

**ASHLAND CITY COUNCIL
STUDY SESSION MINUTES
Monday, November 17, 2025**

Mayor Graham called the meeting to order at 5:30 p.m.

Council Present: Mayor Graham, Councilors Bloom, Dahle, DuQuenne, Hansen, Kaplan, and Sherrell.

Council Absent: none

Staff Present:

Sabrina Cotta	City Manager
Alissa Kolodzinski	City Recorder
Johan Pietila	City Attorney
Carmel Zahran	Assistant City Attorney
Tighe O'Meara	Chief of Police

I. Call to Order

II. Reports and Presentations

a. *Review of Ordinance Language Change Set 1*

Pietila presented the first set of proposed changes to the city code (see attached presentation), as part of a comprehensive effort to clean up the code by removing inaccuracies, modernizing sections, and reflecting current standards and practices. The presentation was organized into three tables:

Table 1 for removing redundant or outdated sections, Table 2 for minor language changes, and Table 3 for more substantive changes.

Graham established that the goal for the evening was to provide top-level guidance to staff on each change, focusing on whether the council wanted to move forward with drafting ordinance language for first reading or refer items for further discussion.

During the discussion of Table 1 (proposed removals):

- Councilors discussed concerns about the complete deletion of Chapter 3.08, which addresses personnel policies. Discussion highlighted the need to balance the council's oversight with the day-to-day management that falls under the city manager's responsibilities.
- Bloom presented his own code revisions including a revised approach to 3.08 that would maintain council oversight without micromanagement.
- Councilors requested further review of section 2.08 regarding the City Recorder position wanting to ensure alignment with charter provisions and acknowledging that the city recorder's duties had changed since it became an appointed position. The charter still holds language relevant to its previously elected status.

For Table 2 (minor language changes), the council discussed:

- Councilors discussed Section 2.04.020, regarding meeting notices, noting concerns that changing the public notice requirement from 72 to 48 hours could inadvertently affect when council receives agenda packets. Pietila clarified these are governed by resolution rather than not code.

- Several councilors suggested that changes to section 2.04 should be handled comprehensively rather than just one part at a time.
- Consideration was given to moving the public art chapter 2.29 into 2.13 with committees and commissions for better organization. It was clarified that the process for acquiring public art requires council oversight. It was advised to clearly distinguish the roles between the Public Art Advisory Committee and the City Council to ensure that public art operations involve broader city function and oversight.

For Table 3 (substantive changes), several items prompted discussion:

- Councilors considered that while the City Manager should remain responsible for creating the council agendas, they should include collaboration with the mayor and council leadership.
- Regarding surplus property disposal, particularly vehicles, concerns were raised about losing council oversight. This authority enables consideration of alternatives like donations to organizations or partnerships, aligning with community goals beyond financial returns.
- Changes to tree management impacting electrical systems was discussed with notification to property owners requested before the city prunes trees for electrical safety.

After extensive discussion, the council directed staff to form a working group composed of up to three councilors and relevant staff to review draft code changes to sections 3.08, 2.08, 2.04.020, and 2.28, as well as all items on Table 3 before presenting them again to the full council.

The remaining items from Tables 1 and 2 received approval to proceed to ordinance drafting.

Two citizens addressed the council requesting an update regarding nuisance ordinance language related to excessive dog barking during nighttime hours.

b. Update on Prohibited Camping Enforcement

O'Meara presented data (see agenda packet) on prohibited camping enforcement since the ordinance went into effect in January 2024. He reported that 178 prohibited camping enforcement actions had been taken through July 31, 2025, with 25 of those being misdemeanor level offenses. Approximately half of these violations occurred at the designated camping area (night lawn) because people were not following the established rules and timeframes (7:00 PM to 7:30 AM, with winter hours allowing setup at 4:30 PM).

O'Meara shared a GIS map showing areas where camping would be prohibited if the city did not have a designated camping area. He explained that since the city does provide a designated camping area, camping is prohibited in all other public spaces.

Zahrn provided legal context, explaining that after the Supreme Court overturned the Johnson v. Grants Pass case, enforcement now follows a reasonableness test under House Bill 3115. Ashland's approach compares favorably to other cities that have faced litigation because Ashland provides multiple supportive services and continuum of care efforts.

Meeting extended to 7:30 by unanimous agreement.

During discussion, Councilors considered:

- Roughly 48% of misdemeanors occurred at the night lawn itself, but this reflected enforcement of established rules rather than targeting people without options. Concern was raised about the early morning departure time (7:30 AM) being difficult for people to meet, especially when weather prevents their belongings from drying properly.
- Councilors considered exploring a second designated camping site, such as near the water treatment plant, to provide an alternative to the night lawn.
- Clarification was requested for what happens when the night lawn is at capacity which hasn't yet occurred but would require further policy development.
- More detailed data broken down by time periods and information about how many unique individuals received citations was requested

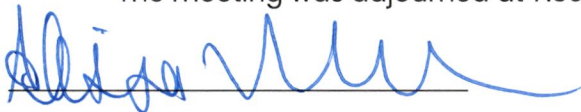
Two citizens addressed the council with concerns that the current system criminalizes homelessness and places police in a difficult position and requested modifications to the night lawn rules to accommodate disabilities and weather conditions.

The council gave direction to O'Meara to provide additional data requested, when resources permit, including

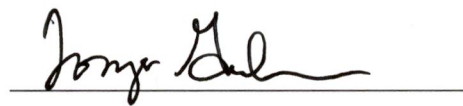
- **Detailed misdemeanor versus violation citation trends broken down by quarter**
- **Distinguish between camping and occupancy violations**
- **information about how many unique individuals received citations**
- **park expulsion data distinguishing singular locations and all parks.**

III. Adjournment of Study Session

The meeting was adjourned at 7:30 p.m.



City Recorder Alissa Kolodzinski



Mayor Tonya Graham



Ashland Municipal Code Updates–Set 1

Study Session
November 17, 2025

City of Ashland

Presentation of Various Code Section *Opportunity for Discussion and Direction*

First Session: Three Tables

PURPOSE AND POSSIBILITIES

- The purpose of this presentation is to highlight and discuss various sections of the AMC that staff believes should be updated
- Council will have opportunity to discuss sections of the code as we go over them, and if desired request additional study sessions to focus on various provisions.
- Council can choose to take no action
- Council can provide direction to staff to bring back the suggested changes as an ordinance for First Reading



TABLE 1



AMC Section	AMC Title	Proposed Change	Reason for Change
2.04.050(M)1	Order of Business; Resolutions, Contracts, and Other City Business	Lengthy ordinances may be read by title only at Council meetings if the ordinance title has been published in the local paper at least seven (7) days in advance of the Council meeting.	Redundant language. This is already stated in Article X of the Charter, which is referenced in the same paragraph.
2.04.090(A)	Commissions and Boards; Establishing Commission and Boards	Remove the sentence listing the commissions and boards: These shall include but not be limited to Climate and Environment Policy Advisory Committee, Forest Lands Advisory Committee, Planning Commission, Transportation Advisory Committee, Planning Hearings Board, Public Arts Advisory Committee, Housing and Human Services Advisory Committee, Historic Preservation Advisory Committee, and Social Equity and Racial Justice Advisory Committee.	Redundant language. Specific commissions and boards are stated in the remainder of Chapter 2 (2.11 - Municipal Audit, 2.12 - Planning, 2.13 Advisory Committees, etc.).
2.04.090(F)	Regular Membership Removal Process	".. Removal of any member of the Recreation Commission or the Planning Park Commission is not subject to this section."	Typo correction.
2.08	Recorder/Treasurer	Remove chapter	The City Recorder is now an appointed position, rather than an elected position. Duties should fall under 2.28 Administrative and Operating Departments (see Table 2 recommendations).

