

CITY COUNCIL SPECIAL MEETING DRAFT MINUTES

Tuesday, June 29, 2021

Held Electronically; View on Channel 9 or Channels 180 and 181 (Charter Communications) or live stream via rvtv.sou.edu select RVTV Prime.

Written and oral testimony will be accepted for public input. For written testimony, email public-testimony@ashland.or.us using the subject line: June 29th Special Meeting Testimony.

For oral testimony, fill out a Speaker Request Form at ashland.or.us/speakerrequest and return it to the City Recorder. The deadline for submitting written testimony or speaker request forms will be on Monday, June 28th at 10 a.m. and must comply with Council Rules to be accepted.

Note: Items on the Agenda not considered due to time constraints are automatically continued to the next regularly scheduled Council meeting [AMC 2.04.030.E.]

5:00 PM SPECIAL COUNCIL MEETING

I. CALL TO ORDER

Mayor Akins called the Special Meeting to order at 5:00 PM.

II. ROLL CALL

Councilors' Hyatt, Graham, DuQuenne, Moran, Seffinger and Jensen were present.

Hyatt/Moran moved to add an agenda item to discuss Code of Conduct as it pertains to recent comments made in the local media; and take this item up after Council has had the opportunity to complete deliberation on the order of the day. Discussion: None. Roll Call Vote: Hyatt, Graham, Moran, Seffinger, DuQuenne and Jensen: YES. Motion passed unanimously. Discussion: None. Voice Vote: All Ayes. Motion passed unanimously.

III. SELECTION PROCESS FOR INTERIM CITY MANAGER & INTERIM FINANCE DIRECTOR

Interim City Manager Adam Hanks gave a Staff report.

Items discussed were:

- Selection process.
- Timeline.

Item added to the Agenda – Discussion of Code of Conduct

Hyatt spoke that due to recent statements in Social Media that it was important to address this publicly.

Jensen spoke regarding emails and comments made by Mayor Akins and read a statement into the record (*see attached*).

Mayor Akins spoke she had hundreds of email exchanges with City Attorney David Lohman; much have been positive but not discussed or read into the record in this discussion. She spoke that the email where she spoke about her being harassed was how she felt. She spoke that this was due to the Commission appointment process.

Mayor Akins spoke that she did not chase Lohman out of office. She spoke regarding the Fire District 3 issue. She spoke that the process of hiring should be open and include diversity equity and inclusion.

Mayor Akins spoke that the characterizations from Wendy Brown are not true. She spoke that the characterizations from Peckham & McKenney were not true. She spoke that the reason they left was due to a vendor contract and that it didn't fit in their contract.

DuQuenne spoke regarding the email that was sent regarding Human Resource Director Tina Gray she spoke that in her opinion this was not her capacity in question just the objectivity of hiring her boss. She spoke that it was not her intention to hurt anyone.

Seffinger spoke regarding her concerns with trust. She spoke in hopes that it gets better. She also spoke regarding Commission Liaison issues.

Moran spoke regarding respect listed in the AMC. He spoke that Jensen and Grahams comments in the paper violated Code of Conduct. He spoke that the statements are not true. He suggested a public apology is order from Graham and Jensen.

Hyatt/Graham moved to suspend the rules to allow Jensen to finish his statement.

Discussion: None. **Roll Call Vote:** Jensen, Hyatt, Seffinger, Graham and Moran: YES.

DuQuenne NO. Motion passed 5-1.

Jensen continued reading his statement.

Graham spoke regarding her statement in the paper regarding a toxic environment to Staff. She spoke that the behavior by elected officials toward Staff has put the city in danger of losing it's ability to provide critical public safety and essential services needed for our residents and businesses. She spoke to the importance of respect and trust. She spoke that City services need to be reliable and available. She spoke that there has been a toxic environment presented by Mayor Akins and Councilor Moran. She spoke to her reasons why.

Akins spoke that it is speculation why Staff is leaving.

