

REGULAR MEETING OF THE COUNCIL
CITY OF AMITY, OR

Minutes

A Regular Meeting of the City of Amity City Council was held at 7:00 p.m. on Wednesday, October 3, 2018 in the Council Chambers, City Hall, 109 Maddox, Amity, Oregon.

Councilors Present

Councilor William Daley, Councilor Dawn King, Councilor Caralyn Miller, Councilor Max Walker, and Mayor Michael Cape.

Councilors Absent

Councilor Joshua Simonson, Councilor Rudy van Soolen

Staff Present

City Administrator Justin Hogue, City Treasurer/Recorder Jackie Loos, Public Works Superintendent Gary Mathis, and Police Chief Chris Bolek.

Mayor Cape announced that items a. and c. under "New Business" would be moved up in front of "Old Business."

CONSENT AGENDA:

Councilor Miller moved to approve the consent agenda, which consisted of bills from September 2018 and minutes from regular session dated September 5, 2018. Councilor Walker seconded the motion. With no discussion, the consent agenda was approved 4-0.

CITIZEN COMMENTS/QUESTIONS:

Erin Rainey with Amity DIG discussed the daffodil festival and how DIG would like to have the community help with planting bulbs around town this fall. She mentioned that they would be discussing it more, along with the Tree Lighting event at the upcoming DIG meeting on Thursday, October 11, 2018, at the Trade Street Commons at 4:00 p.m. Eve Silverman invited the City Council and City staff, as well as the community to a strategic doing/training event on November 3rd from 1:00-5:00 p.m. at the Amity Fire District building. Ms. Silverman spoke about the event, which focuses on what can be accomplished through community engagement. Ryan Lehman, Goucher Avenue, stated that he believes the Council is making non-factual statements. He stated that some comments made at the last Council meeting by Councilor Simonson regarding Sergeant Clark, were unfounded and believes that the false information is being used as a scare tactic and it should warrant an investigation with the Oregon Ethics Commission. He believes that Councilor Simonson's actions are creating a hostile working environment for the Police Department. Mr. Lehman stated that the Council should pass a resolution, barring Councilor Simonson from making any future votes or participating in discussions regarding the Amity Police Department. Mayor Cape stated that the Ethics Commission is more focused on issues regarding financial gain. Bobbie Farquar, Stanley Street, stated that the Council should have went with the Sheriff's Office because that is how the community voted on the survey that went out. Eddie Forney, Nursery Avenue, asked the Council if the City has become compliant or if it's still being addressed. He stated that some of the compliance issues have not been made available to the public. Mayor Cape stated that some of those items are sensitive and not safe to release to the public. He also stated that some items have been corrected and there are still some items being worked on. Chief Bolek

went over which items have been completed and what hasn't. He mentioned that the backgrounds and vaccinations are close to being completed. Mr. Forney spoke about the Council Rules regarding false statements as an employer. Mike Brandt who resides outside the city limits, gave his opinion on policing. Stacy Jones, Nursery Avenue, asked what the Council's plan is moving forward. Mayor Cape explained that the Council is not allowed to gather outside of public meetings to discuss City business, therefore, he cannot say what the plan would be until they discuss it later in the meeting. Ryan Lehman spoke again on why he believes the City is in the situation it is currently in and believes that it falls solely on the Mayor to ensure that the Police Department was compliant. Mayor Cape stated that it would have been the responsibility of the Council as a whole, not just him. Wayne Penton, 6th Street, stated he understood and had an appreciation of what the Council is going through as small-town resources are limited. He stated that the community needs to work together and that not everyone will agree or be happy with decisions made by the City Council.

NEW BUSINESS:

- a. Mid-Willamette Valley COG Presentation – Executive Director Sean O'Day addressed the Council and explained what a Council of Governments (COG) is. He also spoke about a new program at the COG that provides legal services and the ability for Amity to utilize that service. Mayor Cape asked if there was a limit on the number of hours the COG would provide. Mr. O'Day stated there was not currently a limit. Mr. O'Day commended the Mayor and Council on their great work and stated that the community was lucky to have Cape as their mayor. Mayor Cape asked the Council Committees to review the contract in more detail and that they would re-visit the topic at a later time.
- c. Request to Initiate Comprehensive Plan Map Amendment – Mayor Cape stated he had a potential conflict of interest as he has worked for Sam Coelho on occasion. Councilor Walker moved to initiate a Type IV action and direct staff to accept SRC Management's application for comprehensive plan and zoning map amendments involving a parcel located within the City. Councilor Miller seconded the motion. Hogue stated that the Council was not making any type of land use decision; this item was to allow the land use application to be reviewed by the Planning Commission where a recommendation of action will be provided and reviewed by the City Council for final decision. Councilor Miller asked if this had been to the Planning Commission before. Hogue stated that it had, however, it was connected with a proposed development and now it is not attached to any proposed development. Councilor King asked about the location. Hogue stated that it was located near the corner of 1st and Trade Street. With no further discussion, the motion passed 4-0.

