



Council Minutes

December 17th, 2019

ROLL CALL: Mayor Don Ware called the meeting to order at 7:00 p.m. with Councilors Gerber, Neddeau, Block, Thompson, Chambers, and Hansen present. Administrative Assistant Tammi Morrow, Public Works Superintendent Karl Frink, and City Administrator Scott McDowell were also present.

PUBLIC: Kim Clayton, Lieutenant Michele Duncan and Captain Kevin Guilford (*Linn County Sheriff's Office*), Phil and Kaye Fox, Elizabeth Coleman, Allen Buzzard, Norman Simms and Marilee Frazier (*Emergency Preparedness Committee*), and Tia Parrish (*The Times*).

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: None tonight.

MINUTES: Councilor Block made a motion to approve the November 26th, 2019 meeting minutes as presented. Councilor Hansen seconded the motion, and it passed unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

1. **Emergency Preparedness Committee – Norman Simms and Marilee Frazier.** Norman Simms reviewed the EPC goals and strategies for the upcoming year. Members of the group attend the bimonthly regional EPC meeting at the LCSO. The group also meets locally quarterly. Marilee Frazier and Tammi Morrow participated in the Safety Day at Central Linn Elementary in June. Mrs. Frazier demonstrated to Council a group of items that can be stored in a backpack that would very helpful during an emergency situation. Items included water, medication, food, flashlight, toilet paper, hand sanitizer, wipes, cards, stuffed animal, dice, clothing, blanket, towel, comb, etc. Mrs. Morrow updated Council on the Jacob's Kit Program; more program activities will be happening in January. McDowell concluded the conversation stating that another letter has been drafted that will be sent out after the first of the year re-engaging community partners. These community partners, and the services or equipment that they bring to the table may prove out to be an important element in future emergency situations. Overall, McDowell stated that it has been a great year for EPC activities. This year both fire departments have been engaged as well as the City of Halsey toward our common EPC goals. A website has been created (clcepc.org) that features resources, literatures, videos, and contact information. McDowell has reached out to the drama department at CLHS to see if they are interested in participating by making videos.
2. **Annual Audit Review – FY 2018-2019.** McDowell stated that he forwarded the entire report to Council electronically. Hard copies are available upon request. The audit shows the City's full fiscal position. The audit shows forecasted revenues and what was realized. It highlights business activities, and ending fund position balances. The month end recap sheet was also reviewed, showing a month at-a-glance of revenues received and expenditures. The \$15 sewer debt fee is shown on this sheet each month as well. The sewer debt fee is a way that the City balances the debt with a monthly fee that all users are paying which was decided by Council in 2007. The actual cash on hand at Key Bank and OST are also reflected on this sheet. McDowell reviewed the bond totals and what that means for the City going



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forward. *Councilor Block made a motion to approve Resolution 2019.22 as presented. Councilor Hansen seconded the motion, and it passed unanimously.*

DEPARTMENT REPORTS:

1. **LCSO Sheriff's Report.** Lieutenant Michele Duncan was present to recap the November numbers: 11 citations, 10 warnings. Total hours for the City were 205.5. Duncan stated that they have changed the way that they are reporting traffic hours as it does not clearly define all the time deputies actually spend on traffic in the City. Traffic hours and patrol hours are virtually the same.

It is the time of year that holiday theft increases; thieves are out in full force, and they love brand new things. Lt. Duncan cautioned everyone against leaving any packages or valuables in a car; always remember to lock your car as well. She reminded Council that there are a lot of phone scams going on as well. The current one is convincing folks to pay with a credit card or Apply pay card. Never do this for a phone solicitation! If you think it might be a valid call, hang up and cross check the phone number to make sure it is a valid company or representative contacting you. LCSO gets several calls a week with folks falling victim to phone scams.

Lieutenant Duncan talked about the LCSO IGA contract (200 hours of enhanced service) next. She stated that the city contracts help LCSO do the extra things for a city, such as extra traffic enforcement, abatement calls, extra visible coverage, and event coverage as well. The extra coverage helps with the response times, especially if there is already a deputy in town. Communication with the City is one of the most important things that they do, and there are many intangibles that come with that. Having deputies assigned to specific places helps them to get very familiar with the community and learn the folks, vibe, etc. This hometown intel, if you will, is due largely to the boots on the ground. This intel is not necessarily counted in the hours that Council sees.

