

The City Council for the City of Junction City, met in regular session at 6:30 p.m. on Tuesday, March 12, 2024 in the Council Chambers of City Hall, 680 Greenwood Street, Junction City, Oregon and in a virtual meeting format via internet and phone.

PRESENT: Mayor, Kenneth Wells; Council President, Karen Leach; Councilors Sandie Thomas, Sidney Washburne, Andrea Ceniga, John P. Gambia, and Ken Hancock; City Administrator, Jason Knope; City Attorney, Carrie Connelly; Deputy Chief, Eric Markell; Public Works Director, Gary Kaping; Finance Director, Mike Crocker; and City Recorder, Kitty Vodrup.

1. Call to Order and Pledge of Allegiance

Mayor Wells opened the meeting at 6:30 p.m., led the Pledge of Allegiance, and took roll call.

2. Changes to the Agenda

None.

3. Approval of Minutes – February 13 and 27, 2024

MOTION: Councilor Washburne made a motion to approve the February 13 and 27, 2024 minutes. The motion was seconded by Councilor Ceniga and passed by unanimous vote of the Council.

4. Public Comment on Items not Listed on the Agenda

- A. Follow-up from Staff on Previous Comments. None.
- B. New Comments from Public. None.

5. Planning Commission Appointments

Planner Trifilio stated that there were two Planning Commission vacancies and two applications had been received. The Planning Commission recommended that Albert Williams be appointed to fill the regular member position and Darin Olson be appointed to fill the Alternate member position. Both were to fill unexpired terms through October 31, 2024.

Mayor Wells appointed Albert Williams to fill the unexpired Regular Member position and Darin Olson to fill the unexpired Alternate member position.

6. Public Hearing for a Supplemental Budget

A. Public Hearing

Mayor Wells opened the public hearing at 6:55 p.m.

Staff Report

Director Crocker stated that a hearing was required for this supplemental budget, because there was a greater than 10% increase in the appropriations within one fund (Water Capital Projects Fund). A water projects list and funding options were presented to the Council on February 27, 2024, and this resolution was a follow up to get that budgeting in place for those appropriations. The total to fund various water projects was \$3,105,000. That amount would not been seen in the resolution, due to the fact that some of these expenditures were taking advantage of appropriations that were already in place. The increase to appropriations in the Water Capital Projects Fund would be \$1,608,500. Notice of the hearing was published in the Register Guard on March 6, 2024. Monthly report attachments were included in the packet to show the funds that were being affected, including the revenue items of the potential one million dollar grant from USDA, one interfund loan from the RLF fund for \$350,000, a \$250,000 interfund loan from non-departmental, and a \$60,000 transfer from State Revenue Sharing Projects to be Determined. The \$250,000 loan in non-departmental was already in the current budget to fund a sanitation truck, so that interfund loan transfer would be changed through this resolution. He added that a line item for the \$350,000 interfund loan was not included in Attachment C but would be added in the RLF Fund.

Public Testimony. None.

Questions or Comment from the Council

Councilor Thomas noted that Director Crocker had referred to a potential grant. Administrator Knope responded that they were still waiting to hear back from USDA Rural Development on this grant. Director Crocker added that he thought it was best to include this, as it seemed likely that it would come through. If the grant was not received, the appropriations for this amount were clearly identified on Line 77 on Grant USDA.

Councilor Ceniga asked about Director Crocker's comments that the RLF interfund loan was not listed in Attachment C. Director Crocker responded he would add a line item for this interfund loan in the upcoming budget document that the Budget Committee would see next month. The payment term would be 10 years as a capital loan. Mayor Wells noted that the RLF interfund loan to Water Capital of \$350,000 could be seen on Attachment E.

Mayor Wells closed the public hearing at 6:43 p.m.

B. Resolution No. 1 – A Resolution Adopting a Supplemental Budget for the Fiscal Year Commencing July 1, 2023 and Ending June 30, 2024, Transferring and Making Appropriations and Interfund Loans within the Water Capital, General, Community Development, and State Revenue Sharing Funds.

