

The City Council for the City of Junction City, met in regular session at 6:30 p.m. on Tuesday, May 8, 2018, in the Council Chambers of City Hall, 680 Greenwood Street, Junction City, Oregon.

PRESENT: Acting Mayor, Bill DiMarco; Councilors Kara McDaniel (pre-arranged arrival at 6:45 p.m.), Robert Stott, Jack Sumner, John Gambee, and Dale Rowe; Excused Absence: Mayor, Mark Crenshaw; City Administrator, Jason Knope; City Attorney, Rebekah Dohrman; Police Chief, Bob Morris; Public Works Director, Gary Kaping; 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

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

2. Changes to the Agenda.

Move Goodin Block Party after Public Comment.

3. Approval of Minutes – April 10 and 24, 2018

MOTION: Councilor Rowe made a motion to approve the April 10 and 24, 2018 Council Minutes. The motion was seconded by Councilor Sumner and passed by unanimous vote of the Council.

4. Review of Previous Month's Expenditures

Acting Mayor DiMarco asked if there were any Council comments or questions on the previous month's expenditures. There were none.

5. Public Comment on Items not Listed on the Agenda

Ms. Patricia Phelan, 920 W. 1st Avenue #28, Junction City, asked when Prosecutor Pat Melendy's contract would be expiring and stated that she was concerned with the number of dismissals. Director Crocker responded that the Finance and Judiciary Committee would be reviewing the contract within the next few months. Acting Mayor DiMarco invited Ms. Phelan to attend the upcoming Finance and Judiciary Committee meetings to further discuss.

Mr. David Brown, 341 E. 3rd Avenue, Junction City, expressed long standing concerns and problems with a neighbor's barking dogs. Chief Morris responded that he would follow up with Mr. Brown.

6. Goodin Block Party Street Closure Request

Planner Cogburn presented the request for street closure for a neighborhood block party on Kalmia Street. The Community Development Committee had reviewed and recommended approval.

MOTION: Councilor Stott made a motion to approve the street closure request for the neighborhood block party on June 9, 2018, as conditioned in Attachment B with the nonexclusive use of City streets for street closure from 12:00 p.m. to 8:00 p.m. The use of City streets will apply to the route stated in Attachment A. The motion was seconded by Councilor Rowe and passed by unanimous vote of the Council.

7. Greater Lane County Mediation Services Presentation

Kelsey Cunningham and Ruby Lu Chieh-Ju, students from the University of Oregon, shared details of the mobile mediation service program that was being developed with the goal to provide low cost mobile mediation services to communities in Lane County. They were conducting surveys and looking for public space to offer these services in Junction City.

(Councilor McDaniel arrived at the meeting).

The Council consensus was to direct the students to the Finance and Judiciary Committee, which oversees court, for further discussions.

8. Public Hearing – Proposed Uses of State Shared Revenue

Acting Mayor DiMarco opened the public hearing.

Staff Report

Director Crocker stated that this was the second of two required annual hearings; the first one was held before the Budget Committee. The last step in the process was the requirement for

the Council to pass a resolution, which would be considered at the June 12th Council meeting. The total of these funds were \$564,300 and they were spread out in State Revenue Sharing Fund - \$66,100, State Street Tax Revenue - \$389,300, State Highway Tax (Bike Portion) - \$3900, and General Fund Non Departmental State Liquor Tax - \$96,900 and Cigarette Tax - \$8,100.

Public Testimony. None.

Council Questions or Comments. None.

Acting Mayor DiMarco closed the public hearing.

9. Walker Appeal

Administrator Knope reviewed that before the Council was a protest of a nuisance letter that was sent to Mr. Walker for the property at 290 W. 7th Avenue. There had been two areas of complaints provided by one citizen. One was on safety and health concerns related to smoke alarms, mold, etc. and those complaints had been or were being addressed through a separate process. This abatement addressed the other area of the complaints that people were living in an accessory garage structure, and a code violation notice was issued for an expansion of a nonconforming use.

It was noted that Boarding Houses had at one time been an allowed use, but at some point around the 1980s had been removed as an allowed use in the C2 (Central Commercial) zone or any other zone in the City; consequently, this Boarding House then became a preexisting nonconforming use. The definition for Boarding Houses had remained in the code and recently had been amended by the Council to remove the cap of 10 people.

Staff was not able to find any records for when the accessory structure was built or when that structure started to be used as a unit of housing; consequently, the accessory structure could have predated the City's zoning code change of Boarding Houses being a nonconforming use and would then not be considered an expansion of a nonconforming use.

