

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, December 5, 2018 in the Council Chambers, City Hall, 109 Maddox, Amity, Oregon.

Councilors Present

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

Councilors Absent

Councilor Rudy van Soolen

Staff Present

City Administrator Interim Chad Olsen, City Treasurer/Recorder Jackie Loos, Public Works Superintendent Gary Mathis

CONSENT AGENDA:

Councilor Walker moved to approve the consent agenda, which consisted of bills from November 2018 and minutes from special session dated November 1, 2018, regular session dated November 7, 2018, and special meeting dated November 14, 2018. Councilor Miller seconded the motion. With no discussion, the consent agenda was approved 5-0.

CITIZEN COMMENTS/QUESTIONS:

Deb Conrad with Amity DIG talked about the success of the Tree Lighting Event and stated there were around 200 people that attended. She also talked about the formation of a sub-committee for the Daffodil Festival in March. There were no additional citizen comments.

Former Amity Police Chief Dan Brown was in attendance to present the Amity Police Reserves with plaques for their dedication and service. Cape also thanked the reserves on behalf of himself and the City Council. Between agenda items a. & b. under "New Business" Brown presented Amity Police Reserve Rick Noble, who arrived late, with his plaque. He also recognized Eddie Forney for the work he did on the City's police vehicles.

NEW BUSINESS:

- a. Ordinance 659; An Ordinance Relating to the City of Amity Public Safety Fee Established by Ordinance No. 656; Amending Ordinance 656; and Declaring an Emergency – City Administrator Chad Olsen summarized the amendments to the "WHEREAS" recitals located in the ordinance. He also explained that the amendments don't change the body of the original ordinance and has no bearing on the public safety fee that's already in place. Councilor Walker conducted a first reading of Ordinance 659 by title only and moved to adopt Ordinance 659; an ordinance Relating to the City of Amity Public Safety Fee Established by Ordinance No. 656; Amending Ordinance No. 656; and Declaring an Emergency. Councilor Simonson seconded the motion. Councilor King asked why the ordinance was an emergency. Olsen explained that the City's legal counsel advised to set it up as an

emergency in order to have the amendments take effect immediately. Cape stated that the City's legal counsel thought it would be in the best interest of the City to have an emergency clause for the ordinance to pass as quickly as possible. The Council discussed the idea of removing the emergency of the ordinance. Olsen explained that the amendments are only for clarification as to what the public safety fee is used for and will not change the way the City is currently collecting the fee. With no further discussion the motion passed 4-1 with Councilor Dawn King in opposition. Councilor Walker conducted a second reading of Ordinance 659 by title only and moved to adopt Ordinance 659; an ordinance Relating to the City of Amity Public Safety Fee Established by Ordinance No. 656; Amending Ordinance No. 656; and Declaring an Emergency. Councilor Simonson seconded the motion. With no discussion, the motion passed 4-1 with Councilor Dawn King in opposition.

b. Resolution 2018-17, Volunteer Workers Compensation Resolution – Councilor Simonson moved to approve Resolution 2018-17, a resolution amending Resolution 2018-09, extending the City of Amity's workers' compensation coverage to volunteers of the City of Amity. Councilor Miller seconded the motion. Mayor Cape asked if the Tree Lighting Event should be added as well. City Recorder Loos stated that it was her understanding that because that event is through the Amity Downtown Improvement Group; it wasn't needed; however, she would check on that for next year. With no further discussion, the motion passed 5-0.