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

7. **Municipal Judge Annual Report**

Judge Ashlee Wiese provided the annual Municipal Judge report. Her report included:

- Cases were down significantly since COVID, and they were not seeing anything near the types of numbers seen in 2018 and 2019. This was something all municipal courts were experiencing.
- With the retirement of seasoned Court Clerk Sandra Mills, there was a significant amount of ongoing questions and training needed with a new Court Administrator.
- She had been working with Chief Waddell and fielding questions when appropriate, along with the City Prosecutor.
- The City Council had asked the Police Department (PD) to start enforcing parking ordinances, so she saw a lot of parking tickets in court. A policy was needed to assist PD and court with guidance on processing those.
- One of her main goals had always been to work with people who were driving illegally to become legal drivers and have the proper licensing and insurance. She provided an example of a young man who was pulled over and had a suspended license, and the court was able to assist him with getting his license reinstated before he had to leave for Marine bootcamp within 48 hours.
- She served as pro tem judge in Springfield for three months last fall and had worked in municipal courts as a pro tem judge or public defender in Eugene, Oakridge, Florence, Lebanon, Reedsport, Sutherlin, and Cottage Grove. She first started in Junction City as a public defender when Judge Loomis was here.
- For future Municipal Judge RFPs, she thought it might be beneficial to look at the current contract requirement of the judge paying judge pro tems directly. She mainly used Lindsay Wostmann from her firm as a pro tem judge and occasionally used Cathy Ouellette.
- The court currently had only one public defender, and this position was crucial for court operations. There was a shortage of public defenders in the state of Oregon and finding lawyers who wanted to serve as public defenders was a concern.
- Now that the City had a current contract to use the Springfield jail, she was able to send sentenced defendants to that jail but recognized that was at a deep cost to the City. It was difficult to look at what she thought were the values of this community and balance that against putting people in the Springfield jail at hundreds of dollars a day for non-violent charges.
- Since the City's jail was not available, they were not able to have pre-trial holds, even if they thought someone was a danger to the community. The Springfield jail could not be used for pre-trial holds. If PD took someone to Lane County jail, they would only be held for a few hours.
- Nearly all municipal jails had permanently closed, and recent examples were Cottage Grove and Reedsport.
- Over the last year and for the first time they sent somebody to the Oregon State Hospital. There was an uptick in mental health issues here, and a lawyer who did not believe their client could aid and assist in their own defense could ask for a fitness evaluation. The fitness evaluation cost the City around \$3,000 and if the person was found unfit, there were procedures to follow with the intent of sending the person to the Oregon State Hospital to have their fitness restored. Unfortunately, the Oregon State Hospital was moving to cut off all services to municipal courts.
- The legislature had voted to recriminalize hard drugs, but that would not have a bearing on this court as municipal courts could not take those cases because they were felonies;

however, they might see an additional reduction in cases here because if someone was arrested on a misdemeanor and then found they were in position of a controlled substance (Class C felony), that municipal court case would become a circuit court case. In addition, this would cause filling up of jail beds again and it would be difficult to operate around that.

Councilor Ceniga noted that in the past when hard drugs were criminalized and they struggled with getting those into circuit court, they went with attempted position and asked if that were still possible. Judge Wiese responded that City Prosecutor Pat Melendy had proposed that, and it would be up to the City Prosecutor on what they could charge under the current law.

Councilor Ceniga stated that people wanted to see accountability for crimes and violations, and no one wanted hard drugs in the community. Judge Wiese responded that for criminal offenses, having a pre-trial hold was often the only way of getting them to attend court which the City did not have. Once a person presented themselves to court, she could sentence them to the Springfield jail and the failures to appear were often the most serious charges. With regard to tickets, the main community service she utilized was the Scandinavian Festival. With regard to people getting legal and getting their license, they were often set up on a payment plan and had 30 to 60 days to get pay the necessary fees and obtain insurance. For moving violations, her policy was not to change the presumptive fine that the officer wrote on the ticket, and payment plans could be done here as well.

Councilor Leach expressed her agreement with Councilor Ceniga and noted that they were both on the Finance and Judiciary Committee where court had been a topic of conversation multiple times. She noted that the officers worked hard to protect the community and write tickets that come to court and receive no fine or consequence because it was their first time, etc. She noted that there were many concerns, and she invited Judge Wiese to attend an upcoming Finance and Judiciary Committee meeting to hear the concerns and answer questions. Judge Wiese responded that she would be happy to attend and added that it might be beneficial to also have the City Prosecutor attend, as offers on individual cases come to her from the City Prosecutor and the Defense Attorney.