Mr. Walker stated that when he purchased the property in 2013, people had been living in the accessory structure and he had continued that use. He had addressed the one area of complaints on smoke alarms, etc., which had not all been valid. He was not trying to expand anything, but wanted to obtain permits to remodel, maintain the facility, and make sure everything was up to code. It was noted that Mr. Walker could not obtain permits to do work, as long as this abatement violation of a nonconforming use was open. Also noted was that the issue of the accessory structure and Boarding House meeting code requirements was a separate discussion from the abatement violation on nonconforming use.

Attorney Dohrman added that as additional support, if the Council wanted to waive the abatement as an expansion of a nonconforming use, they could talk about the City's housing goal and how providing this housing would go along with that goal.

Planner Cogburn provided another option, if the Council did not want to waive the abatement. Under JCMC 17.125 regarding nonconforming uses, the property owner could seek a conditional use permit for expansion before the Planning Commission, but it would be unknown what the outcome of that would be.

MOTION: Councilor Rowe made a motion to uphold the appeal to rule in favor of Mr. Walker and vacate the abatement, based on lack of definitive proof that the expansion was indeed nonconforming when it happened and on helping the City's housing goal which was not to put people out on the street. The motion was seconded by Councilor Stott and passed by unanimous vote of the Council.

It was noted that Mr. Walker could now apply for permits. Director Kaping stated that he and Planner Cogburn would talk to Building Official Holderby and Clair Company on the issue of code requirements.

10. Surcharge for Recycling

Director Kaping presented the resolution to add a recycling surcharge of \$1.07 per month, to offset the increased recycling tipping fees of \$28,000 a year. On February 27, 2018, Council asked staff and legal to create this resolution, which would go into effect on July 1, 2018.

A. Public Comment on Fees

Ms. Sandie Thomas, 1225 Kalmia Street, Junction City, stated that there were places using recycled plastic to fix streets. She added that as a customer, she did not mind paying the \$1.07 even though she was on a fixed income as she was getting the service.

B. Resolution No. 1 – A Resolution Establishing a Surcharge for Recycling Collection Service in the City of Junction City.

MOTION: Councilor Rowe made a motion to approve Resolution No. 1. The motion was seconded by Councilor McDaniel and passed by unanimous vote of the Council.

Public Works would provide continuing education to the public on this.

11. Council Agenda Forecaster

Administrator Knope presented the forecaster.

12. Staff Reports

Director Kaping: Public Works was in process of making repairs at Founders Park, which included painting and new fencing. Staff was meeting with community members to talk about putting up a war memorial, as one used to be in that park. The new holiday decorations arrived today.

Director Crocker: Received a letter from the League of Oregon Cities (LOC) appointing Human Resources Coordinator Stephanie Moran to the LOC Human Resources Policy Committee for 2018-19. The Committee helps LOC generate legislative agenda items.

Planner Cogburn: The City's new building official Stuart Holderby started April 30th and was sharing office space with Planner Cogburn. The Scandinavian Festival Association (SFA) had requested funds from the RTMP (Rural Tourism and Marketing Program) for some improvements and infrastructure, which would come back to the Council in June.

Director Boldon: Had 4 new library volunteers and were still looking for volunteers

13. Councilor Comments/Questions

Councilor Rowe stated that last Saturday's Pet Parade was a delightful event that showcased our wonderful town. He encouraged everyone to attend and participate in next year's event.

Councilor Sumner suggested putting the SFA request on the May 22nd Work Session. Councilor Sumner asked what happened to the World War II Memorial. Director Kaping responded that staff did not know. Acting Mayor DiMarco added that it had been made of wood, which deteriorated over time and he thought it had been gone since the late 1960s/early 1970s.

Councilor Sumner noted that the Revolving Loan Fund had close to one million dollars. He suggested the Council consider granting funds to the Street Fund which would not have to be paid back like a loan and could be used to help get caught up on street maintenance.

14. Mayor's Comments

Acting Mayor DiMarco expressed appreciation for the discussion and everybody's participation on the Walker question. He thanked staff for their performance during the recent Budget Committee hearings and added that they had done a great job.

15. Other Business

None.

16. Adjournment

As there was no further business, the meeting was adjourned at 8:13 p.m.

ATTEST:

APPROVED:

Kitty Vodrup, City Recorder

Bill DiMarco, Acting Mayor