to avoid payment of the 3-month cash severance pay in the event the employee volunteered to resign or was terminated by the City without cause during the first 90 days.

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City Manager Knopp explained that employee contracts typically have anywhere from a one year to a three year term or more however; it could be created strictly as an "at-will" position depending on what the Council wants to do.

City Attorney Gans explained that it is not typical for department head type positions to have a probationary period clause included the contract however; if that is the wish of the Council, it could be created. He said in essence, the position of Chief of Police is an "at-will" position which means the contract can be terminated at any time but the City would be obligated to pay three month's severance if it was terminated without cause. He noted that the effective date of the contract could be delayed along with the severance provision for the 90 days or whatever probationary period agreed upon by the Council.

Discussion continued regarding past practices with regard to contract terms and probationary periods for other department heads.

Mayor Wilson expressed support for an initial one-year contract.

Mayor Pro Tem Johnson said he supported a two or even a three-year contract. He pointed out that Mr. Conner was well vetted, was a previous long-term employee of the City, is well known to the department and the community and as such supports staff's recommendation.

Motion was made by Mayor Pro Tem Johnson to confirm the City Manager's appointment of Jeffrey Conner as Chief of Police for the City of Rio Dell and to further authorize the City Manager to execute the employment agreement as proposed.

Councilmember Strahan interjected that it is nothing personal toward Mr. Conner but as the newest member on the City Council she has some additional questions.

She referred to the three step salary range and asked if the annual step increases are automatic.

City Manager Knopp explained the step increases are subject to performance review and approval by the City Manager which is typical.

Mayor Wilson noted that the salary range was predicated on the 2010 Total Compensation Study and reorganization of the City. He said the police department staff was reduced and salaries were adjusted including the Chief of Police's salary. Since then there have been some cost-of-living increases but no major adjustments.

Councilmember Garnes further explained that a step salary range is standard with any civil service job and typically there are five steps. She said normally a new employee starts at

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Step A unless that particular employee has a greater skill set so it gives the employer leeway to start someone at a higher step if it's deemed appropriate. She said the employee normally moves up to the next step based on an annual performance evaluation.

Councilmember Strahan then asked for clarification of Section 7, *Hours of Work*.

City Manager Knopp explained that often times the Chief of Police is expected to work in excess of 80 hours per pay period such as during an emergency and this protects the City and makes sure that it is clear in the contract.

City Attorney Gans further explained that the law would interpret him to be an administrative employee exempt from overtime entitlement and this is a contractual recital of that.

Councilmember Strahan referred to the Sick Leave provision under Section 10 of the contract which states that the employee will accrue a sick leave benefit of eight (8) hours per month and said she is assuming that applies to all employees. She pointed out that the law only requires employers to provide 24 hours of sick leave per year.

City Manager Knopp clarified that the 8 hours per month accrual applies to all full time employees in the City which is standard throughout the State.

Councilmember Strahan asked if the medical and dental benefit of 100% coverage for the employee and 70% coverage for dependents also applies to all employees in which the Mayor confirmed that it does.

Councilmember Garnes asked what is expected of the employee for the 80 hours of executive leave.

City Manager Knopp explained the executive leave is in recognition that management employees often spend additional time at work to either attend City council meetings or to deal with other unforeseen issues that may come up. He said this is standard among all management employees exempt from overtime pay and also comes with a cash-out provision. He added that it is similar to a CTO bank but is capped at 80 hours.

Councilmember Garnes commented that the City Manager, the City Clerk and the Finance Director basically attend all City Council meetings so the executive leave is justifiable for those employees and questioned the benefit for the management employees that don't regularly attend meetings.

Mayor Wilson said one of the previous city managers, Ron Henrickson required that all department heads attend City Council meetings but that is not the current practice. He noted that generally all department heads put in far more than 80 extra hours per year.

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City Manager Knopp commented that he typically only requires department heads to attend meetings if they have something on the agenda that pertains to them or their department but he can change that upon direction by the Council. He indicated that it will be his expectation with the new Chief of Police to start out with regular attendance at meetings so the Council can gain familiarity with him and he can become familiar with the operations of the City Council.

He noted that during the last employee contract negotiations, the Council recognized that the City Clerk also attends Planning Commission meetings and as such adjusted her executive leave benefits to accommodate for the extra hours worked.

He added that with the next contract negotiations, the Council may want to have the discussion of perhaps establishing a CTO bank where the employee would specifically identify actual hours worked which would then go into that CTO in lieu of executive leave.

The motion on the floor was then seconded by Councilmember Garnes. Motion carried 3-1 with Councilmember Strahan dissenting.

City Manager noted that the ceremonial swearing-in will take place at the January 2, 2018 regular meeting but Chief Conner will be on board before the end of the month.

Councilmember Strahan thanked Sergeant Beauchaine for filling in as Interim Chief of Police during the past few months.

Sergeant Beauchaine thanked the Council for confirming the appointment and said as the Council is aware, the department has been short staffed and having Chief Conner come on board will be an asset to the department.

City Attorney Gans left the meeting at this time, 4:28 p.m.

Approve Resolution No. 1369-2017 Amending the Operating and Capital Budget to include additional appropriations in the Sewer Capital Fund in the amount of \$4,616

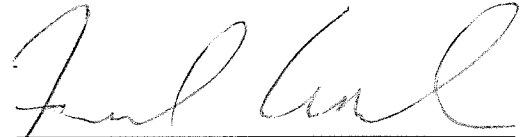
City Manager Knopp stated that the recommendation is that the City Council approves Resolution No. 1369-2017 to include additional appropriations of \$4,616 in the Sewer Capital Fund to cover the unanticipated sales tax portion for the new sewer machine purchase.

Motion was made by Strahan/Johnson to approve *Resolution No. 1369-2017 Approving \$4,616 from Reserve Amounts Amending the Operating Budget for the FY 2017-2018 for the Sewer Machine Purchase*. Motion carried 4-0.

**ADJOURNMENT**


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Motion was made by Johnson/Wilson to adjourn the meeting at 4:29 p.m. Motion carried 4-0.



Frank Wilson, Mayor

ATTEST:

  
Karen Dunham, City Clerk