Councilor Hancock asked if there was a probation officer assigned to court. Judge Wiese responded no and that was usually done by the Court Clerk. She added that she did not know of any municipal courts who had probation officers.

Councilor Hancock asked how often Judge Wiese had received feedback from the Council in her 7 years of serving here. Judge Wiese responded that she provided a report annual to the Council but probably had three feedback conversations.

Councilor Hancock noted that the jail costs of \$13,000 were in the police budget and asked if it would be beneficial to have a jail sentencing line item in the court budget that could be monitored by the Court Clerk so the judge would know funding was available. Judge Wiese responded no, as that would border on a constitutional issue if she considered that in sentencing. (Example, sentencing someone to jail at the beginning of the fiscal year because there was funding available but not sentencing someone to jail for the same offense towards the end of the fiscal year because there was no more funding). Councilor Hancock responded that he was not sure why this would need to be considered in sentencing and thought it would be good to have the Court Clerk and Finance Director monitor how much was available for sentencing.

Councilor Hancock shared that there were community concerns with RVs and trailers and trailers with garbage being parked on streets. He asked if these were the parking tickets that Judge Wiese referred to. Judge Wiese responded that the parking tickets she was seeing were for cars parked the wrong way or for more than two hours in a specified location. The City Prosecutor and Chief Waddell were working on the RV/trailer issue to address someone being able to move an RV or trailer two feet to restart the clock. Councilor Hancock responded that he thought they needed to look at the intent of the law and move forward, as those things were still being stored on the street.

Councilor Hancock asked how often Judge Wiese thought they should have court now. Judge Wiese responded that court could be reduced to three days a month and restructured to be more efficient.

Councilor Thomas noted that the only community service she had heard people were serving was for the Scandinavian Festival, but there were other things someone could do for the City,

like working at Viking Sal or washing police cars. Judge Wiese responded that they offered community service at \$15 an hour for non-profits, such as the Scandinavian Festival, Local Aid, Habitat for Humanity, and Goodwill in the City of Junction City. They also offered road crew through Public Works. Community service was an option to pay off tickets, but not used for criminal cases.

Mayor Wells noted that these were good questions, and they all learned a lot tonight. Judge Wiese brought up that training of staff was important and that she was limited by statute and law on what she could and could not do. In 7 years, Councilors had not come to her very often, and he thought that should be done in a public meeting forum and was something the Council needed to take responsibility for and work on communication. Many things Judge Wiese brought up the Council was unaware of, so like anything else, they all needed to work together. Judge Wiese responded absolutely, and she would be happy to meet with the Finance and Judiciary Committee and was sure the City Prosecutor would as well.

8. **City Administrator Annual Evaluation**

Attorney Connelly presented a sample evaluation form that Attorney Wolf had prepared, which was the same form the Council used last year. The Council needed to approve the form they wanted to use, set a deadline for completion, determine how they wanted to submit the evaluations, and determine the date on which the Council would like to conduct the review.

The Council consensus was to use the form as presented, to get the completed evaluations to the City Recorder by March 21st. The City Recorder would take those evaluations to Attorney Wolf, and the evaluation would occur in Executive Session at the March 26, 2024 Council meeting.

9. **PD Telephone System**

Deputy Chief Markell presented the request for the Police Department (PD) to purchase a new telephone system. The PD's telephone system was antiquated and did not get replaced when the rest of the City did the phone upgrade a few years ago, as that system did not meet the specific requirements needed for the dispatch center.

MOTION: Councilor Leach made a motion to approve the contract with PavelComm for the amount of \$21,805.05 and authorize the City Administrator to sign the necessary documents. The motion was seconded by Councilor Ceniga and passed by unanimous vote of the Council.