TABLE 1



2.29.020(P)	Public Art; Definitions	Remove subsection P. "Commercial development fee" means funds deposited by a commercial developer into the public art account when the developer prefers not to incorporate public art into the project and follow the public art process for art acquisition and approval."	Identical language as AMC 2.29.020(F).
3.08	General Personnel Policies and Employee Responsibilities	Remove chapter	Responsibility for personnel policy and employee responsibilities falls under City Manager and not under City Council.
6.32.030(B)	Application Process	Remove section: An OLCC Personal History form shall be completed for each person named on the license application.	No such form exists.
6.42.030-050	Tobacco Control; License Requirement, License Fee, Nontransferability of License	Remove sections that specify the need for a local license (and relevant references within Chapter 6.42)	Starting in 2022, the State of Oregon requires tobacco retailers to get a Tobacco Retail License from the Department of Revenue. The State oversees, administers, and enforces this program.

Table 1: Staff Recommended Code Deletions

- **2.04.050(M)(1)** Striking redundant language on ordinances (Art X)
- **2.04.090(A)** Striking redundant language listing all boards (Chp 2)
- **2.04.090(F)** Correcting typo—lists Planning but refers to Parks
- **2.08** Remove chapter
- **2.29.020(P)** Remove subsection P as it is identical to F
- **3.08** Remove Personnel Policies from AMC—Duplicated in Employee policies (HR)
- **6.32.030(B)** Remove section as form does not exist
- **6.42.030-050** Remove sections that specify local license—State issue

Questions? Red Flags? Discussion?



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TABLE 2

AMC Section	AMC Title	Proposed Change	Reason for Change
2.04.020	Meetings (A, B, C, D, and E)	Reference state-statute for noticing timelines, rather than an exact time. In doing so, this would change the local requirements from providing at least 72-hours notice for Regular meetings, Special Meetings, and Study Sessions, to the state requirement of 48-hours notice for a Regular Meeting and Study Session, and 24-hours notice for a special meeting.	As the State changes regulations, additional changes to AMC are not required; Provides more flexibility which is particularly important for a special meeting topic that is time-sensitive but does not meet the definition of an emergency meeting.
2.04.020	Meetings (F)	Reference state-statute for noticing locations, rather than "a newspaper with general local circulation."	As the State changes regulations, additional changes to AMC are not required.
2.04.030(E)	Agendas; Council Packets	"Materials submitted must include author's name and address city of residence ."	Aligns with recommended practice for non-land-use public testimony (land use has a separate set of rules for public testimony).
2.28	Administrative and Operating Departments	Add new section that details the Office of the City Recorder.	The City Recorder is now an appointed position, rather than an elected position, so is now considered a part of the Administrative and Operating Departments of the City.
2.29.020(G)	Public Art; Definitions	" Commission Committee " means the Ashland Public Arts Commission Advisory Committee created by AMC 2.17.010 2.13.010.D , consisting of seven (7) members appointed by the Mayor and confirmed by the Council." All reference to "commission" in Ch 2.29 should be changed to "committee" or Public Art Advisory Committee throughout.	Updated language.



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TABLE 2
(Continued)



2.29.020(K)	Public Art; Definitions	"' Public art' means all forms of original works of art in any media that has been planned and executed with the specified intention of being sited or staged on City property or on property owned or on property owned or property controlled by the City of Ashland, <u>including within public rights of way</u> , usually outside and accessible to the public."	Clarification.
2.29.140(A)(4)	Public Art; Standards for the Ashland Public Art Collection	"The City shall only acquire artworks if: 1) the artist warrants that he <u>they</u> will not make a duplicate of the artwork, or permit others to do so, without written permission by the City,..."	Grammar correction.
2.54.070	Payment (Disposal of Surplus Property)	Include "electronic payments" (debit/credit/EFT) in methods of payment.	Bring up-to-date with government auction website.
6.04.120	Business Licenses; Temporary License	"If a business activity licensed under this chapter is for a limited duration of not more than 30 days, <u>a flat fee will be set by resolution</u> the fee will be \$25 , regardless of the number of employees."	Consolidate fees within the annual Miscellaneous Fees & Charges resolution.
14.12.020	Electric System - Regulations; Construction and Temporary Service	Remove specific dollar amounts and change language to "There is a temporary service for new construction requiring only a service drop and meter setting, which is as follows: \$75.00 for single-phase service, \$150.00 for three-phase service. <u>A charge for temporary service for new construction requiring only a service drop and meter setting will be set by resolution.</u> "	Consolidate fees within the annual Miscellaneous Fees & Charges resolution.

TABLE 2
(Continued)



14.12.050(D)	Electric System - Regulations; Metering and Interruption of Deliveries	Remove Federal Power Commission, replace with Federal Energy Regulatory Commission	Modernize agency reference
14.12.060(B)(1)	Electric System - Regulations; Meter Testing	Remove specific dollar amounts and change language to "If a customer requests a meter test within six (6) months after installation or more than once per year, a deposit to cover the reasonable cost of the test <u>will be set by resolution and</u> will be required of the customer in accordance with the following schedule... "	Consolidate fees within the annual Miscellaneous Fees & Charges resolution.
14.12.080(A)(2)	Electric System - Regulations; Electricity - Resale	Change ORS 456.763 to ORS 455.420	Modernize ORS reference
14.16.020	Electric System - Light Funds and Rates; Transfers to General Fund	"The City Council may appropriate an amount for transfer to the General Fund for other municipal purposes, as permitted by <u>ORS 225 Public law 96-501 and the Power Sales Contract with the Bonneville Power Administration (draft of August 25, 1981; Contract No. DE-M579-S1VP90432).</u> "	Since this section of code was adopted, the State has adopted new regulations.

Table 2: Staff Recommended Updates

- **2.04.020** Notice: Reference State Statute (Chp 192) for consistency on timing
- **2.04.020** Notice: Reference State Statute (Not newspaper)
- **2.04.030** Changing to reflect practice of city of residence
- **2.28** Add a new section that details City Recorder position
- **2.29.020(G)** Updates language relating to committees (formerly commissions)
- **2.29.020(K)** Clarify definition of "Public Art"
- **2.54.070** Include "electronic payments" as a method of payment

Questions? Red Flags? Discussion?



Table 2: Staff Recommended Updates (Cont'd)

- **6.04.120** Consolidate fees with the annual Misc. Fees & Charges resolution
- **14.12.020** Consolidate fees with the annual Misc. Fees & Charges resolution
- **14.12.050 (D)** Modernize Agency Reference
- **14.12.060(B)(I)** Consolidate fees with the annual Misc. Fees & Charges resolution
- **14.12.080(A)(2)** Correct to new ORS reference
- **14.16.020** Update to ORS 225 for current regulations

Questions? Red Flags? Discussion?



Table 3: Substantive Language Changes

- These language changes are substantive changes that are to help improve city processes, align with current practices, and/or increase efficiencies or improve clarity.