LCSO has also initiated a motor carrier unit, which is an added bonus for the City with no additional cost. They have been trying to make citations a priority. Cites are up from years past, and while not exactly where they want to be, she feels they are closing the gap. Mr. McDowell stated that from Council's perspective, the focus has always been value, and the main concern continues to be low citation numbers. Councilor Block stated that he felt the numbers are still too low. Duncan responded that citations are always going to be a judgment call; discretion between a citation and a warning will always rest with the deputy. Councilor Hansen stated that he knows that roadside education is paramount, and sometimes makes a lot of difference. *Councilor Gerber made a motion to authorize Mr. McDowell and Mayor Ware to execute the LCSO IGA contract. Councilor Hansen seconded the motion, and it passed unanimously.*

2. **Public Works.** Mr. Frink stated they have repaired a few water leaks, and have finished scraping one of the filters. They are waiting for the water levels to catch up before starting on the second filter. A fire hydrant was repaired, and the Wastewater Treatment Plant is ready for discharge when river levels rise. He continues to work on the DMR reporting for DEQ and the State of Oregon; issues are hopefully resolving. PW cleared some storm drains; one on Sage took 2 days with the vacor truck. Leaf cleanup has started and is progressing well. Pioneer Park will be the last on the list this year. The park was closed on November 4th for the winter. A new heating unit was installed at City Hall.



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3. **Administrator's Report.** Mr. McDowell showed Council how to report a streetlight outing via the City's website. You will need the pole number (usually a 6-digit number) or the general pole location. Councilor Block stated that he recently filed a report, and the company responded quickly to the outage.

Mr. McDowell has been in contact with Linn County Road Department's Darrin Lane, and they have agreed to do the traffic count near Henshaw Lane soon.

McDowell provided an Ohio article in the packet. Reality is upon us; findings and orders are beginning to be issued by the EPA in relation to TMDL. DEQ's Priscilla Wolverton recently reported that USEPA rejected the State of Oregon's TMDL plan. Changes will happen soon, so stay tuned for that. The City will be coming back to the TMDL issue forever. Requirements are not going to become less restrictive.

McDowell reminded Council of the private property vs. public property equation. Public employees are *not* permitted to work on private property, as they are not covered by the City's insurance.

McDowell reported that we have switched our software back from the cloud-based system to being native on our local hard drive. It seems to be going much better. When high speed internet comes to town, we will likely try to go back on the cloud-based software. McDowell also helped with the installation of a new computer in the library.

McDowell continues to have meetings regarding the Rural Opportunities Initiative Grant surrounding asset mapping, branding, and website development as outlined in the MVP Intergovernmental Agreement.

McDowell presented Council with a road closure request for 900 Ash Street for a house building project. *Councilor Gerber moved to authorize the closure on Coshow Avenue on December 21st, 2019, dependent on receiving the agreement with the neighbors. Councilor Block seconded the motion, and it passed unanimously.*

4. **Planning.** No comments.
5. **Library Report.** No comments.
6. **Court Report.** No comments.
7. **Council Comments.** McDowell thanked Mrs. Morrow for the heads up with new legislation that needed to be in place by January 1st, 2020. Council will address that tonight with R 2019.23.
8. **Citizen's Comments.** Kaye Fox inquired about Alyrica timing coming to town. McDowell responded that it is a work in progress; hopefully they will be signing up customers by July.

Allen Buzzard thanked everyone for their service. He wanted to recognize the six Councilors and the Mayor. He distributed calendars and cards to the Council.



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LEGISLATIVE ITEMS:

1. **Resolution 2019.22** – Passed above under presentations.
2. **Resolution 2019.23 – Emergency Employee Handbook Policy Adoptions**. Mr. McDowell stated that due to imminent State law changes, the handbook policy revisions need to be adopted by 01/01/2020. *Councilor Gerber made a motion to adopt policy handbook changes by emergency. Councilor Block seconded the motion, and it passed unanimously.*
3. **Resolution 2019.24 – Accepting Depot Avenue – New Roadway Construction**. McDowell stated that R 2019.24 is very straightforward – just as detailed in the packet. This resolution simply acknowledges the City acceptance of the new street extension into the City’s roadway inventory. *Councilor Block moved to approve R 2019.24. Councilor Neddeau seconded the motion, and it passed unanimously.*