10. **Fiscal Year 2023-2024 Audit Follow-up**

Director Crocker stated that two significant deficiencies had been noted in the Fiscal Year (FY) 2022-2023 audit report on February 13, 2024, and the City was required to adopt a Plan of Action and file that with the Secretary of State. The plan for the first deficiency of Water and Sewer rate increases not being implemented as planned on July 20, 2022 but implemented in August 2022 was for Public Works management to put in a place a system to track changes as approved by Council and confirm the implementation by City staff. The plan for the second deficiency of payroll tax information and payments not filed timely with the state and IRS in the first quarter of calendar year 2023 was hiring adequate staffing and training to support professional fiscal management of the City's resources, and work performed by staff would be reviewed by management as part of a normal internal control framework. Both would be completed by June 30, 2024.

MOTION: Councilor Washburne made a motion to adopt the FY 22/23 Audit Plan of Action as presented. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

11. **Supplemental Budget, Contingency and Appropriations Transfer Resolution**

Director Crocker presented the supplemental budget resolution to increase personnel appropriations in the General Fund Building Department by \$60,600.

A. Resolution No. 2 – A Resolution Adopting a Supplemental Budget for the Fiscal Year Commencing July 1, 2023 and Ending June 30, 2024, and Making Appropriations with the General Fund Building Department.

MOTION: Councilor Leach made a motion to approve Resolution No. 2. The motion was seconded by Councilor Hancock and passed by unanimous vote of the Council.

12. Solid Waste Rates Resolution

Director Kaping presented the resolution to increase solid waste rates, according to an operational analysis by SCS Engineering in August of 2023. That information was presented to Council on December 12, 2023, and Council asked staff to issue a Request for Proposal (RFP). The RFP bids were reviewed by Council on February 13, 2024, and Council decided that keeping sanitation in house was the best option. This resolution would put into place the lowest rate that SCS Engineering recommended and be included in the FY 24-25 budget. These rates would not go into effect until July 21, 2024.

Mayor Wells asked when these rates were last changed. Director Kaping responded in 2019 and before that 2008.

A. Public Comment on Fees. None.

B. Resolution No. 3 – A Resolution Establishing Solid Waste Collection Fees and Rates for the City of Junction City and Repealing Resolution No. 1214.

MOTION: Councilor Washburne made a motion to approve Resolution No.3. The motion was seconded by Councilor Ceniga and passed by unanimous vote of the Council.

13. Citizen Member Appointments to Council Committees

Administrator Knope noted that it was time to appoint Citizen members to the Council Committees, per the Committee bylaws. Two applications were received for the Community Services and Development Committee and the Committee recommended appointment. Two applications were received for the Public Safety Committee. No applications had been received to date for service on the Public Works or Finance and Judiciary Committees.

Mayor Wells asked if the Public Safety Committee members recommended appointment of the two applicants. Councilors Ceniga, Hancock, and Washburne responded that they did.

Mayor Wells thanked the Citizen members for applying and appointed Kristen Hutchinson and Jeff Peterson to serve on the Community Services and Development Committee and Jon Edwards and Todd Olson to serve on the Public Safety Committee. All terms were one year through February 11, 2025.

14. Council Agenda Forecaster

Administrator Knope presented the forecaster. Add Executive Session for the City Administrator evaluation on March 26, 2024. Trying not to have an April Work Session, as there would be many Budget Committee meetings in April.

15. Committee Reports

Finance and Judiciary Committee met on March 7, 2024. Councilor Leach reported:

- Discussed court and was glad Judge Wiese was willing to come to a Committee meeting to answer questions.
- Discussed Audit Services RPF (had been 8 years since last RFP) and budget.

Community Services and Development Committee met on March 6, 2024. Councilor Gambee reported:

- Talked about improvements at the Community Center, water parks, improving the swimming pool, and adding services.
- Discussed street closure requests, budget, and updates to Bailey Park to change the tennis courts to pickleball courts.

Public Safety Committee met on March 5, 2024. Councilor Ceniga reported:

- Received an update on the hiring status for dispatch and officers and had received 4 or 5 applications for the VIPS (Volunteers in Police Service) program.
- Reviewed monthly stats and officer trainings.
- Eugene Police Department would be performing an evidence audit, and accreditation was almost done.

Councilor Ceniga noted that she received a call from another agency today on Officer Green doing a great job in responding to a burglary and she commended him for that work.