Reminders:

- Purpose is to highlight needed change and explain the reasoning.
- Any changes will be brought forward for first (and second) reading
- Focus is not on specific language but on if change is appropriate



2.04.050: Rules of Council; Order of Business

TABLE 3



Proposed Change

- Include the City Manager in the statement "The Mayor or presiding officer may change the order of business on the agenda. The usual order of business for regular meetings will be as follows..."

Reason for Change

- City Manager is responsible for the preparation of the Council agenda. The flexibility to alter the agenda order will help the City Manager better ensure that time-sensitive city topics are addressed.

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2.04.05(I)

TABLE 3



Proposed Change

- Remove requirements for start and end time of public hearings.

Reason for Change

- Provides flexibility to help ensure public hearings occur.

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2.29.100(B) Public Art; Process for acquiring public art

Proposed Change

- Selection Panel. A selection panel, separate from the Public Art Commission Advisory Committee, consisting of art professionals and enthusiasts, residents near the proposed site, community members, and city administrators will be chosen to evaluate the proposals received from artists. may be composed of representatives from, but not necessarily limited to, the following groups: art professionals and enthusiasts, residents living near the proposed site, community members, Committee members, and City administrative staff. This panel will be responsible for evaluating the proposals submitted by artists and providing a recommendation to the full Committee. A different selection panel shall be chosen for each project by the Commission Committee after the following notifications have been made City has placed a notice on the City's website, and the Committee has endeavored to solicit participation of property owners within 300 feet of the proposed site.

Reason for Change

- Recognize general operating procedures for establishment of a selection panel makeup including "may" as it has been difficult to ensure representation as codified currently; address the lack of newspaper of general circulation; and reduce postcard mailing preparation and costs.



2.29.120 Public Art; Public Art on Private Property

Proposed Change

- Add a section of code that allows for public art that is privately-owned and on private property. Currently, all public art on private property is considered "city-owned" and requires that the City is granted access to install, maintain, and remove art.

Reason for Change

- The purpose of this amendment is to create a pathway for private property owners to install and maintain privately owned artwork that is viewable by the public, with City approval. This ensures such installations are consistent with the City's Public Art Program while clarifying that the City does not assume ownership of the artwork and is not obligated to maintain, repair, or remove it.



2.54.010 Disposal of Surplus and Abandoned Property

Proposed Change

- The City of Ashland Finance Department may transfer, trade, auction, or sell surplus or abandoned property to other City Departments, political subdivisions, state agencies, or nonprofit organizations, **or the general public. However, the disposal of surplus property having residual value of more than \$10,000 shall be subject to signatory authority limits, as based on the residual value of the surplus, as adopted by the Local Contract Review Board.**

Reason for Change

Disposal of surplus property is handled by our Facilities and Fleet division; changing language to match the definition of "surplus property" provided in AMC 2.54.020; increase dollar value for efficiency and expediency.

Note, this section only applies to personal property and does not apply to real property.



2.62.030 Declaration and Ratification of Emergency

Proposed Change

Add new section (C):

"If the City Manager is unable to act due to absence or incapacity, then the duties shall be performed in the following order of succession:

- 1. Deputy City Manager**
- 2. Fire Chief**
- 3. Police Chief**
- 4. Emergency Management Coordinator**
- 5. Incident Commander(s)"**

Reason for Change

- Add a succession clause within Emergency Powers in the event the City Manager is incapacitated or absent.



6.04.020(B) Business Licenses; Definitions

Proposed Change

- Add definition for "kitchen" or "cooking facility."

Reason for Change

- The purpose of this definition amendment is to clearly distinguish between full kitchens or cooking facilities that enable independent living and incidental appliances or fixtures that do not. This clarity ensures consistent code compliance in determining when a space constitutes a separate dwelling unit. A similar amendment would be made to Chapter 18.



9.08.120(B) Nuisances; Trees - Hedges

Proposed Change

- B. No owner or person in charge of property shall allow to stand a dead or decaying tree that is a hazard to the public or to persons or property on or near the property, poses a fire hazard as determined by the Ashland Fire Marshall or designee, or harbors insects or diseases that constitute a potential threat to other trees within the city.

Reason for Change

- To empower Code Compliance to compel removal of dead trees where they are determined to pose a fire hazard or compel removal of insect infested trees that will otherwise compromise the health of the urban forest.



9.08.170(E)(3) Nuisances; Heat Pumps or Mechanical Devices

Proposed Change

- Exempt residential heat pumps and air conditioners from noise regulations if they're within their 25-year operating life and installed under a building permit.

Reason for Change

- In urban neighborhoods with small lots, homes are often in very close proximity to one another. Residential heat pumps and air conditioning units are not generally manufactured to meet the decibel limits in the noise ordinance, and compliance is often impractical or impossible even with baffled covers when houses are this close together. Since residential climate control is essential during both summer heat and winter cold, this amendment is intended to exempt residential heat pumps and air conditioners from noise regulations for the duration of their typical 25-year operating life, provided they were installed under a building permit, inspected, and continue to operate as designed.



13.16.035 Permission to Prune

Proposed Change

- Allow trees in public planting strips or public right-of-way to be pruned without a City-issued permit for the purpose of maintaining clearance requirements.

Reason for Change

- Empower Code Compliance and the Streets Division to compel removal of dead trees where they are determined to pose a fire hazard and to clarify that maintaining required street, sidewalk, and utility clearances for branches is an exempt activity.



14.12.030 Electric System – Regulations; Permanent Service

Proposed Change

- Remove much of the prescriptive language and replace it with a reference to the Electric Service Requirements (ESR) Manual.

Reason for Change

- Standards and requirements change over time and some of the current code language conflicts with the current requirements.



14.12.090(G) Electric Systems – Regulations; General Provisions

Proposed Change

- The City may request permission to ~~will~~ trim trees on private property if such trees, in the judgement of the City, create a hazard to electric service lines on the same or adjacent properties. ~~In the event such permission is refused, the property owner refusing permission shall be liable for all damages and costs that may result there from.~~

Reason for Change

- Oregon Public Utility Commission (PUC) requires that utilities follow the PUC vegetation management rules. Those rules now include maintaining minimum clearances around electric infrastructure within the utility's right-of-way.

14.12.092 Location of Meters

TABLE 3

Proposed Change

- Add new sentence:
"Consult Electric Service Requirements Manual or contact the Electric Department with questions regarding meter locations."

Reason for Change

- The Electric Service Requirements Manual provides prescriptive details for meter location specific to property types (single family, multi-family, etc.).



1. Clean Legislative Text — AMC 3.08

EMPLOYEE RIGHTS, CONDUCT, AND EQUAL OPPORTUNITY**

Sections:

- 3.08.010 Purpose
- 3.08.020 Equal Employment Opportunity
- 3.08.030 Code of Ethical Conduct
- 3.08.040 General Employee Responsibilities
- 3.08.050 Anti-Retaliation
- 3.08.060 Consistency With Personnel System and Collective Bargaining

3.08.010 Purpose

The purpose of this chapter is to establish foundational standards that promote fairness, nondiscrimination, ethical conduct, and accountability throughout the City organization. These provisions set the expectations for all employees and complement, without duplicating, the Personnel System established in AMC 2.29 and any applicable collective bargaining agreements. This chapter shall be interpreted in a manner consistent with the City Charter, Council-adopted policies, and state and federal employment laws.

