

The City Council for the City of Junction City, met in regular session at 6:30 p.m. on Tuesday, September 12, 2023 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; Police Chief, Mark Waddell; City Attorney, Carrie Connelly; 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 – August 8, and 22, 2023

MOTION: Councilor Washburne made a motion to approve the August 8 and 22, 2023 minutes. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

4. Introduction of New City Hall Staff Members

Administrator Knope introduced Human Resources Assistant Ashley Tapia, and Director Crocker introduced Accounting Technician Ashley Barber. The Council welcomed the new staff members.

5. Public Comment on Items not Listed on the Agenda

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

Jeff Ware, 1346 Cloudmont, Junction City, stated that he lived in the Reserve Subdivision. A year ago, they had questions about the water supply and the new subdivisions going in near the Reserve and were assured that there would be plenty of water with two new wells coming in. He noted that they would like an explanation on what thought processes went into why they no longer had an adequate supply of water because building was still occurring out there.

Michelle Cloutier, 565 Holly Street, Apartment #8, Junction City, stated that she had spoken at a previous Council meeting, as her car had been towed because of a parking violation. She provided examples of vehicles throughout town that were in violation and said she was trying to point out that if they were going to have rules they should be applied across the board. She requested that the impound fee she had paid be reimbursed.

6. School District Report

Superintendent Troy Stoops distributed and reviewed a presentation report and District Visioning Plan. Four main areas the School District was focusing on: equity, improving teaching and learning, facility planning, and improving district communications. They would soon be holding community meetings to get feedback on whether to move forward with putting a facility bond on the May 2024 election ballot.

7. School Resource Officer Contract

Chief Waddell presented the School Recourse Officer (SRO) contract with the Junction City School District. The Public Safety Committee reviewed on September 5, 2023. Updates to this contract included removing the named officer, specifying what services would be provided to Territorial School, and clearing up some understandings of what would happen when and if the SRO was brought back to the streets or was no longer able to provide the service to the school district. Chief Waddell and the officers felt this position would be a benefit to all of the officers.

Mayor Wells noted that this item had been tabled a year ago because of a lack of police officers and now the department had 8 officers.

MOTION: Councilor Hancock made a motion to approve the Intergovernmental Agreement with the Junction City School District for a School Resource Officer 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.

8. Annual City Attorney Report

Attorney Connelly presented her third annual attorney report and noted she had represented the City since 1997. In 2020, her firm signed a contract with the City that included as one of the duties to present an annual report. Attorney Connelly was the City's primary attorney, and

their firm had a full roster of experienced attorneys that served Council, Planning Commission, and staff. They provided 323 hours of service to the City in the last year, and she reviewed the projects/tasks they had done which were included in the Council packet. In addition to projects and attendance at meetings, she provided updates regarding changes in the law to the Council and City Administrator as appropriate.

Mayor Wells thanked Attorney Connelly for the report and excellent work. Attorney Connelly responded that it was an honor to work with Council and staff.

9. Liquor License Application – ColdFire Brewing

Chief Waddell presented the liquor license application for ColdFire Brewing, which was a new business located at 130 E. 1st, Junction City that would be manufacturing wholesale malt beverages with no direct sales to the public.

MOTION: Councilor Washburne made a motion to recommend approval of the liquor license application for ColdFire Brewing to OLCC. The motion was seconded by Councilor Thomas and passed by unanimous vote of the Council.

10. 11th and Elm Well Rehab

Director Kaping presented the request to have HBH Engineers have Schneider Water Services rehab the 11th and Elm Well, as staff had been working with the City Engineers to improve the pumping capacity. The Public Works Committee reviewed on September 5, 2023 and two of the three members recommended approval.

Councilor Thomas noted that she had voted no at Committee, as the Council had discussed having all the facts before they made a decision.

Councilor Leach stated that she would like to see this item tabled, until the Council had a chance to discuss and make a plan at the Work Session.

Mayor Wells said that this project was part of the 2018 Water Master Plan and there was money in the budget. This was one of the steps that needed to be taken, along with going for the grant for one well and moving forward with the second well.

Councilor Ceniga asked what the rehab process would include. Director Kaping responded they would pull the well apart, TV the well, rehab, make sure all the parts were good, put it back together and then see if extra pumping capacity was gained. If gained, then it worked. If not gained, then they would know they would need to move that well. The process would take around a week and would not start until late fall or winter.