Hyatt spoke that there is a conversation that needs to be had and a lot of work to do. She spoke it is worrisome that 3 Staff members and recruiters leave Ashland and necessitates acknowledgment. She spoke to the importance on how to move forward. She spoke that currently Council is a group not a team.

Graham spoke that she has reached out to Southern Oregon University to do a confidential survey of Staff. She spoke the estimated cost is \$6,000. She suggested that the City looks into this.

Mayor Akins asked for consensus to Adjourn. Moran moved consensus to adjourn.

Jensen spoke that that was not a proper adjournment. Due to no quorum the meeting was officially adjourned at 7:00 PM.

Respectfully submitted by:

City Recorder Melissa Huhtala

Attest:

Mayor Akins

IV. ADJOURNMENT

The Special Meeting was adjourned at 7:00 PM

Respectfully submitted by:

City Recorder Melissa Huhtala

Attest:

Mayor Akins

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at (541) 488-6002 (TTY phone number 1-800-735-2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title I).

Councilor Stephen Jensen Response to Code of Conduct Inquiry
June 29, 2021
Special City Council Meeting

Opening Comments

The statement reported in the Tidings was accurately reported and has since been broadcast far and wide in the local print media, social media and all points in between. I did not mis-speak. I did not exaggerate. My statement was intentional and absolutely necessary in the light of the loss of a stellar fire chief candidate, the unprecedented withdrawal of two reputable recruiting companies and now the resignations of the top three administration executives in our city. To remain silent as our city reels under this load would have been a dereliction of duty and would have made a mockery of my position as an Ashland City councilor and community elder.

Tonight, heeding the numerous calls from citizens for the substance and proof of “dishonesty” and “personal attacks”, I will lay before you the hard evidence. This evidence comes in the form of emails and online communications much of which has not been exposed until now. Before I offer the evidence, it is important that the term “dishonesty” be defined. From a legal definition...

Dishonesty is an act or statement which misleads by outright lying, deliberate omission, gross distortion, or intentional misdirection.

Case #1: The Loss of Dave Lohman as City Attorney

Mr. Lohman did not simply retire because he was 70 plus years of age and tired as has been publically implied by the mayor in several media outlets. We find ourselves in the position of hiring a new city attorney because of statements made by the mayor to and about Mr. Lohman that created a professional conflict of interest leaving him no alternative but to resign. Please consider the following email exchange b/t the mayor and Mr. Lohman.

Excerpt: On April 25 of this year, Mr. Lohman sent an email message to the mayor and Council to address some procedural issues in order to help our meetings run more smoothly. He sent a set of five established meeting procedures that might have helped us in the somewhat tumultuous previous meeting, and also his summary of the recommendations presented by ICMA’s Pat Martel to Council. He also identified several procedural uncertainties that are not addressed in Robert’s Rules of Order or the City Code. Then he asked if we would favor having a future agenda item to address those uncertainties.

From: David Lohman <david.lohman@ashland.or.us>

Sent: Sunday, April 25, 2021 8:01 PM

To: Julie Akins <julie@council.ashland.or.us>

Subject: Parliamentarian Observations

Mayor Akins (and Council BCC) --

In reviewing my notes from last Tuesday's Council meeting, it occurred to me that more closely following certain common meeting procedures found in Robert's Rules and reiterated in AMC 2.04 might have made the meeting run smoother. So I have taken the liberty of summarizing in the first attachment to this email 5 established meeting procedures that might have been used to good effect if observed in the 4/20/2021 meeting. See what you think, and use them as you think best.

In addition, several procedural uncertainties that are not specifically addressed in Robert's Rules or City Code would be useful to get Council agreement on in order to avoid future misunderstandings. If Council is interested – and can find time -- another iteration of the Council Practices and Protocols finally approved by Council in early 2020 (Resolution 20-03, which is attached) could clarify Council procedures not already detailed in Robert's Rules, AMC 2.04, or Resolution 20-03. Such an initiative would respond to many of the recommendations made by ICMA's Pat Martel in her 4/19/2021 Zoom presentation to Council on the City Manager form of government. (My summary of key recommendations from that presentation is the third attachment to this email.) Resolution of at least the following procedural uncertainties that surfaced in 4/20/2021 Council meeting would seem to be useful for furthering Council comity.

