

The City Council for the City of Junction City, met in regular session at 6:30 p.m. on Tuesday, February 9, 2016, in the Council Chambers of City Hall, 680 Greenwood Street, Junction City, Oregon.

PRESENT: Mayor, Michael Cahill; Councilors Karen Leach, Bill DiMarco, Jim Leach, Randy Nelson, and Steven Hitchcock; (Excused Absence: Herb Christensen); City Attorney, Carrie Connelly; City Administrator, Jason Knope; Police Chief, Mark Chase; Public Works Director, Gary Kaping, Jeremy Tracer; Finance Director, Mike Crocker; City Planner, Jordan Cogburn; Community Services Director, Tom Boldon; and City Recorder, Kitty Vodrup.

1. Call to Order and Pledge of Allegiance

Mayor Cahill called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

2. Changes to the Agenda

None.

3. Consent Agenda

MOTION: Councilor Hitchcock made a motion to approve the bills from January and the January 12, 2016 Council minutes. The motion was seconded by Councilor K. Leach and passed by unanimous vote of the Council.

4. Public Comment on Items not Listed on the Agenda

None.

5. Vista Dale Subdivision Local Improvement District

Director Kaping distributed copies of information that a Vista Dale property owner had brought to the meeting (January 26, 2005 letter, map, and Local Improvement District (LID) cost estimates from a former Public Works Director).

Director Kaping reviewed that this was a continuation of the Vista Dale LID discussion. The Council held a public hearing on the proposed Vista Dale LID on January 12, 2016 and heard comments from the Vista Dale property owners. Letters in opposition were submitted to the City, but did not make up the two-thirds needed, per City code, for the project to be abandoned for six months; therefore, the City would have 60 days from the public hearing date to move forward with the LID or abandon it. If the Council wished to move forward with the improvements, they would need to decide where the project would be funded from. Then the City engineer would start the design work so the project could go out to bid and total costs could be provided to residents.

Discussion followed and included:

- Staff contacted Lane Council of Governments (LCOG) and they did not have any originating documents above and beyond what the City currently had on file.
- City Code and state regulations would require a property that is within 300 feet of City services to hook up to City sewer.
- The benefit of a LID was that the improvements would be done right away and the property owner could pay that back to the City at whatever terms the City chooses. The City could set from zero to market rate interest.
- The issues before the Council were did they want to move forward and initiate the LID, obtain more information within the next 30 days, or delay the LID.
- The Council had the ability to assess the properties with the estimates in front of them, get bids and assess, or assess after the construction was done.
- The LID assesses the properties in the portion of the total project cost that the property is benefitting. The full project cost would be divided between the benefited properties, via some methodology, such as square footage or lineal frontage of the property. Even the methodology could be changed all the way up until the project is done, the assessments are made, and the ordinance was adopted and recorded against the properties.
- The only time pressure for the Council was that they needed to make a decision within 60 days of the January 12, 2016 public hearing, giving them to around March 12th.
- The Council had talked about possibly giving incentives for property owners to hook up sooner. Attorney Connelly noted that the Council could frame how much they wanted to assess and how they wanted those installment payments to read. Calling for bids would not commit the City.

- Council members noted that they wanted to have flexibility in the arrangements, where maybe one property owner would want to pay in full right away or another would want to wait for a longer period of time.
- If the Council chose to suspend/abandon the LID at this time, they could continue discussions and then hold a public hearing at a later date for the LID formation.

After further discussion, the Council consensus was to:

1. Suspend/abandon the LID for now, as the Council wanted to have more time to work with property owners and become more informed on the LID options, assessments, etc.
2. Form a Vista Dale Subcommittee, which would be a subcommittee of the Sewer and Street Committee. The Subcommittee would include Vista Dale property owners.
3. Have Public Works staff work with the City engineer to put together documentation and obtain bids for the actual improvement costs.
4. Have Attorney Connelly bring back information on what a LID is, the steps required to go through it, payment options, etc.

MOTION: Councilor DiMarco made a motion to suspend the LID process for Vista Dale. The motion was seconded by Councilor Nelson and passed by unanimous vote of the Council.

6. Nuisance Abatement Protest – 488 Deal Street

Director Kaping reviewed that the resident at 488 Deal Street was sent a letter to abate code violations, and the resident submitted a letter to protest the abatement. The Sewer and Street Committee reviewed and asked that a letter be sent to the resident so he could appear before the Council at this meeting where the Council would decide on having staff proceed with the abatement or not. The resident does not receive mail, and the Police Department was unable to deliver the letter.