c. Public Hearing on Supplemental Budget – Mayor Cape opened the public hearing to receive comment on the proposed supplemental budget. Eddie Forney, Nursery Avenue asked why the supplemental budget wasn't made available 7 days prior to the meeting like the City Charter states. Loos stated that the public notice deadline for the supplemental budget is no less than 5 days and was published in November 30, 2018 paper and the ordinance was available on November 28, one week prior to the meeting. Chad Olsen explained that the supplemental budget was to re-allocate funds from the police department budget to accommodate the Sheriff's Office contract. Forney asked if the public safety fee collections covered the difference and Olsen responded yes. Forney asked what the cost for the Sheriff's Office contract would be. Olsen stated that it would be approximately \$139,000 for the remainder of fiscal year 18-19 and \$250,000 for fiscal year 19-20. There was discussion about the public safety fee projections and how that money would be spent. Olsen explained that the fee would be applied to the contract, along with the original budgeted police fund. Any remaining funds collected from the fee would be saved for the following year expenditures because the Sheriff's contract will increase over time, not to exceed 7 percent. Olsen explained that the safety fee would not be used for any other general fund costs and it will only be used for police services. Councilor King asked if the money budgeted for police would stay in the police fund and Olsen stated that the money budgeted, along with safety fee revenue, will be applied to the contract. Rob Kistler, Three Trees Lane, asked if when the city pays the contract, if payment would come out of the general fund first before using reserved money. The Council discussed having a way to ensure that any remaining safety fee revenues are saved in a reserve and only used if needed. Robert Andrade, Trade Street, asked questions about the Sheriff's Office contract going up so much from current year to next fiscal year. Olsen explained that the current contract is only for 7 months billing and next year would be a full years billing. Stacy Jones, Nursery Avenue, asked if the City could budget in having the city attorney present at the council meetings. Cape stated that the attorney used to attend each meeting, however, that became too expensive. Cape stated that if the Council decided to have the attorney present, they could discuss if they wanted the extra expense. Jones believes it would benefit the citizens to have the attorney present. Forney asked if YCOM fees were included in the contract or if they were additional fees. Olsen stated that the YCOM fees are an additional expense. Forney asked if that was factored in the supplemental budget. Olsen explained what the supplemental budget is doing, which is taking all remaining funds from the police fund for this fiscal

year and moving it to fund the contract. The Council explained in several ways how the supplemental budget is moving funds from line items that will not be used by city police because the City no longer have those expenses and moving that money to a line item to fund the Sheriff's Office contract. Ryan Lehman, Goucher Avenue, stated that the public safety fee collections need to go toward the contract second and money already budgeted for police is used first. With no further comments, Mayor Cape closed the public hearing.

- d. Resolution 2018-18, Approving and Adopting a Supplemental Budget – Councilor Max Walker moved to approve Resolution 2018-18, a Resolution Authorizing Appropriations Amending the FY 2018-19 Budget. Councilor Simonson seconded the motion. Olsen pointed out the amounts decreased and where the money is being re-allocated. There was more discussion regarding the public safety and having a way to save those fees into a reserve. With no further discussion, the motion passed 5-0.
- e. Resolution 2018-19, Approving Utility Rate Adjustments – City Administrator Olsen explained the background and the proposed total increases. Councilor Walker moved to approve Resolution 2018-19, Adjusting Water and Sewer Rates, Establishing Charges, and Repealing and Replacing Resolution 2017-05. Councilor Simonson seconded the motion. With no discussion, the motion passed 4-1 with Councilor King in opposition.
- f. Resolution 2018-20, Elections 2018 – Councilor Walker moved to approve Resolution 2018-20, accepting the election results as tallied and certified by Yamhill County Clerk Brian van Bergen. Councilor Miller seconded the motion. Councilor Walker stated that there was some concern that one of the write-in candidates were not registered to vote. Loos stated that the County verified that all the candidates were registered. With no further discussion, the motion passed 5-0.
- g. Accept the Fiscal Year 2017-18 Audit Report – City Administrator Olsen stated that the audit had been reviewed by city staff and that staff was currently reviewing the compliance matters to be corrected. Councilor Walker moved to accept the 2017-18 Fiscal Year Audit as prepared by Grove, Mueller, & Swank. Councilor Miller seconded the motion. The Council discussed having the auditors come to the January Council meeting to go over the audit. Councilor King asked what compliance items were listed. Loos referred the Council to page #127 of the agenda packet. Loos also stated that item #4, regarding turning over outstanding checks, has been completed. The Council asked questions about the other compliance requirements and Olsen stated that city staff would work on correcting the remaining items. With no further discussion, the motion passed 5-0.
- h. City Administrator Recruitment Process - Mayor Cape stated that the Council was not going to move forward with the recruitment until new councilors begin their term, however, Cape stated that the Council would hold a special work session mid-January to discuss the recruitment. Olsen wanted the Council to think about background checks and who they might want to use for that, he also wanted them to think about who would help with screening. Olsen stated that Sean O' Day with COG offered to assist at no cost to the City. Lastly, Olsen wanted the Council to think about raising the salary level. Councilor Walker asked if any certifications would be needed that were state specific. Olsen stated not unless the Council required it but there was no State requirement.
- i. City Hall Configuration –Administrator Olsen stated that he had had discussions with former City Administrator Justin Hogue about facility configuration that needed to be completed for housing the Yamhill County Sheriff's Office (YCSO). Mayor Cape was concerned with what the upgrades would be, and the costs associated with that. Cape was also concerned with where the administrative offices would be and if repositioning would be adequate. Therefore, would like more information to