3.08.020 Equal Employment Opportunity

- A. The City shall provide equal employment opportunity to all applicants and employees without regard to protected class status as defined under Oregon and federal law.
- B. Employment practices—including recruitment, hiring, promotion, training, compensation, and discipline—shall be based on merit, qualifications, and job-related criteria.
- C. The City shall maintain an Affirmative Action policy consistent with state and federal guidelines and shall review such policy at least every two (2) years.
- D. Retaliation against any employee or applicant for exercising rights under this section is prohibited.

3.08.030 Code of Ethical Conduct

- A. All City employees shall conduct themselves with honesty, integrity, professionalism, and fairness in the performance of their duties.
- B. Employees shall avoid conflicts of interest, or the appearance of such conflicts, and comply with Oregon Government Ethics Law (ORS Chapter 244).
- C. Employees shall use City resources, property, and information only for authorized public purposes.
- D. Employees shall maintain confidentiality of protected or sensitive information as required by law.
- E. Violations of this section shall be addressed through the Personnel Rules or applicable collective bargaining agreement.

3.08.040 General Employee Responsibilities

- A. Employees shall comply with all federal, state, and local laws, the City Charter, the Ashland Municipal Code, Council-adopted policies, and all applicable administrative rules.
- B. Employees shall perform their duties with diligence, courtesy, respect, and in a manner that supports a positive and safe working environment.
- C. Employees shall promptly report suspected violations of law, misuse of public funds, safety hazards, or unethical conduct to their supervisor, Human Resources, the City Attorney, or the City Manager.
- D. Supervisors shall ensure fair and consistent application of policies, including corrective action processes.

3.08.050 Anti-Retaliation

- A. The City shall not retaliate against any employee who reports, in good faith, suspected violations of law, policy, or ethical standards.
- B. Reports may be made confidentially to Human Resources, the City Attorney, the City Manager, or directly to the Mayor or Council Chair.
- C. Allegations of retaliation shall be investigated promptly and, where appropriate, reviewed with the City Council in executive session consistent with ORS 192.

3.08.060 Consistency With Personnel System and Collective Bargaining

- A. This chapter does not supersede the Personnel System in AMC 2.29 or any collective bargaining agreements established under ORS Chapter 243.
- B. If a conflict arises, negotiated agreements shall govern for represented employees and AMC 2.29 shall govern for non-represented employees.
- C. Nothing in this chapter limits the authority of the City Council under the Charter to set policy or to ensure accountability and fairness in the administration of the City.

2. Table — Why Each Retained Element Should Stay

Retained Section	Why It Should Stay (Legal, Charter, and Policy Rationale)
Purpose	Establishes policy intent; frames employee expectations; harmless and stabilizing.
Equal Employment Opportunity	Required by federal law (Title VII), Oregon law (ORS 659A), and best practice; preserves nondiscrimination expectations.
Code of Ethical Conduct	Aligns with ORS 244; preserves public trust obligations; avoids embedding operational rules.
General Employee Responsibilities	Charter-consistent expectations on conduct; not operational; clarifies baseline duties without directing management tactics.
Anti-Retaliation	Strengthens compliance with ORS 659A.199–230; fits within Council’s oversight role; complements whistleblower protections in 2.29.
Consistency Clause	Prevents conflict with 2.29 and CBAs; provides legal clarity; protects City from grievances or PERB issues.

High-level takeaway:

These sections describe *values and protections*, not *management procedures*, and therefore belong in Title 3. They create a stable policy foundation without interfering with City Manager operations or contradicting the Charter.

3. Table — Sections Removed + Why They Should Be Removed

Removed Former Section	Why Removal Is Appropriate / Legally Sound
Classification Plan (old 3.08.050)	Fully moved to the new AMC 2.29; classification is operational and properly under Personnel System.
Affirmative Action Procedures (old 3.08.060)	The <i>policy</i> remains (in 3.08.020); the <i>procedures</i> belong in Personnel Rules or HR Admin Manual, not Code.
Pay & Compensation Rules (old 3.08.070)	Overlaps with budget law, CBAs, and 2.29; should not be in Title 3 to avoid bargaining conflicts.
Benefits Administration (old 3.08.080)	Purely administrative; legally must be consistent with CBAs and external law; better placed in Personnel Rules.
Variances (old 3.08.090)	Unnecessary and too process-specific; creates procedural traps; better to eliminate entirely.
Detailed Discipline/Discharge (old 3.08.100)	High-level framework now lives in 2.29; detailed items belong in Personnel Rules to avoid due process conflicts.
Detailed Grievance Procedures (old 3.08.110)	Process belongs in Personnel Rules or CBAs; code-level detail conflicts with state bargaining law.
Hours & Outside Employment (old 3.08.120)	Administrative; handled in Personnel Rules; unnecessary for code.
Promotions/Demotions (old 3.08.130)	Should not be codified; belongs in merit rules and HR policies.
Leave Policies (old 3.08.140)	Must flex frequently due to state/federal law changes (e.g., OFLA, FMLA); should not be in code.
Termination Rules (old 3.08.150)	Legal risk if codified; better left to Personnel Rules and HR/Legal oversight.

High-level takeaway:

Everything removed is **procedural, operational, or HR-administered**, not policy-level. None are required by the Charter. None strengthen Council oversight. Removing them is legally safer and cleaner.

TITLE 1 — GENERAL PROVISIONS

(Reserved Chapter (Unreserve) — Modernized Framework)

CHAPTER 1.01 — CODE GOVERNANCE

1.01.010 Purpose and Authority

- A. The Ashland Municipal Code (“AMC”) is adopted pursuant to the authority granted to the City Council under the City Charter and the Constitution and laws of the State of Oregon.
- B. The AMC serves as the codified body of all duly enacted ordinances of the City of Ashland.
- C. The provisions of this Code must be interpreted consistent with the City Charter. Where conflict exists, the Charter governs.
- D. The Council retains full legislative authority unless expressly limited by the Charter or State law.

1.01.020 Codification and Biennial Maintenance

- A. The City Recorder shall maintain the official versions of the Ashland Municipal Code, Council Resolutions, and Administrative Rules.
- B. The AMC shall be reviewed and updated on a biennial cycle aligned with the City’s biennial budget process.
- C. Departments may identify outdated, conflicting, or obsolete sections and submit recommended changes to the City Attorney and City Recorder.
- D. The City Attorney may prepare a modernization report for Council review identifying technical corrections, conflicts, recommended repeals, and harmonization needs.
- E. Ordinances adopted by Council shall be codified within sixty (60) days of adoption unless otherwise directed by Council.

1.01.030 Administrative Rules and Council Review

- A. The City Manager may adopt administrative rules necessary to implement ordinances, provided such rules do not establish new fees, penalties, programs, obligations, or policy choices reserved to the Council.
- B. Administrative rules shall be consistent with the AMC, the Charter, and Council-adopted policies.
- C. Newly proposed or amended administrative rules shall be transmitted to the City Council in

writing at least thirty (30) days prior to taking effect.

D. The Council may rescind or modify an administrative rule by motion before the effective date if the rule is found inconsistent with or in violation of State law, the City Charter, or Council-adopted ordinances or resolutions.

E. Administrative rules shall be publicly posted and maintained in a central online repository by the City Recorder.

1.01.040 Interpretations

A. Where ambiguity or conflict arises in the AMC, the City Council is the final interpreter of municipal law unless otherwise directed by State statute or the City Charter.

