

The City Council for the City of Junction City, met in regular session at 6:30 p.m. on Tuesday, November 14, 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, Andrea Ceniga, John P. Gambee, and Ken Hancock; Excused Absence: Councilor Sidney Washburne; City Administrator, Jason Knope; City Attorney, Carrie Connelly; Police Chief, Mark Waddell; Public Works Director, Gary Kaping; Finance Director, Mike Crocker; City Planner, Chloe Trifilio; 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**

Item 8 Hunter Communications Presentation would be moved to the December 12, 2023 meeting.

**3. Approval of Minutes – October 10 and 25, 2023**

**MOTION:** Councilor Ceniga made a motion to approve the October 10 and 25, 2023 minutes. The motion was seconded by Councilor Thomas and passed by unanimous vote of the Council.

**4. Introduction of New City Hall Staff Member**

Director Crocker introduced new Court Clerk Isaac Cox, who began employment in June 2023.

**5. Public Comment on Items not Listed on the Agenda**

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

Laura Seiders, 230 Birch Street, Junction City, proposed that additional security measures be put in place at the Police Department, such as bars on windows and doors and adding a story for the department, court, and City Hall, so that the department would be better protected and equipped to protect and serve the community

Jack Sumner, 1061 Quince Drive, Junction City, noted that there were a few items on the agenda that he wanted to comment on. Mayor Wells responded that he would ask for public comments on agenda items. Mr. Sumner expressed appreciation to Chief Waddell and the Police Department for the leadership and service to the community, which was 150% better than it was a year ago. He added that he was not in favor of the state restraints that had been placed on enforcement of people living in trailers and cars throughout town.

**6. Public Hearing: Zoning Text Amendment Residential Side Yard Fence Height (File: #AMD-23-34)**

A. Public Hearing

Mayor Wells read the required public hearing statements and asked if there were any Council member actual or potential conflicts of interest. There were none. He opened the public hearing at 6:42 p.m. Revised copies of Ordinance No. 1 were distributed.

**Staff Report**

Planner Trifilio stated that this was a simple zone text amendment regarding fence height in residential zones. Currently in the front yard, which was the base of the building to the front property line, the fence could be 3 ½ feet tall. In the rear yard, which was the back of the building to the back property line, the fence could be up to 7 feet. In the side yard, which was the side of the building to the side property line, the fence could only be 3 ½ feet in height. The proposed change would allow property owners that abut a public street on the side of their property to raise the fence height to 7 feet in the side yard. It would still require the 3 ½ feet maximum height in the front yard. She referred to the diagram that had been included on page four of the staff report and also as an ordinance exhibit.

Planner Trifilio continued that this application was submitted on July 18, 2023 and had gone through the proper noticing procedures, including notice to every property owner in a residential zone and within 300 feet of a residential zone. The Planning Commission held a public hearing on October 17, 2023 and unanimously recommended approval. Written public comments included Julie Tomlin, who was in favor of the amendment, and from Janet Starr

who said she was against the amendment with the concern of safety. Planner Trifilio thought the safety concern applied to the vision clearance area, but one thing for the Council to keep in mind with this proposal was the vision clearance requirements of the code would still apply so that when leaving a driveway or turning a corner, the fences within 30 feet of the corner would still have to have that 3 ½ feet maximum height; therefore, staff found that the safety concern did not speak to the applicable criteria. Another member of the public spoke with Planner Trifilio and shared a comment that did not necessarily pertain to this amendment, but they were interested in a future amendment where a 7 feet maximum fence would be allowed along a side yard all the way to the front on interior lots so that there would be more privacy between neighboring properties.

Planner Trifilio reviewed applicable criteria: Junction City Comprehensive Plan, Section 5 Land Use Element read that the City shall promote land use and development patterns that sustain and improve quality of life, maintain the communities identify, and meet the needs of existing and future residents for housing, employment, and parks and open spaces. Staff found that as long as the Council believed that raising the fence height continued to maintain the quality of the community's identify and quality of life in the community, then it would be worth approving this evening; Statewide Planning Goals – Goal 2 Land Use required that citizen and affected governmental units have an opportunity to review, and notice was sent to property owners throughout the community. Notice was also sent to other governmental agencies, and one comment was received from the City's Building Department, which had no issues with the amendment; Consistency with Title 17 – Staff found the writing of the proposed amendment was consistent with the style of Title 17 and parsed out front, rear, and side fence materials more clearly. The proposed diagram conveyed the same information and used the same font and size as the existing diagram found in the appendix of Title 17.