- What should be the procedure for voting on items pulled from the consent agenda?
- What should be the procedure for vetting and approving applicants to fill vacancies on City commissions?
- What should be the procedure for dealing with perceived lapses of civility or respect?
- What wrap-up should occur when an agenda item is not concluded with a motion (for example when the final decision will be made at a later date)?
- What should be the procedure for ensuring that directions to staff not formalized in ordinances or resolutions are clear and are supported by the Council majority?
- Should Council routinely follow the normal sequence of the ten stages of a standard agenda item? (Staff presentation > Councilmembers' clarifying questions > Open public hearing (if required) > Public testimony > Close public hearing (if opened) > Motion and second > Deliberation, possibly with additional clarifying questions > Restatement of motion by Mayor (or Recorder) > Vote > Statement of vote outcome.

Please let me know whether you would favor having a future agenda item intended to supplement Resolution 20-03 with agreed-upon answers to the above questions –or to other pesky procedural questions.

.....

In response to this message from Mr. Lohman, Mayor Akins on April 26, wrote an email that included the following and I quote:

From: Julie Akins <julie@council.ashland.or.us>
Sent: Monday, April 26, 2021 10:05 AM
To: David Lohman <david.lohman@ashland.or.us>
Cc: Adam Hanks <adam.hanks@ashland.or.us>; Melissa Huhtala <melissa.huhtala@ashland.or.us>
Subject: Re: Parliamentary Observations
Dave,

We have Ashland Municipal Code which guides us and which I follow.

It's quite clear under Mayor's duties that I may run the meeting and am tasked with keeping order. That includes the consent agenda, liaison and commission appointments. I have no ambiguity in that role, nor should you.

Under the context of the established rules your questions would appear to add confusion where there need be none. I'm also concerned that you're advising legally against the adopted AMC. That feels out of your lane, perhaps provably so. I've furnished council with the AMC involving these items and your email appears to subvert council rules.

If y'all want to undermine the office of mayor, that will affect all who follow. If you're trying to thwart the will of the people, launch a recall and take your chances.

At this point, I consider these behaviors as part of a pattern of harassment.

Is that the intention?

Julie

.....

April 26, Mr. Lohman’s response to Mayor Akins included the following and I quote:

From: David Lohman <david.lohman@ashland.or.us>

Sent: Monday, April 26 2021 8:01 PM

To: Julie Akins <julie@council.ashland.or.us>

Cc: Adam Hanks <adam.hanks@ashland.or.us>; Melissa Huhtala <melissa.huhtala@ashland.or.us>

Subject: Parliamentarian Observations

Mayor (with BCC to the six Councilors) --

Your email below misreads and misstates the intent of my email yesterday. I was attempting to fulfill the Parliamentarian role assigned to me by City Code. The Standard Code of Parliamentary Procedure issued in 2012 by the American Institute of Parliamentarians contains a useful synopsis of that role:

“The parliamentarian should be alert to any problems that are developing and advise the presiding officer on proper procedures....The parliamentarian is responsible for seeing that no procedural details are overlooked, for anticipating procedural strategy, and for being certain that all parliamentary requirements are observed.” Pp. 269-270.

--Dave

His email included a synopsis of the Standard Code of Parliamentary Procedure that supported his actions bringing forward elements that would improve our parliamentary procedure.

.....
Mayor Akins Posts

Soon after, Mayor Akins posted on social media the following and I quote directly from screen shots:

“I have sent copies to everyone, including the city attorney who is now also suddenly confused.

The other person in the conversation commented “Sounds like you need a new City Attorney.” To which Mayor Akins responded and I quote, “ Well, we’ve lost most lawsuits, our insurance has skyrocketed, the past mayor called him his consigliere and I believe we have yet another lawsuit coming – at least one.”