B. Departments may issue internal operational guidance, but such guidance is not binding and may not modify or reinterpret the AMC.

C. Requests for formal interpretation may be submitted to the City Recorder by any elected official, department director, or member of the public.

D. Formal interpretations issued by Council shall be recorded and maintained with the AMC.

1.01.050 Publication and Version History

A. The City Recorder shall publish the Ashland Municipal Code, Council Resolutions, and Administrative Rules online in a searchable, publicly accessible format.

B. Historical versions of ordinances, resolutions, and administrative rules shall be maintained to ensure transparency and legal traceability.

C. Amendments shall be clearly marked with the adopting ordinance or resolution number and effective date.

D. The Recorder shall ensure that the most current and authoritative versions of the AMC, Council Resolutions, and Administrative Rules are publicly available.

1.01.060 Continuity of Existing Powers

A. All enforcement authority existing prior to the adoption of this Chapter remains in effect unless expressly modified or repealed by ordinance.

B. Municipal Court jurisdiction is preserved and continues uninterrupted.

C. The City Manager shall continue to administer and enforce ordinances during and following code modernization.

D. Nothing in this Title may be construed to diminish powers granted to the Council or Mayor under the City Charter.

COUNCIL-READY ARGUMENT AGAINST DELETION OF AMC 3.08

1. The proposal relies on an overly broad interpretation of City Manager authority

The City Attorney's proposal assumes that because the City Manager supervises employees (Charter Article VIII-A, Section 4.4), *all personnel policy* belongs exclusively to the City Manager. This is **not legally supported**.

Two distinct categories exist under the Charter:

A. Governance-level personnel policy — Council authority

- Establishing a personnel system
- Rulemaking processes
- Classification frameworks
- Compensation structures tied to the budget
- Grievance structures
- Oversight, reporting, and transparency standards
- Whistleblower protections
- Non-represented employee appeal rights

These fall under **Article VIII, Section 1**, which vests *all powers of the City in the Council* unless expressly stated otherwise.

Nothing in the Charter removes personnel policy from the Council.

B. Operational personnel management — City Manager authority

- Hiring

- Supervision
- Daily discipline
- Evaluation
- Workplace management
- Implementation of personnel rules

These are the City Manager's domain under **Article VIII-A, Section 4**.

Deleting 3.08 collapses these two legally separate roles into one, contrary to Charter division of powers.

2. The Charter explicitly gives Council the authority to create personnel structures

Article XIII — Appointive Officers Clause

"The Mayor, with confirmation by the Council, shall appoint a City Manager, a City Attorney, **and such other officers as the Council deems necessary.**"

This clause is the legal foundation for:

- defining the Personnel System
- designating officers
- placing HR/Risk under Legal
- structuring personnel oversight
- establishing systems for reporting and accountability

Personnel policy **is clearly within the scope of governance** contemplated by Article XIII.

Eliminating the chapter removes Council's Charter-granted discretion to define essential officer structures.

3. Deleting the chapter transfers legislative authority to the City Manager — which is prohibited

Article VIII, Section 1

All powers belong to the Council unless expressly delegated.

Article IX, Section 1

Council enacts and maintains ordinances governing City operations.

Article VIII-A, Section 4.3

The Manager **administers and enforces** ordinances — but does **not** create policy.

By deleting 3.08 entirely:

- Personnel governance is no longer defined in ordinance
- Personnel rules become purely administrative edicts
- There is no mechanism for Council oversight
- Personnel rulemaking timelines disappear
- Grievance pathways disappear
- Transparency requirements are removed

This would allow administrative rules to become **de facto laws**, which contradicts the Charter's separation of powers.

4. Eliminating personnel policy contradicts state and federal compliance requirements

Cities must maintain systems that ensure compliance with:

- Oregon civil service principles
- Oregon Pay Equity Act
- BOLI rules
- FLSA
- ADA
- Title VII
- OSHA requirements
- Whistleblower protections

These obligations require **codified procedural safeguards**, not informal administrative practice.

Deleting the chapter removes the legal framework necessary for compliance.

It increases risk of:

- labor law violations
- pay equity challenges
- discrimination claims
- whistleblower retaliation allegations
- wrongful termination suits

Council has an affirmative duty to avoid these risks.

5. Deleting the chapter creates legal and operational instability

Eliminating AMC 3.08:

- Leaves no personnel rule adoption process
- Eliminates grievance structures
- Removes protections for employees
- Leaves pay equity and classification plans unanchored
- Confuses the hierarchy between Council policies and administrative rules
- Creates ambiguity over reporting and accountability

This creates a system where:

each new administration may rewrite internal policy without public process, notice, or Council knowledge.

That is the opposite of what the Charter intends for municipal governance.

6. The deletion undermines accountability by removing transparency structures

Current and proposed modernization structures (such as in your rewritten 2.29):

- require public posting of rules
- mandate reporting timelines
- ensure grievance and disciplinary transparency
- require Council notification of rule changes
- formalize employee protections
- standardize processes

Deleting the chapter removes **every one** of these systems.

The City Attorney's proposal yields:

- less transparency
- less oversight
- less consistency
- fewer safeguards
- more administrative discretion with no checks

This is the opposite direction of modernization.

7. A Charter-consistent pathway already exists: move personnel governance into 2.29

You are already proposing:

- Moving personnel governance to a new Chapter 2.29
- Eliminating obsolete operational language from Title 3
- Keeping only governance-level provisions in Code
- Preserving City Manager authority while reinforcing transparency

This is precisely the **Charter-compliant** approach.

It achieves modernization without deleting critical personnel policy.

AMC 2.04 — CITY COUNCIL

2.04.010 Authority

A. Oregon Revised Statutes, the City Charter, the Ashland Municipal Code, and the Council's adopted Rules and Procedures govern the meeting requirements and actions of the Council.

B. These operating policies and procedures are established and adopted under the authority granted in the Ashland City Charter, Article VIII, Sections 1 and 3.

C. *Robert's Rules of Order, Newly Revised* shall be the authority for deciding any questions on meeting requirements and actions not covered by this chapter, Council Resolution, or Oregon Revised Statutes.

D. Failure to strictly follow the rules in this chapter or *Robert's Rules of Order, Newly Revised* shall not be cause to void or otherwise disturb a decision or action of the Council.

E. Charter provisions may be suspended or repealed only by a vote of the people. Rules on meeting procedures in *Robert's Rules of Order, Newly Revised*, the Ashland Municipal Code, and Council Resolutions may be suspended temporarily upon a motion that is seconded and passed by a two-thirds vote. Such a motion is not debatable or amendable.

2.04.020 Meetings of the Council

A. The City Council shall hold regular meetings at least twice monthly at times and places established by Council resolution.

B. Meetings may be conducted in person, electronically, or in hybrid format, provided public access and participation are preserved consistent with Oregon Public Meetings Law.

C. Special meetings may be called by the Mayor, the City Manager, or any three Councilors with at least twenty-four (24) hours' notice, except in emergency circumstances.

D. All meetings shall be recorded and posted publicly within seven (7) business days of adjournment.

E. Special presentations shall be reserved for Study Sessions only.

2.04.030 Agenda Preparation and Council Requests

A. The City Manager shall prepare the agenda in consultation with the Mayor and Council leadership.

B. Any two (2) Councilors may jointly request in writing that an item be placed on a future agenda within thirty (30) days of submission.