Planner Trifilio concluded that the applicant had expressed a desire to have this ordinance go into effect immediately once adopted. Chapter 8 of Junction City's Charter talked about ordinance effective dates and an ordinance adopted to meet an emergency may take effect as soon as adopted. Staff had not found any reasons that adopting a change in fence height would constitute an emergency. If that was something the Council would like to entertain, they would need to have a factual basis for declaring an emergency and having the ordinance take effective immediately; otherwise, the ordinance would go into effect on the 30<sup>th</sup> day after its enactment.

### **Applicant Testimony**

Kim O'Dea, representative for Lennar Homes, 846 A. Street, Springfield, distributed a document and noted that as Planner Trifilio had said, this was a minor amendment. She referred to the diagram, which showed how minor the amendment was. The purpose of the amendment was to allow corner lots to be developed the same way the interior lots were. This also would correct the citywide issue of people already thinking they had the ability to do this, as there were a lot of fences in town built to 7 feet along the side yard. The amendment would promote equity by allowing corner lots to be developed like other lots in the City and would increase safety by having higher fences in side yards that would be more secure for children and pets, as well as be more difficult for people to jump over. It would also allow for full use and enjoyment of the lot by providing more privacy and use. The amendment would not interfere with vision clearance and front yard fence height would still be limited to 3 ½ feet. She continued that passing this ordinance as an emergency would immediately cure having some established households be out of code compliance and would allow new homes that wanted to build fences to not have to wait an extra 30 days. She added that they would appreciate having this take effect immediately, but if not, they appreciated the Council just approving the application.

**Proponent Testimony.** None.

**Neutral Testimony.** None.

**Opponent Testimony.** None.

### **Questions from Council**

Councilor Leach asked if Planner Trifilio had reached out to Janet Starr and Gordon McCune, who had made public comments. Planner Trifilio responded that she had spoken to Gordon on the phone and had emailed Janet about the vision clearance area.

Mayor Wells closed the public hearing at 6:58 p.m.

**Council Deliberations**

Councilor Thomas stated that she did not see the need for an emergency.

Councilor Ceniga expressed her agreement and did not think this justified an emergency.

Councilor Gambia expressed appreciation for the report and information. He noted that he was in favor of this amendment and creating more privacy and enjoyment of a person's property. He added that he would be happy to support an emergency clause if enough of the Council were in favor, because if someone had to wait 30 days to build their fence, it could be a waste of their money.

Councilor Leach noted that the presentation was well done and very clear. She expressed her agreement with Councilors Thomas and Ceniga that this did not constitute an emergency. She was in favor of the amendment and thought vision clearance and privacy were important.

Councilor Hancock stated that this was a succinct report, and he did not think it constituted an emergency.

Mayor Wells noted that the Council consensus was not in favor of an emergency clause and asked if the Council wanted to proceed with reading of the ordinance. The Council consensus was in favor.

B. Ordinance No. 1 – An Ordinance Amending the City of Junction City Title 17.95.020(A) of Junction City Municipal Code and Diagram 3 of Appendix A.

Attorney Connelly read Ordinance No. 1 Revised in full.

**MOTION:** Councilor Hancock made a motion to read Ordinance No. 1 Revised by title only. The motion was seconded by Councilor Ceniga and passed by unanimous vote of the Council.

Attorney Connelly read Ordinance No. 1 Revised by title only.

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

**7. Moose Youth Awareness Presentation**

Moose Youth Awareness Program representative Duane Edmondson presented framed certificates of appreciation to Chief Waddell and Officer Janet Deckard for their efforts in educating the community about the dangers of fentanyl. He also provided Tommy Moose plush toys for the Police Department to provide to children.

**8. Tri-County Chamber Report**

Tri-County Chamber of Commerce Executive Director Rhonda Giles presented a Chamber report: Invited the Council and City staff to the ribbon cutting/open house for Twice as Nice Boutique and to Chamber lunch forums; added 30 new business members in last 18 months; updated Chamber website and created pages for each business member; Small Shop Saturday was coming up and had tons of fantastic businesses in the area; Light Parade scheduled for December 1<sup>st</sup>; and Moose Lodge doing free community meals on Thanksgiving and Christmas.

**9. Light Parade Street Closure Request**

Director Kaping presented the street closure request for the annual Tri-County Chamber Light Parade. Councilor Gambia declared an actual conflict of interest, as he owned a business downtown that would financially benefit from the parade and left the room.

