



Council Minutes

July 26th, 2016

ROLL CALL: Mayor Don Ware called the meeting to order at 7:00 p.m. with Councilors Neddeau, Shepherd, Cole, and Chambers present. Councilor Gerber was out of town, and Councilor Van Sandt was held up at work and unable to make the meeting. Public Works Superintendent Karl Frink, Administrative Assistant Tammi Morrow and City Administrator Scott McDowell were also present.

PUBLIC: Elizabeth Coleman, Marc Nelson, Lt. Michelle Duncan (LCSO), Patty Linn, John Morrison, Doug Block, Kim Clayton, Allen Buzzard, John Morrison, Kaye Fox, and Alex Paul (*Albany Democrat-Herald*).

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: McDowell informed Council that no addendum was submitted by Councilor Gerber pertaining to the minutes from April. Also Council will find a handout on the table about the refinancing of the bonds.

MINUTES: Councilor Cole made a motion to approve the June 28th, 2016 meeting minutes with the following corrections: Councilor Gerber, not Cole, spoke to the Christensen's about utility rates, the 29 traffic hours reported were for May, not June, and the City carries a \$60,000 "bond" on McDowell. Councilor Neddeau seconded the motion, and it passed unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

Marc Nelson – Mr. Nelson, Fields Court, presented Council with several neighborhood concerns he has with the LCSO contract and amount of service being received. He stated that for about a week LCSO was very visible in and around town, and then service seems to have reverted back to minimal enforcement and presence. He would like to recommend asking for GPS tracking to verify that they are in town and fulfilling their obligations and duties to the City. He also mentioned that the City no longer has a resident deputy, which can make all the difference in coverage. Mr. Nelson would like to see more traffic enforcement and a quicker response to calls. He also believes City ordinances should be self-initiated by the LCSO office, not driven by a letter from city staff for ordinance violations.

Steve LaCoste – Napa – Mr. LaCoste has requested closing Park Avenue for his annual customer appreciation day on August 17th, 2016 from 8 a.m. – 5 p.m. He will be responsible for notifying the neighborhood. Councilor Cole made a motion to approve the street closure. Councilor Neddeau seconded the motion, and it passed unanimously. LaCoste's potential Kay Street request was tabled.

DEPARTMENT REPORTS:

1. **Sheriff's Report.** LCSO Lt. Duncan reported that they have dedicated 3 hours to traffic patrol in June resulting in 4 traffic citations, and serving a total of 222.75 hours in the City. Duncan stated that there were very few reportable crimes in June. She also stated that after a month of writing a high number of traffic citations, often the next month is slower as people are correcting their behavior. Duncan stated that parking enforcement has been an issue lately, and they are working on addressing that better. She talked about crime rates per capita, and that LCSO is seeing a better trend in 2016 with lower crime rates. Duncan stated



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that LCSO is actively trying to work well with the City with better communication with City administration and trying to have a representative here for Council meetings. The deputy residency requirement is difficult, and beyond their control. Duncan also stated that they have a newer younger pool of up and coming officers. In reference to asking for GPS tracking to ensure that staff is in town, she is not sure this is the best use of the City's contract hours, as that information may take days to compile. LCSO has recently developed a focus patrol to highlight certain areas. They were recently on Kirk Avenue for 1.5 hours, and did not find any speeders. Typically she stated they do not write tickets for less than 12 mph over the posted speed limits. Mayor Don Ware commented that he has had several complaints lately about high rates of speed on Washburn, and would like some focus patrols to work that area. Councilor Cole stated that she is very concerned with the traffic hours being reduced so much in one month. Traffic remains a high priority for the City. Duncan commented that summer time is very busy for them. Councilor Shepherd reminded Lt. Duncan that the City needs a certain amount of revenue to maintain our court system. This has been discussed several times, and also discussed at a meeting convened with Sheriff Riley. Councilor Shepherd stressed that traffic patrol needs to be a higher priority. Duncan stated that it is not really reflecting on the contract hours, but they are down 12 people out of 53. Mr. McDowell stated that he is disappointed in the situation; in truth it has been going on for 2 years, not just a month or two. He stated that it is very disheartening to see such a big drop in citations again this month. The City would like to see at least 10% of our contract hours spent on traffic patrol. We have had a history of very good local deputies. They never had trouble reaching the marks that the City needed. He asked Lt. Duncan to please challenge the deputies to reach these goals. Frankly, it just isn't good enough yet. Absolutely the communication has been much better between Lt. Duncan and Sgt. Klein. McDowell also stated that LCSO has been great at handling our local events for us, but that we still need a bigger focus and higher priority on traffic issues. Councilor Neddeau stated that it was awesome to see the office on Kirk Avenue with his radar gun out, and he would like to see more of that around town as well.