This comment infers that Mr. Lohman was the cause of these issues even though that is simply false. Our City Attorney is not the trial attorney in litigation against the City. That is handled by our insurance company. Our insurance has not skyrocketed because of lost litigation, but even if it had, that wouldn’t be in the City Attorney’s purview. And, our City Attorney has nothing to do with whether someone decides to sue the City.
.....

The relationship of the mayor and council to the City Attorney has elements that are different from other members of our staff. The mayor and council are part of the City Attorney's client base as well as the entire City of Ashland operations and as such, the City Attorney is required to protect the City's legal interests. With the mayor, who is Mr. Lohman's client, accusing him of harrassment, and accusing him of advising Council against the adopted AMC and attempting to subvert Council rules, Mayor Akins put Mr. Lohman in the position where defending himself could put him at odds legally with the City of Ashland. He could not protect the City's legal interests while defending himself against possible defamation and a harassment charge by an elected city official. This created an intractable professional conflict of interest, one that could only be solved with his resignation. Therefore....

.....

On May 5, Mr. Lohman sent his resignation letter to the mayor and Council. While he uses the term "retire", there is no doubt whatsoever given the timing and the context and other language in his letter that it is a letter of resignation. In it he states and I quote:

"I have reluctantly concluded that for both professional and personal reasons the most sensible next step for me is to exercise my option to retire." In addition to detailing the schedule and steps of his transition and speaking highly of his colleague, Assistant City Attorney Katrina Brown, Mr. Lohman made the following statement:

I have had the rare good fortune to be able to spend ten years working to help make my hometown even better. And I feel profoundly lucky to have been able to work with and for some truly exceptional public servants. I wish all Ashlanders could see up close as I have the dedication and professionalism the majority of city staff and elected officials bring every day to the job of making this town safe, healthful, and vibrant. Thank you to everyone who has made this stage of my career possible and fulfilling. I leave with hope that the friendships made here will endure.

.....

Mayor Akins dishonestly wrote the social media posts read earlier that inferred that Mr. Lohman was to blame for issues in the city that are outside of his control.

The actions taken by Mayor Akins caused personal and professional harm to Mr. Lohman, who has served our community exceptionally well for ten years and is a deeply respected member of the legal profession all over the state of Oregon. While it is not possible to fix the damage this behavior has caused to our community and to Mr. Lohman personally, this dishonest and abusive behavior must be called out. The public trusts us to speak accurately about City issues. Attacking staff in this way and spreading inaccurate information profoundly harms staff morale and the public's trust in local government.

Case #2: Failed Fire Chief Appointment

In a comprehensive effort to evaluate innovative and fiscally more efficient operating structures for our municipal fire and ambulance service, the City Council voted unanimously to give direction to the City Administrator on September 15, 2020, to pursue an Intergovernmental Agreement (IGA) with Jackson County Fire Districts. This included the yes vote of Mayor Akins in her previous role of councilor.

This course of action unfolded with a series of professional meetings between City administrative staff, AF&R staff, Ashland Firefighters' Association, and eventually Fire District #3. The process was reviewed and affirmed with no serious dissent by City Council on November 2, including identification of the final candidate. Negotiations were concluded with mutual satisfaction; final contracts were drafted for presentation to the authorizing boards and councils and Ashland City Councilors were invited to interview the candidate via Zoom. The IGA contract was placed on the consent agenda for approval on the evening of November 17, 2020.

On Nov 17, 2020, then Mayor-elect Akins attended the first 10 minutes or so of the interview with the applicant that I also attended. After apologizing for not having had time to fully read his resume, she asked him to name his current salary and soon thereafter left the Zoom meeting. Mayor-elect Akins subsequently posted the applicant's current salary on Facebook with adjoining comments that were repeatedly inaccurate.

(Posted on FB Nov 17) *"The current applicant makes \$120,000. My guess: he'd have been interested for less than \$225,000."*

This statement is patently dishonest because it compares the fully-loaded salary of \$225,000 to the base salary of \$120,000 implying to our constituents that City negotiators were grossly overpaying for this position.