- C. Any three (3) Councilors may jointly request in writing that an item be placed on the next regularly scheduled meeting agenda.
- D. The City Manager shall provide written justification for deferring or declining any requested item, which the Council may override by majority vote.
- E. Agendas and packets shall be publicly posted no fewer than five (5) business days prior to the study session or business meeting respectively, unless otherwise authorized for emergencies.
- F. All relevant information, staff reports, and presentations related to agenda items must be included in the published packet.
- G. If a presentation or report will not be completed in time for publication, the City Manager shall inform the full Council in writing of the reason for delay. The presentation may be distributed when completed but must be provided to the Council and posted publicly at least twenty-four (24) hours before the public meeting. If this deadline cannot be met, the related agenda item shall be postponed to a later meeting.

2.04.040 Conduct of Meetings

A. Quorum

As provided in Article VIII, Section 4 of the City Charter, four (4) Councilors, or the Mayor and not less than three (3) Councilors, constitute a quorum. If the Council members present do not constitute a quorum, the members present may adjourn or a majority of the members in attendance may direct staff to notify the absent members—except those known to be unavoidably detained—that their presence is required to enable the Council to proceed with business.

B. Rules and Decorum

- B. The Council shall adopt Rules of Procedure by resolution consistent with this Title and Oregon Public Meetings Law.
- C. Members shall maintain decorum, professionalism, and respect during all proceedings.
- D. Repeated violations of decorum may result in censure by majority vote of the Council.
- E. The presiding officer shall maintain order, ensure equitable participation, and manage public input consistent with adopted Rules of Procedure.
- F. The Council shall not impose time limits on Council deliberation except by unanimous consent of the Councilors present.
- G. Public forum shall be limited to fifteen (15) minutes unless extended by unanimous consent. The presiding officer may manage speaker order and time allocation within the fifteen-minute period to ensure broad participation.

C. Public Hearings and Ordinance Readings

H. Public hearings shall be conducted consistent with Council Rules of Procedure and applicable law.

I. Ordinances may be read by title only if consistent with Article X of the City Charter.

2.04.050

(Stricken)

2.04.060 Identification of Fiscal Impact of Policy Decisions

A. When the City Council adopts a program or policy, it shall indicate how it expects that program or policy will be funded. If the Council cannot reasonably identify a potential funding source, it shall so indicate.

B. "Program or policy with significant revenue implications" includes an ordinance or resolution in which implementation may entail expenditures in excess of 1.5% of the City's annual General Fund budget and may require increased or new taxes or fees.

C. This section does not apply to extraordinary expenditures necessitated by public emergencies.

2.04.080 Conduct with City Employees

A. Councilors may make inquiries of staff to increase understanding. Requests requiring significant staff time (two hours or more) shall be directed to the City Manager and must be approved by the Mayor, City Manager, City Attorney, or by majority vote of the Council.

B. Written information distributed to any member of the Council, Mayor, City Manager, City Attorney, or staff shall be shared with all Councilors with notation of who requested it.

C. Councilors shall respect the separation between policy-making and administration. Councilors shall not direct or pressure staff, interfere with work performance, undermine supervisory authority, or limit Council options. This does not limit Council's authority to evaluate the City Manager or City Attorney.

D. The Mayor and Councilors should strive not to criticize any person in public meetings or public electronic communication. Disagreements should focus on policy content. Nothing limits the right to report wrongdoing.

E. Concerns about staff performance shall be directed to the Mayor, City Manager, or City Attorney.

2.04.090 Commissions and Boards

A. The City Council may establish commissions, committees, and boards by ordinance or resolution.

B. Unless otherwise provided, all advisory bodies are governed by AMC 2.13.

C. The list of individual commissions shall be codified within their respective chapters in Title 2.

D. Removal of members shall follow the standard removal process applicable to all committees.

AMC 2.28 — CITY MANAGER AND ADMINISTRATIVE ORGANIZATION

2.28.010 Purpose and Scope

A. This chapter establishes the executive and administrative organization of the City, including the authority of the City Manager, the creation and governance of administrative departments, and the appointment, oversight, and accountability of Department Directors.

B. This chapter shall be interpreted consistent with:

1. AMC Title 1 (Code Governance and Administrative Rulemaking),
2. AMC 2.04 (City Council),
3. AMC 2.29 (Personnel System), and
4. The City Charter, including Articles VIII (Council), VIII-A (City Manager), IX (Special Powers of the Council), X (Ordinances), and XIII (Appointive Officers).

C. Executive powers established herein shall be exercised to faithfully implement City Council policy while maintaining transparency, accountability, public accessibility, and the Council's ultimate legislative authority.

2.28.020 Office of the City Manager

A. The City Manager is the chief administrative officer of the City and is responsible for executing the policies, ordinances, and directives adopted by the City Council.

B. The City Manager shall supervise and administer all City departments, employees, and operations except where the Charter or this Code assigns supervision elsewhere.

C. The City Manager shall not establish, revise, or supersede public policy. Legislative and policy-making authority is reserved exclusively to the City Council under Charter Articles VIII and X.

D. The City Manager shall comply with the rulemaking, publication, and review requirements of AMC 1.01.030 and shall maintain a publicly accessible administrative rule registry in coordination with the City Recorder.

2.28.030 Powers and Duties of the City Manager

A. Enforce and administer all ordinances, regulations, administrative rules, and contracts of the City.

B. Prepare and submit to the City Council:

1. The proposed biennial budget and long-range financial projections;
2. An annual **State of City Administration Report** within ninety (90) days of fiscal year end;
3. Quarterly written reports addressing operations, finances, performance metrics, interdepartmental initiatives, and administrative rule activity.

C. Ensure all administrative rules are transmitted to the Council for potential modification or rescission under AMC 1.01.030.

D. Appoint, discipline, and remove City employees in accordance with AMC 2.29 (Personnel System).

E. Provide timely responses to public inquiries and maintain transparent communication consistent with Title 1.

F. The City Manager shall **not create, eliminate, or reorganize** City departments without City Council approval by ordinance or resolution.

2.28.040 Administrative Departments

A. Administrative departments shall be established by ordinance or resolution to perform governmental and operational functions.

B. The following are core departments of the City:

1. Police Department

2. Fire and Rescue Department
3. Public Works and Engineering Department
4. Community Development Department
5. Innovation and Technology Department
6. Legal and Human Resources Department
7. Finance Department

C. Department Directors shall be appointed by the City Manager and confirmed by the City Council unless otherwise provided by this chapter or the Charter.

D. The Legal and Human Resources Department shall be led by the City Attorney, who is appointed by and reports directly to the City Council under Charter Article XIII.

1. The Human Resources Division shall operate under the supervision of the City Attorney.
2. The City Manager shall not interfere in personnel investigations, disciplinary proceedings, or labor relations conducted under the authority of the City Attorney.

E. The Finance Director is a Council-appointed officer who reports directly to the City Council and shall provide independent financial oversight consistent with Charter Articles VIII and XIII.

F. Each Department Director shall implement Council policy and administer day-to-day operations consistent with the Charter, the AMC, and administrative rules adopted pursuant to Title 1.

2.28.050 Director Appointments, Removal, and Recruitment

A. The City Manager may remove or discipline a Department Director for cause and shall notify the City Council immediately in writing.