Public Works Committee met on March 4, 2024. Councilor Washburne reported:

- Would be refurbishing some of the streets this spring, if the weather was good.
- Should have Vac truck within three weeks.
- Talked about the sewer treatment plant and how much work went into getting approval for the ground.
- Reviewed Memorandum of Understanding on possibility of providing future garbage services down the road for the City of Harrisburg.

Lane ACT met on February 14, 2024. Councilor Thomas reported:

- Discussion was focused on larger cities and building new bridges in Portland.

Mayor Wells noted that there was not a Lane Council of Governments Board meeting held, but they held an Appreciation Dinner last week.

Mayor Wells expressed appreciation to all of the Committees for their great work and noted that he listened to the audio of each meeting.

16. Staff Reports

Deputy Chief Markell reported: None.

Councilor Washburne expressed safety concerns with large trucks running the stop light at 1st and Ivy and hoped that something could be done to address this.

Director Kaping reported: Currently flushing the water system after almost a year of not being able to flush; the rehabbed 13th and Elm Well was running double the previous output; a \$90,000 change order had been issued for the Bailey Well drilling, to address a problem that occurred while drilling. This amount had been included in the contingency approval by Council; 11th and Elm Well was currently being rehabbed and they were needing to remove a lot of manganese in the screens.

Director Crocker reported: Finance was in the middle of interviews, and he looked forward to having staff on board. Budget Committee would be meeting next month.

Attorney Connelly reported: The legislature had adjourned and the big success for cities was having recreational immunity if someone got injured using a City recreational path. This arose from the City of Newport case where a city path was used to access a state recreational path. This issue would be reviewed again by the legislature in 2026.

Recorder Vodrup reported: Reminder that the Statement of Economic Interest filing window would be March 15 through April 15th.

Administrator Knope reported: Been doing a lot of recruitment and would be doing more, as the current Court Clerk would be moving to the PD Admin Assistant position. They were refining the recruitment process, and HR Assistant Ashley Tapia was doing a great job. He provided an update on the new City Hall, with flooring and office furniture to be installed and the project hopefully being completed by the middle to end of May. A structural engineer had looked at the roofing issues at the Community Center and recommended turning the peaks into actual trusses. They would work up some plans and that would be included in the bid package for the project. The City received notice last week that the state of Oregon would give the City a one million dollar grant towards the Alderdale Well. This was the third well and the only one that did not have allocated funding. Administrator Knope found out about the grant through Representative Conrad and was able to quickly turn in an application, as he already had the information at his fingertips.

17. Previous Month's Expenditures.

None.

18. Councilor Comments/Questions

Councilor Thomas thanked everybody for being here and doing a great job. She expressed appreciation to Director Crocker.

Councilor Ceniga noted that she would bring up the traffic concerns and the good work by Officer Green at the next Public Safety Committee meeting.

Councilor Gambee stated that he wanted to bring up something for Council consideration. He wondered about the demographics of the City they served, including housing types, ages/genders, and income.

Councilor Leach thanked all staff for all their hard work. She expressed appreciation to Administrator Knope for his City updates.

Councilor Hancock noted that he was a big proponent of trainings, conferences, and networking and asked what conferences and trainings staff attended and how often. Administrator Knope responded that he attended specific trainings every other year to maintain his water and wastewater certifications. Director Kaping responded that Public Works staff had required training every year for their water and wastewater licenses. Director Kaping shared options for training with staff and would make it happen if they were interested. Recorder Vodrup noted that she and Admin Aide Andrews had full support and encouragement from Administrator Knope to be members of the Oregon Association of Municipal Recorders and that included attending conferences and trainings, networking, and being active in the organization.

Councilor Hancock responded that it seemed like staff were getting opportunities to train and network, which he thought was important, and he thanked staff for that.

19. Mayor’s Comments

Mayor Wells stated that tonight was enlightening and there were great questions. He gave time for the Judge’s report and follow-up discussion as he felt that was time well spent, and he appreciated the Council being prepared for discussion. He was glad further communication would occur at the Finance and Judiciary Committee and thanked everyone for a job well done.

20. Adjournment

As there was no further business, the meeting was adjourned at 8:55 p.m.

ATTEST:

APPROVED:

Kitty Vodrup, City Recorder

Kenneth Wells, Mayor