Councilor Gambee stated that he was 100% sure that this work would be part of whatever plan they came up with, after discussion at a Work Session.

Administrator Knope noted that this work for the 11th and Elm Well was originally scheduled in the spring and got delayed because of scheduling issues.

Councilor Hancock stated that he wanted to discuss further and make an overall plan at the Work Session first, as they had previously noted.

It was determined that the Council could have the Water Discussion at the September 26, 2023 Council Work session. Mayor Wells asked if there were any public comments.

Darin Olson, 1715 W. 1st Avenue, Junction City, stated that it seemed like there were two issues. One was the 11th and Elm Well project from the past and then the projects going forward that were discussed on August 22nd. Administrator Knope responded that the 11th and Elm Well work was already in process and started earlier this year, but he had included this project in the information presented on August 22nd, as the work had not yet been completed and staff was recommending that all of the wells be rehabbed.

MOTION: Councilor Ceniga made a motion to approve HBH Engineers to use Schneider Water Services to rehab the 11th and Elm Well in the amount not to exceed \$22,284. The motion was seconded by Councilor Gambee and passed by a vote of 4 to 3 with Councilors Washburne, Ceniga, and Gambee voting in favor, Councilors Thomas, Leach, and Hancock voting against and Mayor Wells voting in favor to break the tie.

11. 11th and Elm Pump and Motor

Director Kaping presented the request to purchase a pump and motor for the 11th and Elm Well to have back up parts on the shelf. The Public Works Committee reviewed on September 5, 2023 and recommended approval.

MOTION: Councilor Leach made a motion to approve the purchase for the pump and motor for the 11th and Elm Well in the amount not to exceed \$22,387.89 and authorize the Public Works Director to sign the necessary documents. The motion was seconded by Councilor Washburne and passed by unanimous vote of the Council.

12. Birch Street Repair Request

Director Kaping presented the request to repair the sidewalk, curb, and gutter at 310 Birch Street where the bus stop used to be. Over the past couple of years, Director Kaping and the property owner had been trying to get Lane Transit District to fix the damage that was caused by the bus company with no success. He felt that they were putting the customer out by not fixing this, because they were having a hard time getting in and out of their driveway. Funding for this project would come from the ODOT Exchange Money. Bids were requested and two were submitted. The Public Works Committee reviewed on August 7, 2023 and recommended approval.

The Council consensus was to have Director Kaping work with Attorney Connelly on receiving reimbursement from Lane Transit District for this work.

MOTION: Councilor Thomas made a motion to award the Birch Street repair to Delta Construction in an amount not to exceed \$37,728.53. The motion was seconded by Councilor Washburne and passed by unanimous vote of the Council.

13. Revolving Loan Fund Committee Appointments

Director Crocker reviewed that there were three Financial Industry Professional positions open on the Revolving Loan Fund (RLF) Committee, and three applications had been received. In November of 2021, the RLF Criteria was updated to stagger terms for the non-Council members; consequently, there were two positions with two year terms and one position with a one year term.

Mayor Wells appointed Craig Carpenter and Kara McDaniel to fill the two year terms through September 30, 2025 and appointed Ethan Nelson to fill the one year term through September 30, 2024.

MOTION: Councilor Leach made a motion to approve the Mayor's appointments to the Revolving Loan Fund Committee. The motion was seconded by Councilor Washburne and passed by unanimous vote of the Council.

14. Audit Arrangement Letter

Director Crocker presented the Audit Arrangement Letter for Isler CPAs to do the Fiscal Year 2022-2023 audit; the total not to exceed cost was \$35,000.

MOTION: Councilor Hancock made a motion to direct the City Administrator to sign the Audit Arrangement Letter with Isler CPAs for Fiscal Year 22/23. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

15. Library Board Appointment

Administrator Knope reviewed that there was one Library Board vacancy and one application had been received. The Library Board reviewed and recommended appointment of Bethany Marks.

Mayor Wells appointed Bethany Marks to serve a 1st term on the Library Board through June 30, 2027.

MOTION: Councilor Leach made a motion to approve the Mayor's appointment. The motion was seconded by Councilor Hancock and passed by unanimous vote of the Council.