2. **Public Works.** Mr. Frink reported that annual backflow testing has been done this month by Carters. This amount will be billed out to customers in September. A few sewer lines were flushed this month. Also, the lines on Ash Street were checked in preparation for a possible new development, and were found to be satisfactory. A vactor truck was called to clean out lines on Washington Street. Frink tries to utilize their time efficiently as we are billed 2 hours, regardless of the time spent here. The City has contracted an outside source to have the Spaulding trees removed, the stumps ground out, and concrete poured. There are several trees around town that need attention as well. McGovern Maintenance will be in soon to do street painting. Greg Tilley has recently sprayed dust control on several streets around town. Both sewer pumps failed at Pioneer Park the week before the big *Stand By Me* event. Staff was able to get it up and going before the event weekend. The stage in Pioneer Park was vandalized again. Public Works was able to get the area repainted before the weekend event. (Some folks had volunteered to help, but the project was almost complete by then.) Public Works was also on hand to help with the SBM event over the weekend. Councilor Cole asked what the plan for the Spaulding trees is after removal. Mr. Frink stated that the concrete needs to be installed now to eliminate trip hazards, but that it can be removed at any time.
3. **Administrator's Report.** Mr. McDowell reported that in your packet you found the 2015-2016 Master Things to Do List (TTDL). This document gets incorporated



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into our prospectus. 2015-2016 was a very effective year, the new budget will have fewer self-funded projects to get our funding to catch back up. If you have any feedback or comments, please feel free to direct them to him. The City recently received a request to do a traffic count and survey on Washburn Street. Local residents are experiencing cars traveling at high rates of speed along this road and are concerned. McDowell has talked with Chuck Knoll at Linn County to do a study in the area. The annual audit is scheduled for August 8, 2016 – August 12, 2016. It will be performed by Boldt, Carlisle and Smith. Some of the refinancing options that are being investigated will require some documentation that the auditors will try to expedite. On a financial note, Staff will be closing several of our small bank accounts and consolidating all of them in one general Key Bank of Oregon account. This will help establish transparency, and better accounting processes. McDowell will be attending a conference in Salem on August 17th – 18th, 2016. SBM Chairman Linda McCormick did a fantastic job with the event this past weekend. Wade Long has expressed interest in having a vintage trailer show in the park in September. It will be the only rally on the I-5 corridor. McFarland Cascade placed logs for the SBM event out at the Mennonite church for overflow parking; this was a huge gift to the City as they bore the cost of the whole operation. A big thank you to Mayor Ware for helping out at City hall lately at a moment's notice. Councilor Shepherd has taken on a traffic study project for City Hall as well. Over the next 2-4 years folks will probably see a lot of changes with FEMA's floodplain management and flood insurance costs. The National Marine Fisheries Service (NMFS) claims that FEMA has damaged waterways, in their biological opinion, and is requiring changes for FEMA to address in certain areas. River courses with endangered species have been highlighted, buffer zones around riparian areas, base flood elevations, and a complete mapping overhaul. It is expected that a 15% increase of flood insurance will be coming. Base flood elevations will be required in many places; surveys will need to be done, and certifications will need to be issued. Just as recreational immunity is changing, some may try to hold city staff personally liable. Staff is working on a form that will function as a disclaimer; Council can expect some preliminary legislation in the next 6-8 months as an attempt to get ahead of the new requirements.

4. **Library Report.** Mayor Ware commented that the Library is busy all the time right now. Ms. Lemhouse is doing a great job.
5. **Court Report.** No comments.
6. **Council Comments.** No comments.
7. **Citizen Comments.** John Morrison thanked Council for their support of the SBM event. Council support is very much appreciated. Kaye Fox, 203 Kirk, spoke in favor of R 2016.18, 2016.19, and O 762. She is hopeful that Council will vote in favor of them all.

LEGISLATIVE:

1. **Resolution 2016.17: Bond Refinancing Authorization** – Mr. McDowell has been in conversation with the Bond Council. He has discovered that the highest interest rate bond (5.17% - \$225,000) the City has, OECDD, cannot be refinanced with the other bonds because it is a full faith and credit bond. To refinance this bond, is a totally different financial track which would delay the financing option the City is currently trying to take advantage of. McDowell asked Matt Donahue to do an analysis on refinancing this higher rated bond and the outcome was not



