

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

Councilors Present

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

Councilors Absent

Councilor William Daley, 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. Mark Owens, City Engineer.

Mayor Cape added an agenda item for Planning Commission application under Old Business.

**CONSENT AGENDA:**

Councilor Miller moved to approve the consent agenda, which consisted of bills from August 2018 and minutes from regular session dated August 1, 2018. Councilor Simonson seconded the motion. With no discussion, the consent agenda was approved 4-0.

**CITIZEN COMMENTS/QUESTIONS:**

Erin Rainey was present from Amity DIG and she mentioned that DIG would be meeting on September 13<sup>th</sup> at the Trade Street Commons. She also talked about the \$20,000 grant received for the Tourism Committee project and the request for proposals regarding tourism branding. Mayor Cape asked if they were looking for a logo different from the City of Amity logo. Ms. Rainey stated that she does not believe that new logo branding is something included in the project.

**OLD BUSINESS:**

- a. Planning Commission Application – The Applicant was present to answer any questions from the Council. Councilor Walker asked Mr. Antinucci about his address being in McMinnville. He also asked about his interest in the Amity Planning Commission. Mr. Antinucci stated that he is interested in getting involved in local government. He sees a lot of upcoming development and wants to be involved with land use in Amity. He stated that he thinks Amity could use more high density residential. Mayor Cape asked how familiar Mr. Antinucci was with Oregon Land Use law. Mr. Antinucci stated that he had dealt with it from a business perspective and is very familiar. Mayor Cape asked if he would be willing to attend some training to familiarize him with the laws, processes, and procedures including appeals to the Land Use Board of Appeals (LUBA). Mr. Antinucci stated he would. Councilor Simonson moved to appoint Mr. Antinucci to the Amity City Planning Commission with a term expiring December 31, 2022. Councilor Miller seconded the motion. Councilor Miller asked if there were any restrictions on having a real estate broker on the Planning Commission.

Hogue stated that there are restrictions, but that the current composition of the Planning Commission does not include a real estate broker. With no further discussion, the motion passed 4-0.

**NEW BUSINESS:**

- a. Yamhill County Emergency Manager Brian Young Debris Management Plan – Brian Young gave a presentation on the Regional Debris Management Plan which addresses the handling of debris after an emergency event such as an earthquake, flood, etc. Mr. Young and the Council reviewed and discussed the roles and responsibilities as well as response and recovery of city governments. Mr. Young suggested that the City adopt the Regional Plan as a “stop gap” so that the City has an interim plan to not only provide direction when dealing with the aftermath of an emergency event, but also improve the likelihood that the City will receive federal, financial assistance for the recovery effort. Councilor Simonson asked if the plan listed how the City can help residents prepare. Mr. Young stated that the City could include something in their own plan and make it a Council goal to address emergency preparedness community wide. Mr. Young also informed the Council of upcoming prep fairs on October 9 & 10. Mayor Cape suggested that the plan go before the ordinance committee for review.
- b. Temporary OLCC License – Councilor Walker moved to approve the Temporary Liquor License Application for the Common Cup located at 516 S. Trade Street, Suite 103, Common Hallway, Suite 101, Suite 102A, Suite 102B, and Suite 105. Councilor Simonson seconded the motion. With no discussion, the motion passed 4-0.
- c. Ordinance 658- Regulating Use of City Streets by Trucks – Councilor Simonson moved to conduct a first reading of Ordinance 658 by title only, an ordinance amending Ordinance 548; regulating use of city streets by trucks and providing penalties for violation. Councilor Walker seconded the motion. Hogue explained the amendments to the ordinance, which primarily pertained to restricting truck parking on 4<sup>th</sup> Street. With no further discussion, the motion passed 4-0.
- d. Resolution 2018-15 – Adopting Rules for Rental of City-Owned Facilities with Ordinance 657 – Councilor Walker moved to adopt Resolution 2018-15, a resolution of the City Council adopting rules for rental of city-owned facilities, consistent with Ordinance 657. Councilor Simonson seconded the motion. Councilor Simonson asked if this pertained to just the community center. Hogue stated that it is for all city-owned facilities such as the park pavilion. With no further discussion, the motion passed 4-0.
- e. Resolution 2018-16 – Rules for Renting the Community Center – Councilor Simonson moved to adopt Resolution 2018-16, a resolution adopting rules for rental of the Community Center, consistent with Ordinance 657. Councilor Walker seconded the motion. Councilor King pointed out an error in Exhibit A, which says “fourteen (5) business days.” Loos will make the correction to say five (5) business days. With no further discussion, the motion passed 4-0.
- f. Chief of Police Recruitment Update - Hogue explained the Oregon Association Chiefs of Police “linebacker” program that helps cities find interim Chiefs of Police, which he is exploring as an option for providing temporary leadership for the Police Department. Hogue informed the Council that there were a couple of individuals interested in serving as an interim chief, one of which needs to figure out some logistics, as he lives in Southern Oregon. The other interested person was the former Amity Chief of Police. Councilor Simonson asked about the two applicants that were interviewed back in August. Mayor Cape stated that the interview committee decided not to move one of the applicants