16. Council Agenda Forecaster

Administrator Knope presented the forecaster and noted that Councilor Hancock had submitted an agenda item request to discuss Ordinance No. 1281 (Council Rules) and the Agenda Process Guidelines. The Council consensus was to have the Water Discussion and

Water Curtailment Ordinance No. 1231 on the September 26, 2023 Council Work Session agenda and to discuss Councilor Hancock's request at the October 10, 2023 Council meeting.

Councilor Washburne noted that he would like to have discussion on the Building fees. Director Kaping responded that staff was working on that and it would come before Council.

Councilor Leach stated that in the past, the Council could use State Revenue Sharing funds under Projects to be Determined for Police Department or Public Works expenditures and asked if the Council could still do that. Administrator Knope responded that there was still funding in that line item, and the process for possible expenditures would start with the Finance and Judiciary Committee, who would review and forward any recommendations to Council.

17. Committee Reports

Public Works Committee met on September 5, 2023. Councilor Washburne reported:

- He hoped everybody had received a copy of the letter from Judy Robinson, which was very nice, and he appreciated her sending that.
- Was nice to meet Jeb Daeges, new citizen member for the Public Works Committee.
- Water rights for both new wells may be received in October.

Public Safety Committee met on September 5, 2023. Councilor Ceniga reported:

- Two new citizen members, Todd Olson and Jon Edwards, attended their first meeting.
- Reviewed the Springfield Jail and School Resource Officer contracts.
- Talked about the City's code on prohibited parking and standing.
- Received Departmental Updates: Chief Waddell reviewed they had three candidates in backgrounds for dispatch positions and hoped to have positions filled in 5 to 6 weeks; the department identified 71 vehicles that were in violation of the City's parking ordinance. Only 7 were towed, and the remainder (80 to 85%) were brought into compliance. The goal of the department was compliance and not to punish people for parking violations; would be scheduling officer interviews in the next week or so and processing SCOP applications; and were obtaining bids for the façade work at the new Police Department building.
- Discussed towing old motorhomes that had asbestos.

Community Services and Development Committee met on September 7, 2023. Councilor Gambee reported:

- Superintendent Tracer reviewed the expansion project for the pool, and they talked about System Development Charges.

18. Staff Reports

Director Kaping reported: Public Works was finishing up a master plan sewer line project between 9th and 10th/Maple and Laurel; would be doing some demo work at the new City Hall and then working on a Water Line project; and he continued to work with Administrator Knope on solutions to the water problem.

Mayor Wells asked for a status update on the Water Curtailment. Director Kaping responded that they had been holding pretty well for about a week and then last Friday the level in the ground storage tanks dropped to 31 feet.

Councilor Thomas asked if they were still on Level 2 and asked if they could communicate the status on a regular basis with citizens, as people were wondering about this. Director Kaping responded that the City was still in Level 2. Administrator Knope asked Director Kaping to have his staff post weekly updates on the Public Works Facebook page.

Director Crocker reported: The RLF Committee would be meeting next week to review an application. The second Accounting Technician position had been filled, and the employee would start on September 25th.

Attorney Connelly reported: Recent legislative updates:

- House Bill 2806 – Authorizes governing body of public body to meet in executive session to consider matters relating to safety of governing body, public body staff, and public body volunteers and to security of public body facilities and meetings spaces, and relating to cyber security infrastructure and responses to cyber security threats.

- House Bill 2805 - Provides that use of serial electronic written communication or use of intermediaries to communicate may constitute meeting of governing body subject to public meetings law if other specified conditions are satisfied.
 - This bill codified *Handy versus Lane County* where Lane County Commissioners were talking about public business in person and in serial email discussions outside of a public meeting.
 - She cautioned the Council from hitting “reply all” in emails and from engaging in serial emails where one Councilor emails another and then that email is forwarded to another Councilor, etc. and could eventually constitute a quorum of the Council discussing City business outside of a public meeting. Unlawful meetings could also occur by responding to social media posts and meeting in person or virtually.
 - This bill added public meetings definitions for convening and deliberation which had previously not been defined:
 - Convening a public meeting – gathering in a physical location, using electronic video or technology to communicate contemporaneously among participants, using serial electronic written communication or using an intermediary to communicate among participants.
 - This bill also defined what constituted a public meeting and what did not. For example, emails on what date the Council could meet for a special meeting were an administrative matter and would not constitute an unlawful public meeting.
 - The Oregon Government Ethics Commission (OGE) was now tasked to oversee public meetings law violations; previously these were handled at the circuit court level. This bill outlined the process for someone filing a public meetings violation complaint. OGE would be required to prepare virtual and in person trainings and any entity that had an operating budget over one million dollars each term must attend one of these trainings.

