

CITY OF DILLINGHAM, ALASKA

RESOLUTION 2016-48 (AM)

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL WAIVING SECTION 3.95 OF THE CITY'S PERSONNEL REGULATIONS IN ORDER TO ALLOW CHRISSIE MESSER TO CONTINUE HER EMPLOYMENT AS AN EXECUTIVE ASSISTANT WITH THE CITY OF DILLINGHAM ADMINISTRATIVE DEPARTMENT WHILE HER BROTHER, CHRISTOPHER MAINES, AND GRANDFATHER, ANDY ANDERSON, SERVE ON THE CITY COUNCIL

WHEREAS, Section 3.95 of the City's Personnel Regulations prohibits some family members from working for the City government simultaneously when one family member would exercise direct supervisory control over another; and

WHEREAS, Section 3.95 also allows the City Manager to recommend a waiver of the nepotism restriction when a City Council member is elected while a family member is a current City employee, as long as the employee is not directly supervised by the Council or Mayor; and

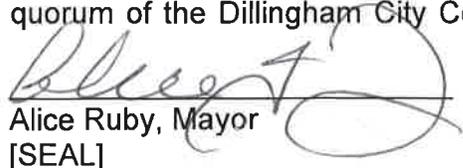
WHEREAS, Chrissie Messer works as an Executive Assistant for the City of Dillingham, and her brother Christopher Maines, elected October 2013, and her grandfather, Andy Anderson, elected October 2015, serve on the City Council;

WHEREAS, City Manager Rose Loera recommends the Council approve a waiver of the nepotism restriction since Chrissie Messer will not be directly supervised by the Council or Mayor;

NOW THEREFORE BE IT RESOLVED BY THE DILLINGHAM CITY COUNCIL:

1. The City Council finds that it is in the best interest of the City for Chrissie Messer to remain employed as an Executive Assistant for the City of Dillingham.
2. Section 3.95, Nepotism, of the Personnel Regulations, is waived in this instance to allow Chrissie Messer to remain employed while Christopher Maines and Andy Anderson serve on the City Council.

PASSED AND ADOPTED by a duly constituted quorum of the Dillingham City Council on September 1, 2016.


Alice Ruby, Mayor
[SEAL]

ATTEST:


Janice Williams, City Clerk

City of Dillingham Information Memorandum

Agenda of: September 1, 2016

Attachment to:

Ordinance No. _____ / Resolution No. 2016-48 (AM)

Subject:

A resolution waiving Section 3.95 of the personnel regulations in order to allow Chrissie Messer to continue her employment as an Executive Assistant with the City of Dillingham while her brother, Christopher Maines, and Grandfather, Andy Anderson, serve on the City Council

City Manager: Recommend Approval

Signature: Janice Williams, City Clerk/Acting Mgr

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- Copy of Section 3.95 Personnel Regulations

Summary Statement:

Chrissie Messer has been employed as an Executive Assitant to the City Manager as of July 25, 2016. Her brother is Christopher Maines. Her grandfather is Andy Anderson. They both serve on the City Council.

Christopher Maines was elected to Council Seat B at the October 2013 City election for a three year term. Andy Anderson was elected to Council Seat E, at the October 2015 City election for a three year term.

According to the City's Personnel Regulations, Section 3.95, Nepotism, the City Manager may recommend a waiver to the Council as long as the employee is not directly supervised by the Council or Mayor. In this case, Chrissie Messer would not be directly supervised by the Council or Mayor.

Attachment to:
Ordinance No. _____ / Resolution No. 2016-48 (AM)

Summary Statement continued:

Route to	Department Head	Date
	Finance Director	
	Planning Director	
X	City Clerk	

VHF radio, if the employee is likely to be called in for emergency situations involving his/her job function.

3.70. PROVISIONAL APPOINTMENT If a vacancy cannot be filled by a qualified applicant, it may be filled by a provisional appointment. A provisional appointee's tenure shall terminate as soon as the position can be filled by appointing a qualified person to the position.

3.75. EMERGENCY APPOINTMENTS In an emergency that threatens life or property, the City Manager, may without complying with the provisions of the personnel regulations concerning regular appointments, employ such persons as are necessary to meet the emergency needs of the City for the duration of the declared emergency.

3.80. TEMPORARY APPOINTMENTS In cases of special projects, seasonal activity or other such situations, the City Manager may appoint a temporary employee, without complying with the provisions of the personnel regulations concerning regular appointments.

3.85. RECRUITMENT BONUS When a person has been hired by the City, and must move from a community outside Dillingham, a recruitment bonus may be negotiated by the City Manager at the time of appointment, and so set forth in writing with a copy furnished to the employee. The City shall not be liable for any relocation expenses. New employees shall be required to sign an agreement to reimburse the City on a pro rata basis for any recruitment bonus should they leave the City as a result of their own action prior to the completion of a period of time agreed to between the employee and the City Manager.

3.90. PREVIOUS WORK RECORD An applicant who has been previously employed by the City and whose services were unsatisfactory or whose departure was without sufficient notice may be disqualified for subsequent employment.

3.95. NEPOTISM No person shall be appointed to a City position when he or she or any member of their family is the Mayor or serves as a member of the City Council. No employee shall hold a position over which a member of his/her family exercises direct supervisory control.

Family is defined to include: spouse, children, parents and grandparents, brother and sister, parents and grandparents of spouse, brother-in-law, sister-in-law, and such person of a half or step relationship.

When the Mayor or a City Council member is elected, and a family member is a current City employee, the City Manager may recommend a waiver as long as the employee is not going to be directly supervised by the Council or the Mayor.

The City Council, upon the recommendation of the City Manager, shall have power to grant specific waivers of this provision if they decide the appointment of the individual is in the best interest of the City. Such waiver shall be a public record and a copy shall be placed in the personnel file of the individual.