forward in the process and that the other applicant is still a consideration. However, it was recommended that the City also look into the linebacker program before making a decision. Councilor Simonson clarified that if the City chose an interim chief, the City would continue the process of looking for a full-time chief at the same time. Mayor Cape stated that there is not a specific time frame on how long an interim Chief would be in the position. Councilor Simonson asked if the City was still advertising for the position. He stated that the City has spent a lot of time and money on this process and asked how long should the City continue with the recruitment effort. Mayor Cape stated that the City needs to follow through with exploring the linebacker program to see if it is a possibility for the City before giving up. The Council discussed advertising with the League of Oregon Cities, The Oregon Chiefs of Police, and Oregon Police Jobs for an additional two weeks to see if the City receives any additional candidates. Councilor Walker asked how long the hiring process would take. Hogue stated that it would be contingent on the background process and the amount of time they would want to give their current employer, but probably a minimum of three weeks. Councilor Walker discussed the time that it would take to get a new Chief hired and trained and concluded that the City would be looking at November before that happened. He asked if the City decided to pursue a contract with the County, how long would that take. Mayor Cape stated that the City needs to see what happens with the linebacker program, advertise for a couple more weeks, and then revisit where the City is at in October. The Council discussed the idea of advertising out of state, but decided not to go that route. Councilor Simonson stated that the City could go with the Sheriff's Office and that it would be more financially prudent for the City. The Council discussed rates going up each year. The Council set up a timeline for the previously discussed items with the objective of having a clear course of direction by October.

- g. Award Bid for Road Construction Project – Councilor Walker moved to issue a notice of intent to award the project to Knife River, subject to the successful negotiation of a final contract between the City Administrator and the apparent successful bidder. Councilor Miller seconded the motion. Hogue explained that the two bids received exceeded the City's projected costs. Hogue explained that there could be some scoping amendments and negotiations to get the costs down. Hogue and the Council discussed the portions of the project to negotiate. Projects A & B are the most critical and could be accomplished regardless of the outcome of the negotiations. City Engineer Mark Owens stated that he believes some of the costs such as mobilization can be reduced significantly by lumping the projects together. Mayor Cape asked if the City could go back to ODOT to get more money for the project. Hogue believes it's a long shot but would try. With no further discussion, the motion passed 4-0.

#### **DEPARTMENT REPORTS:**

City Administrator by Justin Hogue: Hogue submitted a written report and talked about updating the Amity Development Code. He stated that there seemed to be some inconsistencies within the code and asked if the Council would be interested in holding a joint Planning Commission and City Council work session to discuss specific Code sections that need to be addressed. Mayor Cape asked about the cost to hold the work session. Hogue stated that he believed the Council of Governments (COG) estimated \$2,500 to complete the process. Mayor Cape asked if the Code needed amendments since it was just updated in 2015. Hogue talked about the Downtown Core District, specifically in regards to the boundaries are mentioned in the City's Comprehensive Plan, but not specified in the Development Code. The quote from the COG also listed out replacement of zoning maps. After much discussion, the Council decided that contracting with the COG to update the Development Code is not needed at this time. However, the Ordinance Committee will review the Code and go from there. The Council also decided to move forward with updating the Zone map. Next, Hogue talked about the ODOT Safe Routes to School grant and passed around maps for 5<sup>th</sup> Street