**MOTION:** Councilor Leach made a motion to approve the street closure request for the Light Parade in Junction on December 1, 2023 as conditioned in Attachment B with the nonexclusive use of city streets for street closure from 6:45 p.m. to 8:30 p.m. The use of City streets will apply to the route shown in Attachment A. The motion was seconded by Councilor Ceniga and passed by a vote of 4 to 0 with Councilors Thomas, Ceniga, Leach, and Hancock voting in favor.

Councilor Gambia returned to the room and Council dais.

**10. Council Rules Update**

Administrator Knope presented the proposed changes to the Council rules that were prepared after meeting with Councilor Hancock. The changes included removing reference to the Agenda Process Guidelines.

Councilor Leach asked if the Agenda Forecaster would be eliminated. Administrator Knope responded yes, but staff would still track items.

Councilor Hancock thanked Administrator Knope for preparing the changes and noted that this would put Council more on par with the staff if a Councilor wanted to put an item on a Committee or Council agenda. He thought a Councilor should be able to speak, represent the people, and this would speed up that process, instead of having to wait a couple of months to get something on an agenda.

Councilor Gambia stated that he was in favor of keeping the Agenda Process Guidelines, as it provided direction on tracking items and provided a consensus approach for getting items on an agenda as opposed to individual Councilors directing staff.

Councilor Ceniga stated that she thought they needed a Council consensus for a Councilor to get an item on the agenda, even if it was brought up at a meeting.

Administrator Knope responded that the Mayor made the final call on what items were on a Council agenda and the Committee Chair makes that decision for the Committee they served; however, a group consensus of the Council or Committee could add an item to an agenda.

Councilor Leach noted that even if an item were listed on an agenda, the Council could decide as a whole that they did not want to further discuss or take action on an item.

Councilor Gambia asked what the process would be for getting an item on the agenda, if they eliminated the Agenda Process Guidelines and Agenda Request form. Administrator Knope responded that it would defer to verbal or email requests to the Mayor or Committee Chair. Administrator Knope added that if the Mayor or Committee Chair did not want to add something to the agenda, it would not go on the agenda.

Councilor Gambia stated that he felt they were eliminating the ability to get something on the agenda, as the current process allowed each item to be reviewed for consideration by Council or Committee. Administrator Knope noted that an option could be Council or Committees allowing citizen requests during Public Comment for Items not listed on the agenda. Councilor Gambia noted that the request would still have to be approved by the Mayor or Committee chair to get on an agenda.

Jack Sumner, 1061 Quince Drive, Junction City, asked how he would have record of requesting an item to the Mayor or Committee chair if this would be done verbally. He added that they were changing the rules for Councilors to get an item on the agenda but what about the public. Administrator Knope responded that a citizen could petition a Councilor or the Mayor to get an item on the agenda, verbally or via email directly or during public comment. Mr. Sumner noted that the Council did not respond immediately to public comment and in the past, it had taken months for him to get a response.

Councilor Gambia asked what was trying to be accomplished that was not already in the Agenda Process Guidelines.

Councilor Hancock responded that the Agenda Process Guidelines required citizens and individual Councilors to fill out the Agenda Request form and did not provide another way to get items on an agenda, including directly petitioning the Mayor or Committee chair. What he was talking about was less structured and by eliminating the request form you were creating more communication, with Councilors talking to one another and citizens telling them what was on their minds. This approach would also cut down on the length of time it currently took to get an item on an agenda. He added that he was not saying they needed to eliminate the Agenda Request Form as an option for citizens, but to remove that requirement for Councilors.

Councilor Gambia stated that he was in favor of more communication and efficient processes, but expressed concerns with staff having time to prepare for an item that someone might want immediately on an agenda, as well as potential violations of public meetings laws with Councilors on Committees discussing requested agenda items and consequently having a

Committee quorum discussing city business outside of a public meeting. He added that he felt there were protections in the current system with the consensus process for getting items on the agenda as well as doing everything in public.

Administrator Knope noted that this amendment would eliminate the Agenda Process Guidelines, which provided direction on how many days before a meeting a request would need to be submitted and timelines for preparing for meetings. If the Council decided to move forward with this, he would want to bring back something that would provide guidance on timelines.

The Council consensus was to have Administrator Knope prepare the ordinance and bring back to the next meeting for further discussion.

Mayor Wells noted that Administrator Knope would bring this back, and the Council would have the opportunity for further discussion and could make additional changes, provide other direction to Administrator Knope, or take action as desired by the Council.