B. All appointments and removals shall comply with the Charter, Council policies, and employment laws.

C. Director recruitment shall be competitive, publicly posted, merit-based, and consistent with equal-employment requirements.

D. The City Manager shall notify the City Council immediately upon appointing an Interim Director.

E. An Interim Director may be appointed permanently only after an open recruitment process, unless the City Council approves permanent appointment by majority vote.

F. Council confirmation is required as a safeguard to ensure qualifications, ethics, and suitability for public service.

2.28.060 Interdepartmental Coordination

A. Departments shall collaborate in implementing City objectives, including emergency management, sustainability, economic development, and public communication.

B. The City Manager shall coordinate interdepartmental initiatives and report significant actions to the City Council.

C. Departmental coordination shall align with Title 1 transparency, reporting, and publication requirements.

2.28.070 Reporting and Accountability

A. Each Department Director shall submit quarterly reports to the City Manager addressing:

1. Operations and service levels;
2. Staffing and training;
3. Expenditures and variances;
4. Progress toward Council-adopted goals;
5. Policy recommendations requiring Council consideration.

B. The City Manager shall compile and present a consolidated administrative report to the City Council at least semi-annually.

C. The Finance Director shall prepare two-, four-, and six-year financial forecasts and provide them as part of the biennial budget and at Council direction.

D. The City Council may require additional reports, audits, or reviews by motion or resolution.

2.28.080 Council Oversight and Performance Evaluation of the City Manager

A. The City Council shall conduct an annual performance evaluation of the City Manager in a format established by Council resolution.

B. Evaluation criteria shall include leadership, communication, fiscal stewardship, adherence to Council direction, and administrative management.

C. The Council may conduct special performance reviews by majority vote.

D. Evaluation sessions shall comply with ORS 192 regarding executive sessions.

E. Final actions, including any changes to compensation or contract terms, shall occur only in public session.

2.28.090 Council–Staff Communications

A. Councilors shall request information or staff support through the City Manager or through a City Manager-designated liaison.

B. The City Manager shall ensure timely and complete access to staff expertise and information with no unreasonable delay.

C. No individual Councilor may direct staff except by Council action or through the City Manager.

2.28.100 Temporary Absence or Vacancy

A. During temporary absence or disability, the City Manager shall designate an Acting City Manager in writing and notify the City Council.

B. If the office becomes vacant, the City Council shall appoint an Interim City Manager within thirty (30) days, with authority defined by Council resolution.

C. No Acting or Interim City Manager may adopt, amend, or repeal administrative rules or make permanent personnel changes without City Council approval.

2.28.110 Ashland Parks and Recreation Department

(This section preserves the structure and content of the 2025 reforms but integrates them into this chapter.)

All provisions of AMC 2.28.600–2.28.660 shall remain in full force and are incorporated by reference as the Parks and Recreation governance framework. The Parks Director, Parks Commission, and all associated operational and strategic relationships shall function consistent with those adopted provisions, the City Charter, and the requirements of this chapter.

AMC 2.29 — PERSONNEL SYSTEM

2.29.010 Purpose and Scope

A. A personnel system is hereby established to ensure fair, transparent, and merit-based employment practices for all City employees consistent with Oregon law, the City Charter, and Title 1 of the Ashland Municipal Code.

B. This chapter governs recruitment, selection, classification, compensation, performance evaluation, discipline, grievance procedures, personnel rulemaking, and workforce accountability.

C. Nothing in this chapter shall infringe upon collective bargaining rights under ORS Chapter 243 or supersede provisions of any collective bargaining agreement.

2.29.020 Administration of the Personnel System

A. The City Manager shall administer the personnel system subject to Council oversight under this chapter.

B. The Legal Department, under the supervision of the City Attorney, shall oversee Human Resources and Risk Management functions to ensure compliance with state and federal employment law, protection of personnel confidentiality, and independence from managerial conflicts of interest.

C. The City Manager and City Attorney shall coordinate on personnel investigations, disciplinary matters, and legal compliance, without diminishing the City Manager's appointing authority under the Charter or AMC 2.28.

2.29.030 Personnel Rules

A. The City Manager shall prepare and maintain written Personnel Rules consistent with this chapter, Council policy, and applicable law.

B. The Personnel Rules shall be adopted by Council resolution and publicly posted.

C. Amendments to the Personnel Rules shall take effect thirty (30) days after notice to Council unless rescinded or modified by Council motion during the notice period.

D. The Personnel Rules shall include, at minimum:

1. recruitment and hiring procedures;

2. equal employment opportunity and nondiscrimination policies;
3. classification and compensation procedures;
4. performance evaluation standards;
5. progressive discipline guidelines;
6. grievance and appeal procedures;
7. workplace safety, conduct, and training requirements;
8. whistleblower and anti-retaliation protections.

2.29.040 Classification and Compensation

A. The City Manager shall maintain a comprehensive classification plan for all non-represented positions.

B. Any changes to classification structures, salary schedules, or benefit policies with fiscal impact shall require Council approval as part of the biennial budget or by separate resolution.

C. Pay equity and market comparability analyses shall be conducted at least once every six (6) years and summarized in the biennial budget presentation.

D. The Personnel Rules shall include procedures for reclassification requests, position audits, and salary adjustments.

E. The City Manager shall publish, as part of the annual Workforce Accountability Report, an organizational structure and headcount summary comparing staffing to budgeted positions and citywide operational needs.

2.29.050 Recruitment and Hiring

A. Recruitment and selection shall be based solely on merit, qualifications, and job-related criteria.

B. Job announcements shall be publicly posted, and recruitment efforts shall strive for diversity, equal opportunity, and broad applicant outreach.

C. All employment offers shall be made in writing and identify the position title, salary range, and reporting structure.

D. Background, reference, and credential checks shall be conducted consistent with applicable law.

2.29.060 Performance Evaluation

- A. Each employee shall receive at least one written performance evaluation annually.
- B. Evaluations shall include clear goals, performance metrics, and professional development plans.
- C. Department Directors shall certify completion of evaluations to the City Manager.
- D. The City Manager shall report annual evaluation completion rates to the Council as part of the State of City Administration Report.

2.29.070 Discipline and Grievance Procedures

- A. Discipline shall be applied consistently and progressively based on the nature and severity of misconduct.
- B. Employees shall receive written notice of the grounds for proposed disciplinary action and an opportunity to respond before final action is taken.
- C. Grievances may be appealed through procedures established in the Personnel Rules or applicable collective bargaining agreement.
- D. Final grievance decisions for non-represented employees may be reviewed by a neutral hearing officer as provided in the Personnel Rules.
- E. The Council may review grievance outcomes only for policy compliance and legal sufficiency and only in executive session consistent with ORS 192.

2.29.080 Whistleblower and Retaliation Protections

- A. The City shall not retaliate against any employee who reports suspected violations of law, misuse of funds, gross mismanagement, or other misconduct.
- B. Reports may be made confidentially to the City Manager, Human Resources, the City Attorney, or directly to the Mayor or Council Chair.
- C. Retaliation allegations shall be investigated promptly, and findings shall be reported to the Council in executive session consistent with ORS 192.
- D. Confidentiality protections and reporting procedures shall be detailed in the Personnel Rules.

2.29.090 Workforce Accountability Reporting

A. The City Manager shall prepare an annual Workforce Accountability Report summarizing:

1. staffing levels, organizational structure, and headcount;
2. turnover, retention, and diversity statistics;
3. training and professional development activity;
4. the number and general outcomes of grievances and disciplinary actions;
5. personnel policy changes and compliance audits.

