

The City Council for the City of Junction City, met in regular session at 6:30 p.m. on Tuesday, October 11, 2022 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, Beverly Ficek; Council President, Ken Wells; Councilors Sandie Thomas, Sidney Washburne, Andrea Ceniga, John P. Gambia, and Karen Leach; City Administrator, Jason Knope; City Attorney, Carrie Connelly; Deputy Police 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 Ficek opened the meeting at 6:30 p.m., led the Pledge of Allegiance, and took roll call.

2. Changes to the Agenda

Added Soroptimist Proclamation after Item 10.

3. Approval of Minutes – September 13, and 27, 2022

MOTION: Councilor Washburne made a motion to approve the September 13, 2022 minutes. The motion was seconded by Councilor Wells and passed by unanimous vote of the Council.

MOTION: Councilor Wells made a motion to approve the September 27, 2022 minutes. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

4. Introduction of New City Staff Members

Director Crocker introduced new Accountant Liz Ellis. Deputy Chief Markell introduced new Police Officers Levi Green, Aaron MacDonald, and Nathan Alpers. The Council welcomed the new City 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.

Roy Rowlett, 411 E. 2nd, Junction City, stated that the City would be placing a curb around a neighboring property to divert water, and he asked where the water would be diverted to. Director Kaping responded it would run down the street and into the next catch basin.

Darin Olson, 1715 W. 1st Avenue, Junction City, stated that he had several people suggest the City have a “How do We Grow” session, and he thought it would be beneficial to discuss having a future hospital in Junction City.

Cindy Montgomery, 1095 Ivy Street, Junction City, referred to a line hanging down in the alley behind her business. Director Kaping responded that he would look at that tomorrow.

6. Chickens in the City Limits

Administrator Knope reviewed that a citizen had requested that the Council reconsider allowing chickens in the City limits, and staff was looking for direction from the Council. He included past minutes and information on this topic from 2012/2013 in the Council packet.

Mayor Ficek asked for public comments.

Melissa Candland, 1026 Prairie Meadows, Junction City, noted that the times were very different now than in 2012 and 2013, and Springfield, Eugene, and Portland allowed chickens. She cited the benefits of having chickens and expanded on why the rat problem in town was not because of chickens, but because of construction, cat and dog food being left out, etc.

Dee Stephens, 1047 Green Meadows, Junction City, shared the problems she experienced from having neighbors with chickens, ducks, and pigs, including feathers, rats, flies, not being able to go outside, etc. She shared information on rats and the damage they caused.

Jedidiah Barteau, 645 W. 6th Avenue, Junction City, shared that construction, gardens, and open animal food containers brought in rats, and every city around them allowed chickens so it was not a factor in property values or people wanting to live here. He thought it was unfortunate that the main reason for not having chickens seemed like it was for a rodent problem which did not necessarily seem appropriate.

George Candland, 1026 Prairie Meadows, Junction City, stated that there were two different issues: there was a rat problem and there were people who wanted to sustain their family with chickens and eggs. He noted there was a rat problem at their home before they had chickens, so the chickens did not bring in the rats.

John E. Gambia, 93998 Prairie Road, Junction City, stated that he used to have chickens and they never had a rat problem, fleas, feathers, or other issues that had been noted. He expressed his support of having chickens, referred to upcoming food shortages and noted that he thought people should have the right to sustain their family with chickens and eggs. He added that Harrisburg, Monroe, Albany, and Springfield allowed chickens, and he shared that eggs were nutrient dense and an inexpensive source of protein and vitamins. He added that he had collected 35 signatures so far of others in town who supported having chickens.

Taniqua Pino, 985 Vine Street, Junction City, expressed her support for allowing chickens and cited their benefits, including providing food with high prices and upcoming food shortages. She thought the rat problem was a separate issue from having chickens.

Melissa Candland added that they did not have rats, flies, feathers and other things noted by Dee Stephens, and their house was kitty-corner from hers.

Christa Barteau, 645 W. 6th Avenue, Junction City, expressed her support for chickens and reviewed their benefits. She felt the issue with rats was a separate issue from chickens and shared examples of leaving food out, construction, and other things that brought in rats. She suggested having a class for people to learn how to care for chickens and hoped the Council would reconsider.

Brenda Gambia, 93998 Prairie Road, Junction City, noted that the Council was in power and represented the citizens, and it would be good to remember that if people were arguing about why to get rid of chickens then would they also argue about getting rid of dogs and cats. She encouraged everyone to be more responsible in not leaving out cat and dog food and being responsible with their chickens.