#### **11. Pretreatment Manual Resolution**

Director Kaping presented the resolution to approve the Pretreatment Program Manual. The Pretreatment Program was adopted by ordinance on December 8, 2015 (amended March 8, 2016), and since that time staff had been working on putting together this manual. The Public Works Committee reviewed on November 6, 2023 and recommended approval.

A. Resolution No. 1 – A Resolution Adopting Industrial Pretreatment Program Manual.

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

#### **12. Cultural Study for Alderdale Well**

Director Kaping reviewed that the Alderdale Well site was on a piece of land that was known to have Native American history. In order for the City to put a well on that site, the City would need to first have a SHPO (State Historic Preservation Office) permit. Part of getting that permit would be to have the ground surveyed to see if there were any human remains or artifacts.

Jackie Pendergrass, 1246 Breckenridge Drive, Junction City, asked about the site. Director Kaping provided responses: They would not be able to dig the well without this work being done, artifacts might possibly be closer to Flat Creek, the well area would be fenced and northeast of the Alderdale Park, and they planned on returning the area to the natural White Oak savanna.

**MOTION:** Councilor Hancock made a motion to approve the Willamette Cultural Resources Association to provide an archaeological and human remains survey for the Alderdale well site at a cost not to exceed \$15,987.98 and authorize the Public Works Director to sign the necessary documents. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

#### **13. State Revenue Sharing Funding Request**

Director Crocker presented the request from Councilor Leach and the Finance and Judiciary Committee to purchase 2 chairs for the Police Department dispatch and 2 chairs for the Chief's office as a good will gesture from the Council. Funding would come from State Revenue Sharing To Be Determined.

Mayor Wells stated that this was money well spent, and the Police Department was no different than other departments in the City, where needs could be brought through the City Administrator to Council for consideration.

**MOTION:** Councilor Leach made a motion to direct staff to purchase the chairs as recommended by the Finance and Judiciary Committee. The motion was seconded by Councilor Thomas and passed by unanimous vote of the Council.

#### **14. Building Project/Locker Room**

Chief Waddell presented the request to purchase lockers for the Police Department locker room, and he distributed bid documents.

Jack Sumner, 1061 Quince Drive, Junction City, expressed frustration with past leadership not making sure the Police Department had the proper equipment that they needed, and now they were asking the new Chief to come in and fix something that had not been taken care of.

**MOTION:** Councilor Ceniga made a motion to approve the purchase of 15 lockers in the amount not to exceed \$19,074.99 and authorize the Chief of Police to sign the necessary documents. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

#### 15. Vehicle Purchase

Chief Waddell presented the request to purchase a pickup for the Police Department. There was currently nothing in the fleet that could be used to haul multiple employees. This truck would not have a cage and its primary purpose would not be for patrol, but would be an administrative and utility vehicle to move evidence, bicycles, haul tables/gear for community events, haul items to the range, etc. Three bids were received. The Public Safety Committee reviewed on November 7, 2023 and recommended purchase from Brad's Cottage Grove Chevy. It was noted that there were funds available to assist with this purchase from other Police Department vehicles that had been sold.

**MOTION:** Councilor Ceniga made a motion to approve the purchase of a 2023 Chevy Silverado 1500 Crew RST from Brad's Cottage Grove Chevy and to complete the needed upgrades and setup for \$67,998.19 and authorize the Chief of Police to sign the necessary documents. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

#### 16. Job Descriptions Resolution

Chief Waddell presented the resolution to approve two job descriptions: Administrative Assistant and Volunteers in Police Services (VIPS). The Administrative Assistant position would be a shared position between the Police Department and City Administrator and would assist the Police Department with administrative tasks and assist the City Administrator with managing the City Website redesign and social media accounts. The Volunteers in Police Services position would assist the Police Department with a variety of tasks and would be for those 18 years and older. Administrator Knope added that the funding for the Administrative Assistant would come from a vacant Internal Services position.

A. Resolution No. 2 – A Resolution to Create the Positions of Administrative Assistant and Volunteers in Police Services, Pursuant to Personnel Policy Section 4.2 and Assigning a Range within the City's Compensation Schedule.

Jack Sumner, 1061 Quince Drive, Junction City, noted that the VIPS job description read that the position reported to the Chief, yet the sergeant was in charge. Chief Waddell responded that he was ultimately responsible for getting this up and running and the day to day operations would be run by the sergeant.

Mr. Sumner asked if the VIPS would be issuing citations. Chief Waddell responded they would be looking at having them do parking enforcement and warnings rather than actual citations.