consider. YCSO Sergeant Whitlow addressed the Council and stated that most of the costs associated with the configuration would be covered by the Sheriff's Office.

DEPARTMENT REPORTS:

Interim City Administrator by Chad Olsen: Olsen submitted a written report and talked about presented at the League of Oregon Elected Essentials Workshop. Olsen also stated that he's been working on the recruitment process and trying to get up to speed on current city projects. Olsen also talked about receiving the environmental report on the reservoir project. Mayor Cape mentioned that Olsen would be providing his timesheet with is report so that the Council is informed of his time. There were no questions for Olsen.

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

Police Report: Chief Bolek submitted a written report, however, was not present. Sergeant Whitlow from the Sheriff's Office was present and introduced himself. Whitlow also gave an approximate schedule for him and Deputy Jones, who would be starting on December 12th. Councilor Daley asked where the Amity decal would be placed on the YCSO vehicles. Whitlow stated that he was not sure where that would be located yet.

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. Olsen stated that there would be a Planning Commission meeting on December 18, 2018, regarding a rezone application that would come to the Council in January.

Public Works Report by Gary Mathis: Public Works Superintendent Mathis submitted a written report and had nothing to add. There were no questions for Mathis. Mayor Cape thanked public works for their help with the Tree Lighting. Olsen stated that that the City was negotiating the settlement agreement with DEQ for previous violations.

Library Report by Marcia Robbins: Head Librarian Robbins was not present but submitted a report. 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. Mayor Cape talked about having the City's attorney from the Council of Governments (COG) attend the next meeting in January. The Council would like staff to look into rates and if the budget could cover costs.

REPORTS FROM MAYOR AND COUNCILORS:

Mayor Cape: Mayor Cape submitted a written report and stated that the Council received a note from Eve Silverman, thanking them for what they do. He also talked about the possibility of getting a pedestrian flashing beacon at the north end of town at Nursery and Trade. Therefore, the City will look for funding for that. There were no questions for Mayor Cape. Lastly, Cape thanked Councilor William Daley and Councilor Dawn King for their dedication and service to the Amity City Council and presented them with a plaque. There were no questions for Mayor Cape.

Councilor King- Chairperson for the Police Committee did not submit a written report and talked about almost getting hit by a car trying to cross the street on the north end of town. She also stated that Bolek had talked about marijuana use at the high school. Sergeant Whitlow mentioned that a lot of the other communities are experiencing the same thing. There were no questions for Councilor King.

Councilor Walker- Chairperson for the Ordinance Committee submitted a written report and had nothing to add. There were no questions for Councilor Walker.

Councilor Miller- Chairperson for the Community Engagement Committee submitted a report and thanked public works for their help with the Tree Lighting Event. She also thanked Councilor King and Mayor Cape for their help at the event. Lastly, she mentioned that Christmas Done Bright Contest would be happening on December 15 and she was looking for more judges. There were no questions for Councilor Miller.

Councilor Simonson- Chairperson for the Finance Committee did not have anything to report. There were no questions for Councilor Simonson.

Councilor Daley- Chairperson for the Water & Sewer Committee did not have anything to report. Councilor Daley stated that it was an honor working with each of them. There were no questions for Councilor Daley.

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

Councilor Walker moved to adjourn. Councilor Miller seconded the motion. Motion passed 5-0.

Approved by City Council January 2, 2019

Michael Cape, Mayor

Attest:

Jackie Loos, City Recorder