Rachael Steen-Larsen, 1253 Nyssa Street, Junction City, expressed her support in having chickens and noted they were a really good protein source.

In response to questions on enforcement, it was noted that City code prohibited chickens, and enforcement was complaint based.

The Council further discussed, and it was noted that it would be important to gather more information and additional feedback from citizens, including those for and against. Also noted was that the issue of rats was separate from chickens and could maybe be discussed at another time. Attorney Connelly shared that the past process on this topic in 2012/2013 included a public hearing at the Planning Commission for amendments to the zoning code and then a public hearing before the Council, so this would provide opportunities for public comment before anything was decided.

The Council consensus was to direct staff to initiate a legislative amendment to the zoning code along the lines of the process initiated in 2012/2013 for consideration of allowing chickens only. Attorney Connelly noted that she would work with Administrator Knope on this.

Jack Sumner, 1061 Quince Drive, Junction City, asked if the Council wanted to not enforce the current code on chickens, until this issue went through the public hearing process. Administrator Knope responded that his preference would be for staff to respond to all complaints on the current code as written due to equity issues, and Council members expressed agreement.

7. Professional Credit Services Contract

Director Crocker reviewed that the City would like to renew its contract with Professional Credit Services for collection services for Court and Utility Billing. The State of Oregon had awarded Professional Credit Services a contract for collection services and made it available through the Oregon Procurement Information Network. The Finance and Judiciary Committee reviewed on September 22, 2022 and recommended approval.

MOTION: Councilor Wells made a motion to direct staff to execute the State of Oregon purchase order extending the Professional Credit Service contract through 04-30-25 and direct

the City Administrator to sign the necessary documents. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

8. Excavator Purchase

Director Kaping presented the request to purchase a new mini excavator. Three bids were received, and staff recommended purchase from Bobcat.

MOTION: Councilor Ceniga made a motion to approve the purchase of an excavator from Bobcat for \$77,349.60 with a contingency of 20% not to exceed \$92,819.52 and authorize the Public Works Director to sign the necessary documents. The motion was seconded by Councilor Thomas and passed by unanimous vote of the Council.

9. Planning Commission Appointments

Director Kaping reviewed that three regular member Planning Commission terms would expire on October 31, 2022. Three applications were received, and the Planning Commission recommended appointments of James Hukill, Chris Miles, and Jesse Newman. Terms would be through October 31, 2026.

Mayor Ficek appointed James Hukill, Chris Miles, and Jesse Newman to fill the three regular member Planning Commission positions.

MOTION: Councilor Wells made a motion to approve the Planning Commission appointments, as presented by the Mayor. The motion was seconded by Councilor Washburne and passed by unanimous vote of the Council.

10. Councilor Letter on Transportation

Administrator Knope reviewed that on August 23, 2022, the Council asked staff to draft and bring back a letter from the Council, expressing various transportation concerns on Ivy Street (Highway 99). The letter would be mailed to the Lane County Board of Commissioners, Lane Area Commission on Transportation, Oregon Department of Transportation, and the City's legislative representatives.

Cindy Montgomery, 1215 Oak Street, Junction City, expressed traffic concerns on Highway 99 that she observed from her business: head in parking with vehicles partially on the sidewalk causing vision clearance issues; vehicles crossing the double yellow line to make a left turn causing a traffic backup; emergency vehicles not getting through intersections; and speeding.

The Council consensus was that the draft letter looked good. Staff would prepare the final letters and gather Council signatures.

11. Soroptimist Proclamation

Mayor Ficek read the proclamation to proclaim October 3, 2022 Soroptimist International of Junction City Day and to celebrate the Soroptimist's 101st anniversary through the month of October.

12. Council Agenda Forecaster

Administrator Knope presented the forecaster.

13. Committee Reports

Community Services Committee. (October 4, 2022). Councilor Washburne reported:

- The new park at the Reserve was coming along.
- Reviewed Committee goals and discussed cameras and better lighting in parks.

Public Safety Committee. (September 29, 2022). Councilor Gambee reported:

- Police Department was doing a great job of handling hundreds of calls each month.

14. Staff Reports

Recorder Vodrup reported: She attend a great annual conference of the Oregon Association of Municipal Recorders last week, and it included valuable educational sessions, networking opportunities, and legislative updates.