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

#### 17. Council Agenda Forecaster

Administrator Knope presented the forecaster. He noted that there were no work sessions scheduled for November and December with the holidays.

#### 18. Committee Reports

**Public Safety Committee** met on November 7, 2023. Councilor Ceniga reported:

- Reviewed items on tonight's agenda and talked about contract with Greenhill Humane Society.
- Reviewed department updates: Hiring process for dispatchers and officers was ongoing, contractors would be providing bids for building façade work and finishing patrol room.

**Lane ACT** met on November 8, 2023. Councilor Thomas reported:

- Conversation was focused on bigger cities. Portland employers with 100 or more employees would have to provide showers for employees who bike to work.
- Greyhound Bus was purchased and would have changes such as shorter routes, etc.

**19. Staff Reports**

Chief Waddell reported: Were still using Lane County to provide dispatch from 7 pm to 7 am; City County Insurance provided a jail report with a recommendation to close until brought into compliance; Officer Levi Green and Dispatcher Sheila Hazelton would be recognized this Friday for their lifesaving efforts.

Director Kaping reported: Crew was picking up leaves; continued work on 13<sup>th</sup> and Elm Well pump. 16 feet of sand had been removed that was blocking the screen. After this well was finished, would start on 11<sup>th</sup> and Elm Well.

Director Crocker reported: Received \$716,000 in property taxes so far this month; recent tax levy report showed that property taxes with corrections could be a few hundred thousand more than budgeted; made the last payment today on the 2013 \$900,000 loan from the Sewer Capital Fund to the Water Capital Fund. The second internal loan to the Water Capital Fund of \$215,000 was down to \$43,000 and would be paid off in two years.

Jackie Pendergrass asked how much the City received annual in property taxes. Director Crocker responded that the budget was 3.4 million and the levy could be 200 to 300 thousand more than that.

James Hukill, 1382 Cloudmont Drive, Junction City, asked if there were plans for a reserve tank. Director Kaping responded not at this time. Mr. Hukill asked about sanitation. Director Kaping responded that was currently being discussed.

Administrator Knope reported: Working with the City engineer on plans for the Community Center. ADA ramp had been installed at the new City Hall and fiber optic connections put in. Received notice that the City's permit with DEQ for the sewer plant was renewed and would take effect in January 2024. The permit outlined the construction schedule for projects which was the next step they had been waiting for since the mid-90s. Staff would be working on funding for upgrading the sewer plant and for the third well. He and IT Coordinator Jacob Hawes were working on a grant to do additional cyber security upgrades. Sharing Tree tags were available, and the Community Center would be hosting snacks and hot chocolate after the Light Parade.

**20. Previous Month's Expenditures.** None.**21. Councilor Comments/Questions**

Councilor Thomas thanked everyone for their hard work.

Councilor Ceniga asked if a smaller water treatment plant would be going in. Director Kaping responded that it would eventually. First, they would be getting the new wells up and running and the current wells rehabbed. Then they would work on funding for the water treatment plant on the west side.

Councilor Gambie thanked everyone and shared about the value of citizens participating and contributing to self-government in Junction City. He expressed appreciation for the robust discussions, management of resources, current Council, citizens, and staff work, and for those who had gone before them and done great work.

Councilor Leach thanked staff for all their worked and expressed her appreciation to everyone. She wished everyone a Happy Thanksgiving.

Councilor Hancock expressed appreciation to everyone for their hard work. He suggested doing a local survey to get citizen feedback and find out what was important to them. That empirical data could be used in helping the Council set priorities and plan for the future.

**22. Mayor's Comments**

Mayor Wells noted that a citizen had commented on how nice it was to see a police presence again in town. He was impressed with all the work that Committees had done over the last two or three months. He thanked everybody for the good discussions and hard work and noted that they were all here for the good of the City. It was exciting that the new City Hall continued to move forward. He was grateful for the good communication that Administrator Knope provided each week and for water updates from Director Kaping. He commended Director Crocker on being able to get his monthly reports delivered on schedule, now that he had full staffing. He added that there would be a Zoom meeting tomorrow on Lane County garbage tipping fees.

Councilor Thomas stated that she received a card in the mail from a citizen who wanted to thank the Council for working on getting the two new wells.

**23. Adjournment**

As there was no further business, the meeting was adjourned at 9:29 p.m.

ATTEST:

APPROVED:

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Kitty Vodrup, City Recorder

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Kenneth Wells, Mayor