Recorder Vodrup reported: Staff was very busy, and things were going well. Was excited to have HR Assistant Ashley Tapia on board and was working closely with her on administrative protocol. She expressed appreciation to Public Works for allowing Lisa Straw to help City Hall with finance and general tasks, which had been a great help.

Administrator Knope reported: Staff was working with the City Engineer to get plans developed for the Community Center and those would go to Community Services and Development Committee. The intent was to have those plans done this fall so they could bid that work over the winter and have spring and summer to do the work before the deadline to use those monies. He thanked Public Works for helping with the new City Hall excavation and interior work. Hoped to have the interior sheet rocking, painting, new countertops and flooring work done this fall. On the IT side, were working on getting staff trained on cyber security issues and threats coming forward. Would imagine seeing some specialized plans coming forward for Council to review and adopt from both an insurance and best practices level. IT had completed 95% of needed work that had been identified and the last 5% would be written policies that would come up to the Council level. The updated Personnel Manual had been reviewed by both unions and was with Attorney Mark Wolf to add Oregon Paid Leave language. Would see that at Finance and Judiciary Committee in the next month or two before going to Council. Once Attorney Connelly prepared the updated 2023 Public Contracting Rules ordinance, would take that through Finance and Judiciary Committee.

19. Previous Month's Expenditures. None.

20. Councilor Comments/Questions

Councilor Thomas thanked everyone for doing a great job and welcomed new City staff. She thanked everybody in the audience for attending the meeting.

Councilor Washburne reminded everyone about the First Responders Community picnic for the Fire and Police Departments on September 14th. He noted that each agenda included Follow-up from Staff on Previous Comments and citizens asked questions at meetings but they never heard follow up from staff on these. Director Kaping responded that if a question was asked at a meeting that pertained to Public Works, he responded to that person directly outside of the meeting.

Councilor Gambie stated that he appreciated Superintendent Stoops being forthright about the School District's plans to go out for another bond. He noted that there would also be upcoming large costs for needed City sewer, water, and street projects, and he felt it would be good to look at the big picture and review all of those at the same time.

Councilor Leach thanked Director Crocker and Director Kaping for their work. She noted that Chief Waddell was doing an excellent job, and she was very impressed with the officers. She referred to a situation where Officer Green had assisted a gal who had locked her keys in her car and noted that was the type of thing that had been done years ago, and was what the community wanted to see and appreciated. She thanked Attorney Connelly and Administrator Knope for all they did.

Councilor Hancock thanked Chief Waddell for all he was doing which was very much appreciated. He thanked Director Kaping for getting extra parts on the shelves, which was smart management. He thanked Director Crocker for finding auditors and new finance employees and Attorney Connelly for her work and keeping them apprised of the legislative changes, which were very important. He thanked Recorder Vodrup for assisting him with the Ordinance number for the Council rules and thanked Administrator Knope for the fantastic presentation at the August 22nd Work Session. He noted that it was very important that the City made plans and figured out what they were going to do on future projects and to communicate that to the public. He added that what he saw on August 22nd was a break from the past and they started putting out information and now just needed to solve the problem.

21. Mayor's Comments

Mayor Wells thanked the citizens in attendance at the meeting and noted that he appreciated their input. He commended staff for doing a great job and noted that their hard work was appreciated. He thanked the Council for their work and for getting through a long agenda tonight. The Council was elected to make decisions, and the citizens would let them know down the road if they made the right ones or not. He noted that it was his pleasure to be part of this Council and part of the City. They were doing the best they could and would continue to do that.

22. Executive Session per ORS 192.660(2)(b) to Consider Dismissal or Discipling of a Public Officer, Employee, Staff Member or Individual Agent or to Hear Complaints or Charges Brought against such a Person.

Mayor Wells announced Executive Session at 8:40 p.m. The Council took a five minute break and began the Executive Session at 8:45 p.m. Executive Session ended at 10:12 p.m.

23. Adjournment

As there was no further business, the meeting was adjourned at 10:12 p.m.

ATTEST:

APPROVED:

Kitty Vodrup, City Recorder

Kenneth Wells, Mayor