(Woodland Way to Trade Street), Jellison Avenue (Rice Lane to 3<sup>rd</sup> St), and Trade Street (1<sup>st</sup> Street to 4<sup>th</sup> Street), which were the 3 priorities projects. Hogue stated he would be submitting a formal application by October 15, 2018. Lastly, Hogue mentioned that the City did not receive the Oregon Water Resources Grant. He stated that part of that grant was going to help fund the reservoir project, which has increased from \$308,000 to \$554,000. Therefore, the City needs to figure out how to move forward with financing the project. Hogue mentioned that the City has been awarded a \$554,000 loan through Business Oregon and that they would forgive approximately \$100,000 of that amount. Another thing that he was considering was adding the reservoir project into the Rural Development funding application, which already includes upgrades to the water treatment plant. He stated that the City gets a better rate with Rural Development and they would forgive approximately 38 percent of the project cost. Councilor Simonson asked how far that would push the City back. Hogue stated that he did not have a precise timeframe. Hogue stated that there was another grant offered through Rural Development he would research to determine whether the City could qualify for it. Hogue explained the reasons that the City didn't receive the Oregon Water Resources Grant. There were no further questions for Hogue.

City Recorder by Jackie Loos: Loos submitted a written report and added that the City had received one candidate for the 2018 City Council election. There were no questions for Loos.

Public Works Report by Gary Mathis: Mathis submitted a written report and had nothing to add. Councilor Walker asked Mathis about water meters. Mathis stated that he is going to get bids on replacing the City's whole system. Mayor Cape asked about the leak at the water plant. Mathis stated that that source of the leak was a meter for the adjacent property owner which was placed there in the event the neighbor has a problem with their well and needs water. Mathis turned off water service to the meter for the meantime. Lastly, they discussed the leaking hydrant on 99W in front of the library. There were no further questions for Mathis.

Police Report by Chris Bolek: Chief Bolek submitted a written report and talked about the success of National Night Out. He talked about the supervisor school Sergeant Clark attended. Mayor Cape noticed that there had appeared to be more child abuse cases and asked if there was anything the City could do in helping to prevent that. Bolek was unsure what the City could do except post about Child Abuse Awareness Month and things along those lines. There were no more questions for Bolek.

Library Report by Marcia Robbins: Head Librarian Robbins was not present but submitted a report. There were no questions for Robbins.

City Engineer Billing Report: There was a billing report submitted. Mayor Cape asked Mark Owens if there was anything he wanted to report since he was present. Mr. Owens had nothing to report. There were no questions for the City Engineer.

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.

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

#### **REPORTS FROM MAYOR AND COUNCILORS:**

Mayor Cape: Mayor Cape submitted a written report and talked about the need to have someone sit in as interim chair for Councilor van Soolen on the Tourism Committee. The Council assigned Councilor Simonson

to the interim chair role. Mayor Cape talked about an upcoming campaign that will be occurring through Juliet's House. The Mayor will also be attending the League of Oregon Cities conference at the end of the month. There were no questions for Mayor Cape.

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

Councilor Miller- Chairperson for the Community Engagement Committee submitted a report and talked about the upcoming Pumpkin Decorating Event. Councilor Miller stated that Heiser Farms intends on donating additional pumpkins this year. She also mentioned that she was looking into changing the time of the event to a later time so that children participating in sporting events can attend. There were no questions for Councilor Miller.

Councilor Walker- Chairperson for the Ordinance Committee submitted a written report and talked about the City/County Dinner he attended. There were no questions for Councilor Walker.

Councilor Daley – Chairperson for the Water & Sewer Committee did not submit a report and was not present. There were no questions for Councilor Daley.

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

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

**Approved by City Council October 3, 2018**

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Michael Cape, Mayor

**Attest:**

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Jackie Loos, City Recorder