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worth the delay in McDowell's opinion. An opinion shared by D. A. Davidson. McDowell does not recommend refinancing this bond at this time. It will be important to remember the reason the OECDD load was not refinanced. Later down the line, Council could take heat over not refinancing this amount. The refunding is still contingent on several factors, one of which is the City being able to attain an A rating through Stand & Poor's. This issue will be brought back up in September, or possibly at an earlier meeting if Council needs to move sooner. *Councilor Cole made a motion to approve R 2016.17 as presented, and authorizing Mayor Ware and Mr. McDowell as City representatives. Councilor Chambers seconded the motion, and it passed unanimously.*

2. **Resolution 2016.18: Calling an Election (Marijuana Ban)** – *Councilor Cole moved to accept R 2016.18 as presented. Councilor Shepherd seconded the motion, and it passed unanimously. Discussion – Mr. McDowell stated that Mr. Allen Buzzard pointed out a typographical error of “a” under 5.25.030 , page 2 of said resolution. Councilor Shepherd moved to accept R 2016.18 with this amendment. Councilor Cole seconded the motion, and it passed unanimously.*
3. **Resolution 2016.19: Calling an Election (Marijuana Tax)** – *Councilor Cole moved to accept R 2016.19 as presented. Councilor Shepherd seconded the motion, and it passed unanimously.*
4. **Ordinance 762: Reserved as part of Resolution 2016.18** – *Council accepted this Ordinance by consensus.*

ACTION ITEMS:

1. **Advertise November 8th, 2016 General Election** –*Councilor Shepherd moved to authorize Staff to advertise for the November 8th, 2016 General Election. Councilor Cole seconded the motion, and it passed unanimously.*
2. **Canal Company Outcome (Possible Expenditure)**. McDowell stated that he recently attended a Canal Company committee meeting, ending with a good conversation. Basically McDowell will put together a partnership agreement with them, it will go to their Board for approval, and be brought to Council after that. A possible expenditure for this agreement would be legal consultation fees. *Councilor Cole made a motion to authorize McDowell to develop a draft partnership agreement with the Canal Company, and approve the necessary costs associated. Councilor Neddeau seconded the motion, and it passed unanimously.*
3. **Central Linn School District Agreement**. Mayor Ware reported that he has met with Board Chairman Penrod and they had agreed to meet again, but has had no response from him. So there is no progress to report at this time. Councilor Cole inquired if there has been talk about holding community meetings discussing the sale of the Blakely school property. The word from the June 13th, 2016 Central Linn School Board meeting indicated that WNHS will be holding some sort of meetings to engage public discussion. McDowell indicated that the City will be requiring some meetings to discuss the particulars prior to any Planning Commission meeting.



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4. **Appoint Library Advisory Board Candidates.** McDowell related that there are 2 openings, and 5 applicants. *Councilor Cole made a motion to appoint Gwen Landon and Barbara DeRobertis to serve on the Library Advisory Board. Councilor Shepherd seconded the motion, and it passed unanimously.*
5. **Central Linn Recreation Association.** George Frasier recently contacted McDowell to discuss putting down some new stick down tiles in the music room that the preschool currently occupies. Mr. Frink sees no problem with it. *Councilor Chambers made a motion to approve this request. Councilor Cole seconded the motion, and it passed, unanimously.*

DISCUSSION ITEMS:

1. **Emergency Preparedness Committee Update.** McDowell and Morrow recently had a great meeting with Norman Simms, Kneil Stucky and Marilee Frasier. The meeting centered around discussing partnerships opportunities and probabilities. A Things To Do List was created with a timeline, and the group will meet again in September. McDowell is feeling good about the progress at this time. The group is scheduled to meet Council's December timeline.
2. **Future Planning.** McDowell would like to schedule a work session for future planning. Councilor Cole would like to sort the list first, and then bring it to a Council meeting work session, possibly in October. McDowell reminded Council that there is a work session scheduled for September 23rd, but other issues will be discussed and there will not be enough time to cover future planning as well.
3. **Economic Development Team.** McDowell recently participated in an economic development team discussion with Mr. Roque Barros of the Ford Foundation. McDowell would like to form an ad hoc committee that could be called together at a moment's notice to meet with such people to discuss benefits for the City and the local area. Councilor Cole and Councilor Neddeau volunteered to be on this committee.
4. **June Financials.** No comments.

CITIZENS COMMENTS – Kaye Fox spoke again. She informed Council that the CLRA had agreed to allowing the seniors to walk in the Rec Center year round from 8:00 a.m. - 9:00 a.m. Trisha Thompson, Holloway Heights, asked that Council consider having women and small businesses represented on an economic development team.

ADJOURNMENT: *Councilor Cole moved to adjourn at 8:11 p.m. Councilor Shepherd seconded the motion, and it passed unanimously.*



City Administrator S. Scott McDowell



Mayor Don Ware