



# Council Business Meeting

October 17, 2023

<b>Agenda Item</b>	City Council Election to Fill City Recorder Vacancy	
<b>From</b>	Joeseph Lessard	City Manager
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<b>Item Type</b>	Requested by Council <input type="checkbox"/> Update <input type="checkbox"/> Request for Direction <input type="checkbox"/> Presentation <input type="checkbox"/> Consent <input type="checkbox"/> Public Hearing <input type="checkbox"/> New Business <input checked="" type="checkbox"/> Old Business <input type="checkbox"/>	

## **SUMMARY**

The elected officer position of City Recorder has been vacant since August 31, 2023. Pursuant to City Charter Article 3-Elective Officers, Section 4: A vacant elective office in the City shall be filled within sixty (60) days by the Council electing some qualified person to fill such vacancy. The appointee’s term of office shall begin immediately upon appointment and shall continue until a successor, elected at the next biennial elections, takes office for the unexpired term. It is recommended that Alissa Kolodzinski be appointed to carry out the term until the next biennial election or charter change to allow for continuity of service from the City.

## **BACKGROUND AND ADDITIONAL INFORMATION**

On June 20, 2023, Dana Smith was appointed the Clerk of the Council Pro Tem to conduct the business of the Recorder during the interim period of July through October as the City and Council require a capable and knowledgeable individual to assume the responsibilities of the City Recorder. Due to the City Charter requirement of residence within City limits and the expiration of the interim period the Mayor must appoint a qualified (qualified defined as residing within City limits) individual to fill the vacancy. As Ms. Smith resides outside City limits, she may not be appointed to carry out the term until the next biennial election or charter change.

Alissa Kolodzinski resides within the city limits of Ashland and is currently employed by the City and has been working with Dana Smith to learn recorder duties and can continue to work with Ms. Smith to ensure efficiency and accuracy with regards to recorder duties such as serving the public with timely records requests, processing liquor licenses and timely production of meeting minutes. The City needs a knowledgeable and responsive person in this position to ensure customer service and timely work.

## **FISCAL IMPACTS**

This position is budgeted for and will not have a fiscal impact.

## **SUGGESTED NEXT STEPS**

Motion: I move to appoint Alissa Kolodzinski to carry out the term of the Recorder until the next biennial election in November 2024 or voter approval of a charter change of the City Recorder’s position, whichever occurs first.

## **REFERENCES & ATTACHMENTS**

- City Charter – Article 3 Elective Officers
- City Charter – Article 6 Recorder



### ARTICLE 3 Elective Officers

**Section 1. Elective Officers** The elective officers of the City shall be: a Mayor, Recorder, six (6) Council Members, five (5) Park Commissioners and a Municipal Judge. (Charter amendment 5-23-78)

**Section 2. Qualifications** All elective officers except the Municipal Judge shall be residents and qualified voters in the City. (Charter amendment 5-23-78).

**Section 3. Salaries** Any change in the amount of the present compensation received by elective officers, except for the Recorder and Municipal Judge, shall be submitted to the vote of the people; however, the salary of the elected Recorder shall be in the amount being paid in 1974 and be adjusted starting with the fiscal year 1974-75 in the same percentage as the average salary adjustments of the other supervisory employees and department heads of the City of Ashland; further, the salary of the Municipal Judge will initially be the same as for the year 1978-79 and thereafter to be adjusted in the same percentage as the average salary adjustment of the other supervisory employees and department heads of the City of Ashland. (Charter amendment 5-23-78).

**Section 4. Vacancies** An office shall be deemed vacant upon the incumbent's death; adjudicated incompetence; conviction of a felony; other offense pertaining to his/her office, or unlawful destruction of public records; resignation; recall from office or ceasing to possess the qualifications for the office; or, in the case of the Mayor or Council Member, upon his/her absence from the City for thirty (30) days without the consent of the Council or upon his/her absence from meetings of the Council for sixty (60) days without like consent, and subsequent declaration of the vacancy by a two-thirds affirmative vote of the Council.

A vacant elective office in the City shall be filled within sixty (60) days by the Council electing some qualified person to fill such vacancy. The appointee's term of office shall begin immediately upon appointment and shall continue until a successor, elected at the next biennial election, takes office for the unexpired term. The Council shall have the power, by a two-thirds affirmative vote, to expel any member of the Council for disorderly conduct in Council or inattention to duties. No Council member shall be expelled without notice and a hearing by the Council.

**Section 5. Term** The term of all elective officers shall begin the first day of January following their election.

**Section 6. Interest in City Contracts** During the term of office, no elective officer shall violate any provision of the State of Oregon Code of Ethics as contained in ORS Chapter 244. (Amended by vote 11-8-94.)

## ARTICLE 6 Recorder

**Section 1. Term** The Recorder in office at the time this Charter takes effect shall continue in office until the end of his/her term of office as fixed by the Charter of the City in effect at the time this Charter is adopted. At each biennial general election held in 1970, and every fourth year thereafter, a Recorder shall be elected for a term of four (4) years.

**Section 2. Powers and Duties** The Recorder shall act as Clerk of the Council and shall keep plain and correct records of all business and proceedings of the Council. He/she shall maintain a file of all papers presented to him/her officially, and safely keep all files, records and papers of the corporation pertaining to his/her office, and these shall be open to the public. At the expiration of his/her term of office, he/she shall turn over to his/her successor any and all records, books, and papers pertaining to said office.

The Recorder must draw all orders for the proper payment of monies against the proper funds that have been appropriated by the City Council, and, together with the Mayor, sign the same. He/she may make periodic audits of all City accounting records.

The Recorder, shall, as soon as the Council shall make a general levy of the taxes for the city, certify the same, together with any and all special benefits and assessments then due, to the Clerk of the County Court.

The Recorder shall record, in a book to be kept for that purpose, all ordinances and resolutions passed by the City Council, and the same shall be signed by the Recorder, as well as signed and approved by the Mayor therein.

**Section 3. Vacancy** A willful absence of the Recorder from the City for more than thirty (30) days without the consent of the Council, carelessness or inattention to the duties of the Recorder, shall be grounds for the Council to declare the office vacant; and it may fill such vacancy in the same manner as vacancies in the office of Council members are filled.

**Section 4. Absence** In the Recorder's absence, the Mayor shall appoint a Clerk of the Council Pro Tem who, while acting in that capacity, shall have all the authority and duties of the Recorder.