ACTION ITEMS:

1. **Army Corps of Engineers – Calapooia River**. Mr. McDowell informed Council that the ACE will review the Calapooia River erosion situation if Council does preliminary engineering and complete an application. If Council would like to move forward and do that, Council could then petition to have them take another look. Approximate cost estimates for such a project range from \$1.8 - \$1.9 million. McDowell stated that Council should be ready with funding ideas before proceeding with an application. Mayor Ware thought it might be important to a closer look. The Calapooia is considered a wild river by definition which makes it challenging. The City has several large expenditures looming with other capital infrastructure as well. By consensus, Council tabled the item to be discussed at the goal setting session in January.

DISCUSSION ITEMS:

1. **Canal Company**. McDowell reminded Council that he and Councilor Block recently met with Canal Company officials. The officials seemed to be ready to move forward. By consensus Council authorized Mr. McDowell to go forth, tailor a plan, and bring more information back to Council.
2. **Right of Ways**. McDowell and Administrative Assistant Elizabeth Coleman reviewed the current storage container/pod issue. Several of these containers have showed up around town in the last few months. Coleman stated that she is getting a lot of inquiries about them. She would like to encourage Council to consider standards for these storage containers. McDowell reminded Council of the process; Staff would collect input and data, the Planning Commission would consider the information and make a recommendation to Council, and then Council would set standards and policies. A presentation highlighting the following three ideas was presented for Council information. Idea #1 temporary storage containers used for moving, remodeling or other purposes designed for a very short-term (30, 60, 90, or 180 days). Mrs. Coleman said that the biggest concern with this idea is that the temporary containers can turn into mostly permanent structures, which would not be great. She said this is causing alarm from folks. Idea # 2 is storage containers



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used for housing or accessory structures. The presentation showed several different scenarios and what it could/would look like. Coleman said that these units can be stackable, and some are very nice higher-end units. However, they are not all going to turn out nice, or stay nice, in the absence of code. These pictures show the very real need for policy. Idea #3 is formalizing earlier Council guidance, such as an accessory structure must be anchored in flood prone areas. This earlier guidance really does not give Staff tools to implement what needs to be done. Council by consensus gave Staff permission to move forward with the Planning Commission's review of these issues.

3. **Speed Collection Equipment.** McDowell reported that Councilor Block has researched this speed collection equipment and McDowell obtained a quote for \$14,400 for several non-descript traffic boxes. McDowell has forwarded the information on to LCSO for review. We may be able to do something regionally. Council may want to look at putting a place holder in the budget for next fiscal year. These boxes are just for data collection, no citations will be issued using this information.
4. **Council Goals.** Mr. McDowell stated that Council should be well pleased with the progress that has been made this year regarding Council goals. Goals for the upcoming year need to be determined. By consensus, Council determined that a Saturday morning goal setting session was the most desirable. January 25th, 2020 was decided on for the date from 9:00 a.m. – 12:00 p.m.
5. **November Financials.** No comments.

CITIZENS COMMENTS: Kaye Fox stated that she would like to have input with the Canal Company as they own abutting property. McDowell indicated that the group is currently working on a letter that may be sent.

COUNCIL COMMENTS: Councilor Chambers thanked Mrs. Foxe for bringing chocolate for Council at the meetings. Council thanked Councilor Chambers for bringing the sweet breads tonight as well.

Council adjourned into executive session at 8:21 p.m. Mayor Ware read the following:

- Council will be reviewing the performance of the City Administrator.
- Oregon Revised Statutes, Chapter 192.660 governs the conditions for a public body to convene in an Executive Session. The City will invoke Section (i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.
- Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session.



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- A final decision may be made after this Session.

Council came back into regular session at 8:55 p.m.

ADJOURNMENT: *Councilor Block moved to adjourn the Council meeting at 8:58 p.m. Councilor Chambers seconded the motion, and it passed unanimously.*

A handwritten signature in blue ink, appearing to be "SM", positioned above a horizontal line.

City Administrator S. Scott McDowell

A handwritten signature in blue ink, appearing to be "DW", positioned above a horizontal line.

Mayor Don Ware