Director Kaping noted that there was a possibility that the resident could abate the issues in February, as was indicated in his letter of protest. Director Kaping added that his suggestion would be to postpone the meeting until March and staff would continue to try and contact the resident.

The Council consensus was to postpone discussion until the March 8, 2016 Council meeting.

7. Senate Bill 915

Planner Cogburn stated that this was last reviewed at the December 8, 2015 Council meeting, and after speaking with legal counsel, he was made aware that the ordinance could come directly to the Council, without going before the Planning Commission. Currently the City's Code does not allow the building official to assess a civil penalty for building code violations. The ordinance allows for setting an appeal fee via resolution.

A. Ordinance No. 1 – An Ordinance Amending Junction City Municipal Code (JCMC) Chapter 15.35, Establishing an Administrative Penalty and Procedures per Senate Bill 915; and Declaring an Emergency.

Attorney Connelly read Ordinance No. 1 in full.

MOTION: Councilor Nelson made a motion to read Ordinance No. 1 by title only. The motion was seconded by Councilor K. Leach and passed by unanimous vote of the Council.

Attorney Connelly read Ordinance No. 1 by title only.

MOTION: Councilor Nelson made a motion to adopt Ordinance No.1. The motion was seconded by Councilor K. Leach and passed by unanimous vote of the Council.

B. Resolution No. 1- A Resolution Setting a Fee for an Appeal of a Civil Administrative Penalty.

The Council discussed and decided to set the appeal fee at \$250.00.

Attorney Connelly stated that they should add that the resolution would go into effect immediately.

Mayor Cahill asked if there were any public comment. There was none.

MOTION: Councilor K. Leach made a motion to approve Resolution No. 1, inserting an appeal fee of \$250.00 and an immediate effective date. The motion was seconded by Councilor Hitchcock and passed by unanimous vote of the Council.

8. Planning Commission Ordinance Amendment

Planner Cogburn reviewed that the purpose of Ordinance No. 2 was to bring the City Code into conformance with the Planning Commission bylaws. The Planning Commission changed their bylaws to allow the two alternate members to reside anywhere within the 97448 zip code; the Commission asked that the Code be amended to allow those alternate members to be able to participate in Planning Commission meetings, if one of the regular 7 members was not in attendance.

The current Code language in 2.50.010(A) reads, "These restrictions apply only to the composition of the planning commission as appointed by the mayor; they are not intended to apply to the voting membership in attendance at a given meeting." The recommended amendment would read, "These restrictions apply only to the composition of the regular members of the planning commission; they are not intended to apply to the voting membership in attendance at a given meeting."

Mayor Cahill asked if this would resolve the issue of alternate members being eligible to move into a vacant regular member position, per the Code residency requirements.

Planner Cogburn responded that this would not resolve that issue, and the Planning Commission was aware of that. Currently the Code reads that the composition of the seven regular members shall be as follows: Three shall reside in the City limits; two shall reside anywhere in the Urban Growth Boundary, and two shall reside anywhere in the 97448 zip code.

A. Ordinance No. 2 – An Ordinance Amending Junction City Municipal Code (JCMC) Chapter 2.50, Brining JCMC Chapter 2.50 into Conformance with the Approved Planning Commission By-laws.

Attorney Connelly read Ordinance No. 2 in full.

MOTION: Councilor K. Leach made a motion to read Ordinance No. 2 by title only. The motion was seconded by Councilor DiMarco and passed by unanimous vote of the Council.

Attorney Connelly read Ordinance No. 2 by title only.

MOTION: Councilor Hitchcock made a motion to adopt Ordinance No. 2. The motion was seconded by Councilor K. Leach and passed by unanimous vote of the Council.

9. Ratepayer Assistance Fund Restructure

Director Kaping reviewed that the Ratepayer Assistance Program was Item number 52 on the Administrative projects list. Currently, the City has a Ratepayer Assistance Program to assist qualified individuals on a portion of their sewer bill. The City implemented this program when funds were borrowed for lagoon upgrades and a Sewer Surcharge fee was added to the monthly utility bill; however, the surcharge fee has since been rolled over into the regular bill. The program is funded by a \$30,000 transfer from the Sewer Fund each year and serves 119 people, of whom 80% live in apartments where the vouchers go to the landlord.

The Sewer and Street Committee discussed and reviewed options for continuing as is, modifying to include water, etc., modifying the eligibility, or discontinuing the program. The Committee decided they were not in favor of keeping the program because it was outdated in its approach; they wanted to forward this discussion to the full Council.

Council members noted the possibility of discussing a new type of program to assist low income and/or seniors in the future.

Ideas were shared that the \$30,000 could be used to offset some of the costs for the Vista Dale Subdivision improvements or some other project to assist the community.