On the same day, Mayor-elect Akins double-downed on the above dishonesty by stating on FB. *"So we have a rented fire chief.*

The proposed person has three years experience and we are starting him at \$225,000. Doesn't that seem high to you?" This language continues to mislead by implying that the applicant's base salary would be \$225, 000. And it also significantly devalued the applicant's qualifications.

Division Chief ██████████ was hired by KCFD1 in 2017. His fire service career started in 1997 and progressed from a volunteer and resident firefighter to full-time Firefighter/EMT, Firefighter/Paramedic, Lieutenant, then Captain. He has extensive experience in technical rescue, helicopter rescue and critical care transport. ██████████ earned Associates Degrees in General Studies with Fire Science emphasis, Paramedicine, Nursing, and a Bachelor of Science in Nursing. He is a licensed Paramedic and Registered Nurse.

The applicant, upon learning of this dishonest social media traffic and the toxic atmosphere around this topic, withdrew his name from consideration within hours.

The actions of Mayor-elect Akins thwarted city staff members who were in the process of executing the will of the council with a professional fire chief search and negotiation. Such actions damaged the reputation and goodwill of our administrative staff, this council and our city as a whole

The following is a sentence from a letter that was submitted by our local Firefighter's Union on this issue.

“Sadly, one of our City Councilors decided to undermine these efforts. Councilor Akins took it upon herself to post misinformation, half-truths and inaccurate figures involving the new Chief’s compensation package and terms of employment.”

These actions on the part of Mayor-elect Akins are not only dishonest they are not responsible municipal governance. Mayor Akins had several opportunities within public council meetings to express any concerns she might have had with the path being proposed by staff for filling our crucial Fire Chief position. She chose not to and instead spoke inappropriately about a candidate and disseminated misleading information on social media. This behavior tanked an effort that had been months in development and for which staff had asked for and received unanimous Council support.

Case #3: Accusations of nepotism and “back room deals”

Consider these FB public posts from Mayor-elect Akins soon after the failed fire chief search.

“Yes, council was rude when I wanted discussion. That’s nothing new”

“I seek transparency rather than nepotism and buddy deals.

“The notice is posted and writ large on city hall: the back room is closed for business”

These statements are both dishonest and a personal attack on staff. First is the false accusations of “nepotism” (*the practice among those with power or influence of favoring relatives or friends, especially by giving them jobs*). In addition, suggesting that our city hall was the locus of “buddy deals” and “back room...business” is provably false and comes close to defamatory. Mayor Akins has presented no evidence to substantiate any of these claims.

Case #4: Mayor’s Office Space Disagreement

~~(insert Office Moves Discussion emails here)~~

As part of the transition to a Council/Manager form of government January 1, 2021, staff brought several questions to the Council at the business meeting of October 20, 2020. Included in that list was the question about whether we would maintain the mayor’s office in this new form of government. The direction given to staff was to move forward with creating a shared office space for the mayor and council members. Mayor Akins attended (as Councilor Akins) and expressed no opinion or concern about changing the office configuration.

And then the following email conversation happened in early January.

From: Julie Akins
Sent: Tuesday, January 05, 2021 12:23 PM
To: Adam Hanks <adam.hanks@ashland.or.us>
Cc: Melissa Huhtala <melissa.huhtala@ashland.or.us>; Tighe O'Meara <tighe.omeara@ashland.or.us>; Tina Gray <Tina.Gray@ashland.or.us>
Subject: Office moves

Adam,

I found out yesterday that you chose to move offices and are now occupying the Mayor's office. But that's not your office to take. It does not belong to you but to the people. City Hall is their house, their place for redress and the Mayor's Office represents them in governance. It's important that we send our residents the appropriate message of respect and reverence. I'm concerned that this may have escaped you in your thinking.

Here's what I've concluded: The Mayor's physical office has for many years been occupied by the elected mayor of this community on the second floor in its usual location and I expect no less than my predecessors.

You did not discuss this with me nor give me the courtesy of letting me know about this despite several conversations regarding the office and one in particular on the day you were moving. In fact, I asked numerous times to be allowed into my office and you prevented me.