OLD BUSINESS:

- a. Chief of Police Recruitment – Mayor Cape discussed the staff report given by City Administrator Hogue and how the City received two applicants after advertising for an additional 3 weeks. The recruitment committee met at the end of September and did not recommend hiring either of the candidates. Chief Bolek talked about some of the issues that were being discussed on Facebook. He then read a letter, which commended Sergeant Clark and the reserves for their service provided over the years with limited resources. Bolek stated that there was a lot of discussion about how Sergeant Clark should be made interim Chief, however, Sergeant Clark does not desire that role. Bolek talked about his decision to leave. Bolek stated that he would like to see the community join together regardless of the decision made by the Council on law enforcement. Mayor Cape stated that it is not an easy choice and he realizes that the Council cannot please everyone, but needs to decide on what is in the best interest of the City and community. Mayor Cape talked about past discussions the Council has had regarding policing. Mayor Cape stated that the Council has done everything they can to try to follow through with their decision to keep local law enforcement, but now is at a loss of what

to do since the City has not been able to find a viable candidate. Mayor Cape suggested that the City possibly contract with the Sheriff's Office and in 7 to 8 months begin advertising for the Chief position again. During that time, the City would continue to charge the \$10 public safety fee to save up money to fill the position and continue to work on getting the Department where it needs to be. Mayor Cape stated that if the City contracted with the Sheriff's Office for one-year, the City could keep all its equipment and not have to rebuild the Department. Mayor Cape also suggested that if at that time the City still could not find a Chief and decided to keep contracting, the public safety fee could be lowered to cover the cost of the contract. Councilor Walker asked about Sergeant Clark's job. Mayor Cape stated that the Sheriff's Office would be obligated to have a job absorb Sergeant Clark. Mayor Cape asked if there were any other proposals from the Council. Councilor Daley stated that the City is down to a very narrow window and there needs to be a decision made. Councilor Daley moved to contract with the Sheriff's Office for one year, with the expectation of advertising again for the Chief position near the end of the contract. The motion was not seconded. Councilor Miller asked about the Sheriff's Office contract and thought that it should be reviewed by the Committees first to see what the contract might look like now. The Council decided to have the Committees discuss the contract at the next Committee meetings and re-visit the topic again in November.

NEW BUSINESS:

- b. Ordinance 658- Amending Ord.548: Regulating Use of City Streets by Trucks and Providing Penalties for Violation – Councilor Walker moved to conduct a second reading by title only and adopt Ordinance 658, an ordinance amending ordinance 548; regulating use of city streets by trucks and providing penalties for violation. Councilor Miller seconded the motion. With no discussion, the motion passed 4-0.
- d. Leak Detection Study – Hogue stated that the item was informational only and went on to discuss the results of the leak detection study report, which showed that the water loss rate has decreased.
- e. Approval of Knife River Contract for Street Projects – Councilor Walker moved to award a contract for street construction to Knife River in the amount of \$154,041.50 and authorize the City Administrator to execute a contract on behalf of the City. Councilor Miller seconded the motion. Mayor Cape asked if this cost was within the City's budget. Hogue stated it was and that \$100,000 of the project would be covered by the Special City Allotment (SCA) grant. Hogue went over the minor changes that would be made to save costs.

DEPARTMENT REPORTS:

City Administrator by Justin Hogue: Hogue submitted a written report and added that he had received a request for Council approval from Sergeant Clark to use five consecutive days of administrative leave in October, which was granted. Hogue stated that he was informed that Woodson Avenue property would be put up for sale, that there would be some debris removal, and boarding of windows commencing in October. There were no questions for Hogue.

City Recorder by Jackie Loos: Loos submitted a written report and had nothing to add. There were no questions for Loos.

Public Works Report by Gary Mathis: Mathis submitted a written report and had nothing to add. There were no questions for Mathis.

Police Report by Chris Bolek: Chief Bolek submitted a written report and added that Sergeant Clark had earned his supervisory certificate, however, the certificate had not arrived yet; therefore, Bolek presented Clark with a letter. There were no questions for Bolek.

City Engineer Billing Report: There was a billing report submitted. There were no questions for the City Engineer.

City Planner Report: City Planner Holly Byram was not present; however, an itemized invoice was presented to the Council. There were no questions for the City Planner.

Library Report by Marcia Robbins: Head Librarian Robbins submitted a report and talked about the library's statistic reports. She also talked about the donated computers Hogue had received that are now installed at the library. There were no questions for Robbins.

City Attorney Report by Branch Law, LLC: City Attorney Brian Branch was not present and did not submit a report. There were no questions for the City Attorney.

REPORTS FROM MAYOR AND COUNCILORS:

Mayor Cape: Mayor Cape submitted a written report and talked about the LOC conference he attended. He talked about possible new methods for employee evaluations. He also discussed how he spoke with some state agencies at the conference regarding possible future sidewalk/street projects on 5th Street and the possibility of another pedestrian activated beacon on the south end of town. There were no questions for Mayor Cape.

Councilor Miller- Chairperson for the Community Engagement Committee submitted a report and talked about the upcoming Pumpkin Decorating Event. Mayor Cape asked about the Youth Advisory Council. Councilor Miller stated that the forms were already created and that she just needed to talk to the school. There were no further questions for Councilor Miller.

Councilor Daley – Chairperson for the Water & Sewer Committee did not submit a report and had nothing to report. There were no questions for Councilor Daley.

Councilor Simonson- Chairperson for the Finance Committee did not submit a report and was not present. Councilor King asked about cell phone bills and why the City had made two payments. Loos explained that sometimes the bills overlap, causing duplicate monthly payments. There were no questions for Councilor Simonson.

Councilor King- Chairperson for the Police Committee did not submit a written report and asked about the police car computers. There were no questions for Councilor King.

Councilor van Soolen- Chairperson for the Parks and Streets Committee did not submit a report and was not present. There were no questions for Councilor van Soolen.

Councilor Walker- Chairperson for the Ordinance Committee did not submit a written report and had nothing to report. There were no questions for Councilor Walker.

Councilor Walker moved to adjourn. Councilor Miller seconded the motion. Motion passed 4-0.

Approved by City Council November 7, 2018

Michael Cape, Mayor

Attest:

Jackie Loos, City Recorder