Attorney Connelly reported: She noted that when attending Council meetings virtually, she could hear everything and would provide comments or answer questions when needed, and when giving a presentation or having an item where more input might be needed, she would

attend the meeting in person. She referred to past minutes where the League of Oregon Cities (LOC) conference was mentioned and said she highly recommended anything from LOC, including conferences, trainings, utilizing their website, etc. She noted that LOC Conferences provided an opportunity for Council members to network, hear speakers, and talk with and learn from others who were going through the same issues such as homelessness, chickens, etc. She attended many LOC Conferences and networked with other municipal attorneys. She would be attending a LOC session on homelessness on October 24th. Councilors Wells and Leach responded that they also would be attending.

Attorney Connelly provided an update on the status of a recent homelessness case: A three person panel for the 9th Circuit Court decided that Grants Pass was not applying the Martin v. Boise decision correctly when they were allowing sleeping in public places but were prohibiting having a pillow, blankets, etc. LOC and Grants Pass were now asking that the full 9 judges on the 9th Circuit Court review this case, and Attorney Connelly would keep the Council updated on this.

Discussion followed on the City Code language for sleeping in parks, and Director Kaping noted that the City Code read there was no sleeping in parks after 10 p.m. and before 6 a.m. Attorney Connelly thanked Director Kaping for that information.

Attorney Connelly shared that she read in the minutes under the water system discussion that there was mention of a moratorium. She had sent Administrator Knope the statutes that govern how and when a moratorium could be imposed, which was very restrictive.

Councilor Wells asked if Attorney Connelly could provide clarification on a quorum of the Council being present at a Committee meeting and if Councilors in the audience could talk at the meeting.

Attorney Connelly responded that she was very strict on quorum requirements, and Committee agendas often read that there could be a possible quorum of the Council to be covered for noticing requirements. It was asked if this needed to be read at the Committee meetings, and Attorney Connelly responded that it did not have to be read.

Attorney Connelly continued that even with the noticing on the top of each agenda on possible quorum of the Council, she recommended that Council members sitting in the audience not start talking about Council matters and trigger a Council quorum. She stated that this was unfair to any other Council member who was not at that meeting and unfair to the public who wanted to know what the Council was discussing.

A question was asked if a Committee Chair had to allow a Council member in the audience to speak as a Council member if there was a quorum of the Council present at a Committee meeting. Also asked was could a Council member speak at a Committee meeting, if they identified that they were speaking as an individual citizen and not as a Councilor which was their right as a citizen.

Attorney Connelly noted that even though a Council member did have the right to speak as a citizen, she recommended staying as far away from that line as possible. Her rule was if a Council member was going to start talking about Council business and turn a Committee meeting into a Council meeting, she recommended that they not attend the Committee meeting and if they were going to attend, to not talk. She noted that Junction City was a small community and everyone knew who the Council members were, so even if a Council member said they were talking as an individual, it was hard to distinguish between the two roles and could be confusing to everyone.

Director Crocker reported: The City received the Government Finance Officers Association Outstanding Budget Award for the fourth year in a row.

Director Kaping reported: The park at the Reserve was moving along, and the Deal Street project had been completed.

15. Previous Month's Expenditures.

None.

16. Councilor Comments/Questions

Councilor Leach stated that the Annual Sharing Tree was under way; tags would be available November 9th and gifts to be returned by December 2nd. There would be a Halloween party at the Community Center on October 22nd from 2 p.m. to 4 p.m. She thanked staff for their work and noted she was excited about the three new officers in the Police Department.

Councilor Gambie shared that he liked to have robust discussions and talk about issues, but he was not comfortable hosting a quorum of the Council in a Committee meeting. He expanded on that point.

Administrator Knope stated that he and Attorney Connelly would talk more about this topic. Attorney Connelly added that she would then report back to the Council.

Councilor Ceniga stated that she chose to listen to Committee meeting audio recordings instead of attending Committee meetings in person, as she knew her limits. She added that if she had a comment or question after listening to a Committee meeting, she would share that during a Council meeting. She thanked Accountant Ellis and everyone for staying for the entire meeting.

Councilor Washburne thanked everyone for staying late tonight.

Councilor Thomas thanked everybody.

17. Mayor’s Comments

Mayor Ficek asked for clarification on what constituted a Councilor quorum. Attorney Connelly responded that per Charter, a quorum was the Mayor and four Councilors or four Councilors, if one of them was the Council President. She added that in the event of a Committee meeting, if there were two or three Councilors that would not be a Council quorum. She added that what triggered a meeting of the Council was when there was a Council quorum and those Council members were talking about Council business.

Roy Rowlett asked additional questions on the property that was being built behind his home, and Director Kaping provided responses.

18. Adjournment

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

ATTEST:

APPROVED:

Kitty Vodrup, City Recorder

Beverly A. Ficek, Mayor