Additionally, the City Recorder is also an elected official and she is tasked with keeping our community records and history. She needs a proper office with a lock and privacy so she may discuss matters of importance with voters, press and staff. It's my understanding she too has been moved. That also needs to be corrected.

The person elected as mayor is tasked with important and sometimes controversial decision making and leadership. It is unsafe and uncomfortable for confidentiality sake to place the mayor in a fishbowl on the sidewalk with a large window. Maybe you didn't consider that, but you should have. That's the kind of thing a City Manager should be able to predict, consider and communicate. I've copied the police chief on this for that safety reason. You are aware that groups like the "Proud Boys" have threatened the safety of elected officials who view the world through an equity lens, are you not? You are aware that I have an address that is a public record and that I have already received death threats for my various positions, are you not?

To be clear: that does not mean putting the mayor's office in a windowless room in the basement and claiming safety. It means putting the mayor in her office on the second floor, near staff where constituents can be comfortable and met in the same way they have come to expect. It means restoring the mayor's office to its rightful location out of sheer respect for the office and the people who elect the mayor who are your and my boss. Period. Full stop.

I will overlook the disrespect and poor communication for the moment and direct you to move the offices back no later than January 15 as I will be conducting the people's business on that day and other days as I see fit.

Please advise me that you have received this email and plan to correct the misunderstanding immediately.

Julie Akins
Mayor, City of Ashland

Adam Hanks
Tue 1/5/2021 3:45 PM
To: Julie Akins
Cc: Tighe O'Meara; Tina Gray; Melissa Huhtala



Julie,

This was discussed in a Council meeting in which you attended (Oct 20, 2020). The item was brought forward mutually by Mayor Stromberg and I with a package of items relating to the May 2020 Charter changes. The office moves were openly discussed and received multiple positive comments from individual Councilors (and no objections) as an improvement for public access to their elected officials.

I have concerns with your characterizations of my professional handling of this matter given the open and proactive actions taken contrary to your depiction. Should you desire to request Council to direct me to resolve this matter in the manner and timeframe you have demanded, an agenda item can be placed on the January 19 Council business meeting. I have copied (bcc) Council on this email should they wish to place this on a future agenda as well.

Adam

Adam Hanks | City Manager Pro Tem
City of Ashland
20 East Main St | Ashland, OR 97520
541-552-2046 | 541-488-6006 (fax)
adam@ashland.or.us

This email transmission is official business of the City of Ashland, and it is subject to Oregon Public Records law for disclosure and retention. If you have received this message in error, please contact me at (541)552-2046. Thank you

Case #5: Withdrawal of Wendi Brown from City Manager Recruitment

After our first professional recruiting firm declined to move forward with the contract for the City Manager search process, the second firm selected by City Council got off to a good start with schedules and job descriptions and community panel selection. Suddenly, Wendi Brown withdrew from the recruitment because of personal attacks upon both herself and her staff by the Mayor and two councilors, Shaun Moran and Gina DuQuenne as the following email traffic will attest to.

Mayor Akins, falsely stated in an Ashland Chronicle editorial on June 14. "Our past searches were to be done through search firms hired by the city's Human Resource Department.It put the staff in a very awkward position and frankly, it failed twice for what I think are obvious reasons." This statement is false on two fronts. One, HR did not hire the recruiting consultants, the City Council did. Two, the process didn't fail twice because HR staff was put in an awkward position. Working with recruitment firms is part of their job and they have done so effectively many times over the tenure of this very accomplished HR director. It failed because of how the mayor and certain members of the Council behaved: dishonestly and abusive of staff..

Here is the email traffic that supports this statement.

From: Wendi Brown <wendi@wbcpinc.com>
Sent: Thursday, May 6, 2021 10:38 AM
To: Wendi Brown <wendi@wbcpinc.com>
Cc: Heather Jack <heather@wbcpinc.com>
Subject: City Manager Recruitment Announcement

[EXTERNAL SENDER]

Dear City of Ashland City Councilmembers,

At this time, WBCP, Inc. respectfully declines to move forward with assisting you with this recruitment process. My team and I are committed to meeting our clients' needs and place great candidates to secure a long-term relationship with council, and I'm not sure under the current environment we are able to do either.