B. The report shall be presented to the Council in public session and posted on the City's website.

2.29.100 Employee Records and Confidentiality

A. Personnel records shall be maintained consistent with ORS 652, ORS 192, and applicable federal law.

B. Access to personnel files shall be limited to authorized individuals in accordance with the Personnel Rules.

C. All records shall be retained, stored, and disclosed consistent with City records retention schedules and public records law.

2.29.110 Relationship to Collective Bargaining Agreements

A. For represented employees, negotiated collective bargaining agreements govern where conflicts arise between this chapter and contract terms.

B. Where this chapter provides greater transparency or procedural safeguards, the City shall honor the collective bargaining agreement while ensuring compliance with State law.



Better Together

SPEAKER REQUEST FORM

Study Session

Submit this form to the meeting Secretary prior to the discussion item.

- 1) You will be called forward when it is your turn to speak
- 2) State your name and speak clearly into the microphone
- 3) Limit your comments to the time allotted
- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

11/17/2025

Name: (Please Print)

JOSEPH W. PECK

Ashland Resident:



YES



NO

City: _____

Agenda Topic/Item Number:

CODE ENFORCEMENT 2A

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.

Item 1



SPEAKER REQUEST FORM

Study Session

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Date:

11-17-25

Name: (Please Print)

SUSAN PECK

Ashland Resident:



YES



NO

City:

Agenda Topic/Item Number:

II a. ordinance

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

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City Council Study Session
November 17, 2025, 5:30 p.m.

Good evening,

We are Susan and Joseph Peck and we live within the city limits. We would like to recommend an amendment to the municipal code.

Under **9.08.170 Nuisances/Unnecessary Noise, General Provision B 2** and **3** cite how noises in a residential area may cause “unreasonable disruption” when its occurrence is “unusual in time”. Also cited in this ordinance unreasonably loud animal noises in **General Provision D 2** as a violation. **D 9** cites noises in residential areas between 10:00 p.m. and 7:00 a.m. which disturb the quiet of reasonable persons with ordinary sensitivities.

Under another ordinance, **9.16.070 Nuisance - Dogs, Public Nuisances, General Provision A 8** notes excessive barking as a public nuisance unless the barking is caused by presence of cats or predatory animals. The time of day is not noted in this provision, allowing for the dog to excessively make noises which would include the middle of the night when most citizens sleep.

Our recommendation is to amend **9.16.170 Section A 8** to note that while it is understood the typical behavior of a dog is to bark at a cat or predator, we believe the verbiage of “between the hours of 10:00 p.m. - 7:00 a.m.” as noted in **D 9 of 9.08.170** should also be applied here so there would be no ongoing barking to disturb peace and comfort of the residential area when most citizens sleep.

Thank you for your time.

Item 2



Better Together

SPEAKER REQUEST FORM

Study Session

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- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

11/17/25

Name: (Please Print)

LINDA ADAMS

Ashland Resident:



YES



NO

City: _____

Agenda Topic/Item Number:

Update on prohibited camping

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

Disclaimer: By submitting this request to address the Public Body, I agree that I will refrain from the use of any obscene, vulgar, or profane language. I understand that if I do not follow procedure my speaking time may be terminated, and I may be requested to sit down or leave the building.



SPEAKER REQUEST FORM

Study Session

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Date: 11/17/25. I have a pre-existing appointment. Can't stay for agenda item. Please include my comment in meeting record.

Name: (Please Print) Cate Hartzell

Ashland Resident:

☒ YES ☐ NO City: _____

Agenda Topic/Item Number: Update on Prohibited Camping Enforcement. ~~As per~~ (see other side)

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

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The item described in Council Packet was vague and failed to adequately describe the question or proposed change being considered. I realize this is a Study Session at which decisions aren't made. To be transparent, Council Packets need more explanation.

It appears that C.O.A. seems to think HB 3115 and court decisions frame a particular geographic/jurisdictional area w/in which governments can meet their legal obligation to regulate sleeping/camping of unhoused residents. I'd like that specific area to be articulated by C.O.A.

The agenda material appears to map areas w/in town where camping will be allowed. Please be specific about whether that's what C.O.A. is doing.

The numbers given for citations at Night Lawn were presented with inadequate framing to honestly represent the fact that the area has high police patrol and concentrates some of the highest-need homeless community. At least one citation was given to person in parking lot, which Chief said is not Night Lawn property.

I remain deeply disappointed and disgusted by Council's and APD's capacity to grapple with issues around the unhoused.

2



SPEAKER REQUEST FORM

Study Session

Submit this form to the meeting Secretary prior to the discussion item.

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- 4) Provide any written materials to the meeting Secretary
- 5) Speakers are solely responsible for the content of their statement

Date:

Nov 17 2025

Name: (Please Print)

Debbie Neisewander

Ashland Resident:



YES



NO

City:

Agenda Topic/Item Number:

Nite Lawn

Please respect the order of proceedings and strictly follow the directions of the presiding officer. Behavior or actions which are loud or disruptive are disrespectful and offenders will be requested to leave.

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Info Obtained from APD Blotter Reports

20) Property (1)(1)(1)(6)(4)(4)(0)(3)

No Info (30)

(1) Jan 25-153 (ORD)

(3) Feb 25-254 (ASSTAP) 25-266 (ORD) 25-270 (BITEP)

(6) March 25-466 (ASSTPP) 25-469 (ORD)*
25-476 (All Other Offenses) 25-481 (ORD)*
25-486 (LLAWS) 25-493 (ORD)

(2) April 25-584 (ORD) 25-656 (ASSTAP)

(3) May 25-846 (ORD) 25-851 (ORD) 25-583 (ASSTPP)

(5) June 25-910 (ORD) 25-942 (ORD) 25-975 (SUSP)
25-995 (ORD) 25-1036 (ORD)

(5) July 25-1123 (Redacted) 25-1171 (ASSTAP)
25-1195 (FOOTP) 25-1220 (Assist Law Enforce.)
25-1221 (ORD)

(5) August 25-1412 (ORD) 25-1444 (ORD) 25-1463 (ORD)
25-1466 (Redacted) 25-1524 (ORD)

Summary

(ORD 17)

FOOTP (1)

Assist Law

No Info

ASSTAP (3) ASSTPP (2) Redacted (2) LLAWS (1)

SUSP (1) BITEP (1) All Other Offenses (1)

Enforcement (1)

~~and Court Records~~

Nite Lawn 2025

Prohibited Camping (17) Jan-Aug

Jan (5) Feb (0) March (7) Apr (4) May (0)
June (1) July (0) Aug (0)

Arrests

	J	F	M	A	M	J	J	A
(17) Warrants	(4)	(3)	(1)	(3)	(3)	(1)	(1)	(1)
(6) Trespass	(0)	(0)	(0)	(1)	(3)	(2)	(0)	(0)
(3) DOC	(0)	(0)	(1)	(0)	(1)	(1)	(0)	(0)

Violations

- (3) Scattering Rubbish March (1) April (2)
- (4) Prohibited Use Marijuana April (2) June (2)
- (1) Open Container June (1)
- (1) Dangerous Animal (1) Feb
- (1) Dog Control Req'd (1) March
- (1) Parking Prohibited March (1)
- (1) Loitering in Public Parking Lot May (1)