MOTION: Councilor J. Leach made a motion to eliminate the Ratepayer Assistance Program and direct staff to bring back an ordinance that eliminates the program. The motion was seconded by Councilor Hitchcock and passed by a vote of 4 to 1, with Councilors K. Leach, J. Leach, Nelson, and Hitchcock voting in favor and Councilor DiMarco voting against.

10. City Administrator Evaluation

Administrator Knope noted that per contract, it was time for the Council to do the City Administrator evaluation and he was looking for guidance on how the Council would like to proceed.

The Council consensus was to discuss this at the next work session and have Administrator Knope bring examples of past evaluation forms that had been used.

11. Council Agenda Forecaster

Administrator Knope reviewed the items for the February 23, 2016 Council Work Session.

12. Staff Reports

Recorder Vodrup reported: She would be bringing some information to the next meeting on the Oregon Government Ethics Commission new electronic filing system for filing the annual Statement of Economic Interest.

Attorney Connelly reported: She completed the Utility Billing code updates and provided to staff. This would be going through committee and updates would be provided.

Director Boldon reported: The Senior Center Volunteer Appreciation breakfast was held last Saturday, and Karen Whitney was named Volunteer of the Year for 2015.

Councilor K. Leach noted that the Senior Center receives thousands of hours in volunteer service, which equates to 30 full time employees. She added that there were many opportunities to expand and utilize other volunteers in the City, such as through the Reserves Police Program.

Planner Cogburn reported: He thanked the Council for approving the SB 915 ordinance and noted that the O'Reilly's project was supposed to be completed in June.

Director Crocker reported: General Fund personal services were 4% ahead of budget and Materials and Services right on budget for this time of year. Fund balance was 2.8 million.

Director Kaping reported: 11th and Elm Well passed all state testing and he was working on obtaining a temporary water right, until the permanent water right is granted. Public Works would begin the sidewalk work in front of the Post Office and Pacific Continental Bank in late March/early April. The stop sign study has been completed for all of Junction City and the Sewer and Street Committee was reviewing.

Chief Chase reported: Officer Travis Crosman graduated from the Police Academy in January and was active on solo patrol. Sergeant Dan Miller graduated from one of the courses at the International Public Safety and Ethics Institute. This was a two day course every other week for six months. Sergeant Markell also graduated from this course, and Chief Chase served as a facilitator for the course. The COPS grant was received in the amount of \$61,000.

Mayor Cahill asked when Officer Christensen would be attending the Police Academy. Chief Chase responded in March.

Mayor Cahill asked if he could be notified whenever staff graduates from the Police Academy, as he would like to attend. Chief Chase responded absolutely.

13. Councilor Comments/Questions

Councilor K. Leach thanked staff for all their hard work. A woman who lives outside Junction City told her that she had heard only good things about Administrator Knope. Councilor Leach thanked the Council for their work and noted that she was looking forward to a New Year.

Councilor DiMarco expressed appreciation to staff for their patience, as the Council worked through the Vista Dale Subdivision issue.

Councilor Nelson asked how they would start the subcommittee of the Sewer and Street Committee. Administrator Knope responded that he and Director Kaping would work together to draft the bylaws and bring to the Committee for review.

Councilor Nelson noted that it would be beneficial to have Committee chairs provide a brief report on what their committees are doing at Council meetings under Councilor Comments. The Council consensus was in favor of doing this. It was noted that this used to be a separate agenda item.

14. Mayor's Comments

Mayor Cahill stated that he had written a State of the City address and copies were available for the public to read. He noted two highlights: The Transportation System (TSP) Plan draft process; he thanked Councilor K. Leach and the citizen members on the TSP Task Force for their work. Also noted was the Budget Committee Work; he thanked Councilor DiMarco for his great work of chairing the Budget Committee.

Mayor Cahill continued that the Council had been working very well together on a lot of projects and it had been a great year. He added that he looked forward to 2016-2017.

15. Other Business

Councilor DiMarco reminded the Council that the Budget Committee had voted to recommend to the Council that all vacant position be frozen through the end of the fiscal year.

MOTION: Councilor K. Leach made a motion to adopt the Budget Committee's recommendation to freeze all hiring for vacant positions for the remainder of the fiscal year. The motion was seconded by Councilor Hitchcock and passed by unanimous vote of the Council.

Councilor K. Leach asked if there was any word on the TSP draft. Planner Cogburn responded the completed TSP draft should be provided by the end of the month.

16. Adjournment

As there was no further business, the meeting was adjourned at 8:25 p.m.

ATTEST:

APPROVED:

Kitty Vodrup, City Recorder

Michael J. Cahill, Mayor