At this point, the recruitment announcement and advertising plan is on hold. I believe you do not have agreement from the majority of council regarding the recruitment announcement minimum qualifications. I recommend a special meeting to finalize these changes and update the job description.

I will be sure that Human Resources has all the materials we have put together to continue with this process. I wish you, the City of Ashland, and the staff the best with your future efforts in securing your ideal candidate for City Manager.

Sincerely,



Wendi Brown
President

Phone: 541-664-0376
Toll Free: 866-929-WBCP(9227)
Cell: 541-301-4217
Email: wendi@wbcpinc.com

360 Riverside Ave. - 909
Gold Hill, OR 97525

www.wbcpinc.com



From: Wendi Brown <wendi@wbcpinc.com>

Sent: Thursday, May 7, 2021

Dear Council/Mayor,

To ensure there is no misunderstanding, I want to make it clear to you why I am no longer supporting your City Manager recruitment. This is the first time in 20 years that I have released a contract, but I felt I was left no choice.

During the time of this recruitment, I was treated rudely, my ethics were questioned, and I felt I was being asked to do something that may not have been in alignment with the full council's decision. My decision to not continue working with council is strictly due to what I was seeing and experiencing.

Wendi Brown

From: Gina DuQuenne

Sent: Thursday, May 6, 2021 11:33 AM

To: Wendi Brown; Adam Hanks; Tina Gray; Julie Akins; Mayor Julie Akins

Cc: Heather Jack

Subject: Re: City Manager Recruitment Announcement

Hello all,

Wendi, I understand that you will be leaving. However, I don't understand the confusion. The council clearly stated what we wanted. I witnessed it along with the council, mayor and the community. After reading your email I want it to be clear that handing this off to HR is not the right thing to do.

This cannot be objective I believe that HR has been an obstacle in the way and won't allow us to get things done. Wendi, your firm was asked to do the job not HR. I for one do not want the most important hire for the city of Ashland to be handled by the HR department.

NEXT STEPS: What do we need to do to get RVCOG on board? Let's just get it done.

Gina DuQuenne

Ashland City Councilor

From: Tina Gray <Tina.Gray@ashland.or.us>

Sent: Thursday, May 6, 2021 12:24 PM

To: Gina DuQuenne <Gina.DuQuenne@council.ashland.or.us>; Adam Hanks <adam.hanks@ashland.or.us>; Julie Akins <julie@council.ashland.or.us>; Mayor Julie Akins <cityofficialmailbox@city.ashland.or.us>; Paula Hyatt <Paula.Hyatt@council.ashland.or.us>; Shaun Moran <Shaun.Moran@council.ashland.or.us>; Stephen Jensen <stephen@council.ashland.or.us>; Tonya Graham <tonya@council.ashland.or.us>; Stefani Seffinger <stefani@council.ashland.or.us>

Subject: RE: City Manager Recruitment Announcement

I am sorry to hear that the Council feels I have been an obstacle to this process and that you lack faith in my capabilities. Wendi was receiving conflicting edits from different Council members, so I was trying to help her finalize the brochure to stay on track for final interviews in June.

I wanted to let you know that RVCOG does not have an HR person on board right now – Anne Marie was recently promoted to Executive Director, and they are recruiting right now to replace her in HR. I don't know their capacity to take this on right now, but Wendi has provided me with all of the work her team has put in so far, which may make it more viable.

I am happy to pass the materials along to RVCOG.

Sincerely,

Tina Gray

On May 8, 2021, at 4:42 PM, Tonya Graham <tonya@council.ashland.or.us> wrote:

Wendi,

Thank you for that clarification. I want to apologize for any of this that is my doing. There were times when I expressed frustration that was more with the situation than with anything to do with you, but it may not have come across that way. You handled your side of the deal with professionalism and expertise all the way through in spite of the challenges.

Again, I apologize for anything that I did to contribute to the challenges you experienced. It wasn't my intention to add any strain to your work.

All the best,

Tonya Graham

Ashland City Councilor

From: Wendi Brown <wendi@wbcpinc.com>

Sent: Saturday, May 8, 2021 7:56 PM

To: Tonya Graham <tonya@council.ashland.or.us>

Subject: Re: Clarification

[EXTERNAL SENDER]

Tonya,

Thank you, but this has nothing to do with our communications. Those frustrations were perfectly acceptable and understandable. I only sent that clarification because of a scathing email from the mayor that was sent to Tina that indicates she was to blame for my reason for no longer supporting this recruitment. In that email the mayor also told her I said things to the mayor about Tina I never said.

The mayor was the person who was rude, disrespectful, never returned calls, missed and repeated to miss meetings — I had to rescheduled four missed meetings and then she blamed me for her getting it wrong in her calendar. She called my staff and yelled at my receptionist that she hadn't heard from me in weeks, however that same staff person had called her 6 times that week trying to reschedule her first missed meeting with me. She also last minute demanded I show up to an ICMA presentation although I was not informed of it before that day and I was in interviews with another client that day. I made special arrangements for another staff person to step into the end of those interviews to make that meeting thinking I was needed in that ICMA presentation and I was never called on.

The mayor also questioned my ethics in an email, stating I was calling all citizens random and not a worthy stakeholder and I knew the right thing to do and I should just do it. In the end, the final challenge, the Mayor demanded I change the minimum qualifications after the recruitment was posted. I had given council a chance to respond and extended that response time. Trying to accommodate her and then Council Moran's wishes I suggested changes which were not acceptable. When they finally sent me a specific edit, those edits would change the minimum qualifications. I checked with your legal counsel to find out if that was possible because I wasn't aware if the full council had approved that change to the minimum qualifications. Legal counsel said it was not clear that the full council had approved those changes. Knowing I needed full council approval I requested a special meeting to get that clarification.

The Mayor ignored my request and insisted that we had full council approval and sent me a video to review that was supposed to provide that clarification which I couldn't open. The mayor insisted I change the MQs as did councilor Moran. I should mention that the two of their changes were not in alignment either. The mayor wanted it to say 3-5 years of city management experience and Moran wanted 5 years minimum. I contemplated sending out an email to get input from each individual Councilmember, but per counsel a change in the minimum qualifications to a job description needs to be done in a public meeting.

My concern was this change wasn't approved by the full council. The Mayor would not request a special meeting and that was the final factor among many that was making it impossible for me to be successful.

Tonya, this has nothing to do with you or Tina. This is mostly the Mayor. I hope that helps.

Wendi

These emails speak for themselves. The mayor and the two councilors previously mentioned have clearly demonstrated a pattern of staff abuse, side-lining the will of the Council, interfering directly in a critical recruitment process and eventually thwarting another critically important recruitment effort.

My comments and the body of documented evidence will be part of the record for this meeting and will be posted shortly on the City website. Tomorrow morning it will also be posted on Councilor Graham's website, *Tonya for Ashland*.

Summary Comments

In the six weeks following Mr. Lohman's forced resignation, this Council has received the resignations of City Manager Adam Hanks, and Finance Director Melanie Purcell. Any one of these resignations would represent a major loss of staff leadership and expertise and at the very moment when they are needed to help our City meet significant economic, social, and climate challenges. Taken together, these three resignations are deeply harmful to our city government. Our well-earned national reputation as one of the great small towns has been severely tarnished as our highly respected and effective administrative team summarily evacuates our town. Coming full circle to the Code of Conduct: there comes a time when loudly invoking Code of Conduct violations serves only as a cover-up to minimize more egregious destructive behavior on the part of others. No councilor should be expected to remain silent in the face of the repeated dishonest and abusive actions on the part of other elected officials. My hope in presenting this indisputable track-record is to catalyze our constituents to rise up and demand immediate changes in the elected leadership of Ashland. Thank you.