

The City Council for the City of Junction City, met in regular session at 6:30 p.m. on Tuesday, December 13, 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; Police Chief, Bob Morris; 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.

Councilor Washburne announced that he served on the Fire District Board, in case there were any conflicts he needed to declare for Agenda Item 8 Antenna for Fire Department. Attorney Connelly expressed appreciation for Councilor Washburne's announcement for transparency and responded that other government bodies did not give rise to an actual Oregon Ethics Conflict of Interest, so it was sufficient to have stated that and when they got to that agenda item, Councilor Washburne could participate and vote.

3. Approval of Minutes – November 8, 2022

MOTION: Councilor Ceniga made a motion to approve the November 8, 2022 minutes. The motion was seconded by Councilor Washburne 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.

Cathie Campbell, Board President of the Tri-County Chamber, invited Mayor Elect Wells and Administrator Knope to attend the Chamber's February 16, 2023 luncheon and share what was going on at the City. She would follow up with an email invitation.

5. Highway 99 Transportation Concerns

Vidal Francis, ODOT Region 2, Area 5 Manager, stated that ODOT had received the Council's 10-25-22 letter on transportation concerns on Highway 99, and ODOT understood and shared those concerns. There could be various ways of trying to address those concerns, including widening Highway 99, installing additional pedestrian crossings, or reduction of outside lanes to put in a multi-directional turning lane (road diet), but first he would recommend that ODOT and the City develop a Refinement Plan to help identify what the preferred solution would be.

Director Kaping noted that the City had been told by other ODOT staff that a lane reduction would not work if you had more than 16,000 vehicles per day. Mr. Francis responded that he thought it was up to 20,000 but would confirm that number and get back to the City.

Administrator Knope asked if the Refinement Plan would be similar to the one the City did with ODOT around 2008. ODOT Planner Bill Johnson responded yes but noted that plan focused on the couplet design and some other alternatives and probably did not consider a road diet. Mr. Johnson added that a lot of time had passed since then and they would need to look at new traffic volumes and impacts of a road diet.

Administrator Knope asked if ODOT had funding available to help the City with that type of study. Mr. Johnson responded that there was funding through the ODOT Planning Department, but those were limited and had already been programmed through the next year. The next biennium was 2024-2025, so the earliest they could work on a plan would be 2024. Mr. Johnson added that there was also a Transportation Growth Management Grant that the City could apply for, which would have a certain percentage match from the City.

In response to a comment on road diets, Mr. Francis responded they had some really good successes with road diets throughout Oregon and he would be happy to talk to the Council about those successes when they had more time. Mayor Ficek responded that would be a good work session topic.

Mr. Johnson stated that it was good to know the City was interested in a Refinement Plan and he would take this information back to his planning team, as they were preparing the list of

projects for the next biennium. Mr. Francis added that he would have Mr. Johnson reach out to the City's Planning staff.

Councilor Leach asked if it would be possible to schedule a work session date to have ODOT speak further with the City. Administrator Knope responded that he had made a note to follow up and get something scheduled.

Cathie Campbell stated that she felt it was important to see a face of someone who had been affected by pedestrian safety. She shared that in 2002 her two year old son had been hit by a car on Highway 99 and he was lucky to have survived. She added that there were still significant safety issues for pedestrians trying to cross the highway that needed to be addressed.

Councilor Wells thanked ODOT staff for attending and noted that they looked forward to working together on solutions. He asked about the current projects on Highway 99. Mr. Francis responded that there were two current projects on 99: ADA project from 1st to 17th, which would continue through spring. The other was the paving project south of town; most of that work had been completed and some additional striping would be done in spring.

Councilor Washburne asked if some of the crosswalks could be repainted on Ivy Street, as they had faded. Director Kaping noted that these were originally painted at 6th and 10th. Mr. Francis responded that he would look into this and get back to the City.

6. Moose Lodge Presentation to Chief Morris and Officer Deckard

Duane Edmondson, Moose Youth Awareness Chairman, presented Chief Morris and Officer Janet Deckard with certificates of appreciation for mentoring and teaching local high school students about "Safe Surfing" on the internet and in texting. He also presented "Tommy Moose" plush toys to the Police Department and Fire Department to give to children in distress.

7. Audit Presentation Fiscal Year 2021-2022

Gatlin Hawkins, Isler CPA, presented the audit report for Fiscal Year 2021-2022. They had completed all of their test work and were pleased to report that they would be issuing a clean unmodified opinion on the financial statements. There was compliance with applicable standards and state law, there were no budgeted appropriations that were exceeded, there were no violations of the public procurement policies and regulations, and there were no internal control deficiencies or weaknesses. He expressed appreciation to Director Crocker and the Finance staff for their assistance.

8. Antenna for Fire Department

Director Kaping presented the Fire Department request to place an antenna on the north elevated tower to get better coverage for their handheld radios. The Public Works Committee reviewed on November 7, 2022 and recommended approval.

Administrator Knope noted that if the Council approved this, he would want Director Kaping to work with Chief Nicol on an agreement to cover who would be responsible for maintenance, etc. and then bring that back through Committee to the Council. Director Kaping added that he would want the City Attorney to assist with this agreement. Attorney Connelly responded that she would need a conflict of interest waiver, as their firm represented both the City and the Fire District. She added that she was in favor of such an agreement for both entities. Administrator Knope asked Attorney Connelly to please send him the waiver form.

MOTION: Councilor Ceniga made a motion to approve the use of the north elevated tower for the Junction City Fire Department radio antenna. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

9. Capital Expenditure Plan Change

Director Kaping presented the request to update the Public Works Capital Expenditure Plan to replace the Vac Truck every 15 years instead of every 20 years. The Public Works Committee reviewed on November 7, 2022 and recommended approval.

MOTION: Councilor Thomas made a motion to approve the updated Capital Expenditure Plan. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

10. Budget Committee Appointment

Director Crocker reviewed that there were two vacancies on the Budget Committee, Positions 6 and 7, with terms that would be expiring on December 31, 2022. The positions were advertised, and one application was received from Darin Olson.

MOTION: Councilor Ceniga made a motion to appoint a member to the City's Budget Committee as follows: Darin Olson to Position #6. The motion was seconded by Councilor Washburne and passed by unanimous vote of the Council.

11. Certified Election Results

Recorder Vodrup thanked all the candidates who ran in the November 8, 2022 General Election. The City had received the certified election results from Lane County and they were included in the packet. She congratulated the newly elected officials and distributed certificates of election:

Position	Name	Term
Mayor	Kenneth Wells	2 years
City Councilor	Andrea Ceniga	4 years
City Councilor	Sandie Thomas	4 years
City Councilor	Karen Leach	4 years

Recorder Vodrup added that Measure 20-330, which asked the question, "Shall the City of Junction City prohibit psilocybin-related businesses within the City," passed by a vote of 1864 to 1147.

12. Committee Chairs Feedback on Council Committees

Mayor Ficek asked for feedback from the Committee Chairs on the Council Committees.

Councilor Ceniga stated that the Community Development Committee made good progress on projects and tasks, and she expressed appreciation to Director Kaping for coming prepared to meetings and to Committee members for their work. Councilors Leach and Wells expressed appreciation to Councilor Ceniga for doing a great job as chair and getting many projects through Committee and to Council.

Councilor Washburne stated that Public Works had accomplished many projects this year. Director Kaping had done a great job of getting the very best deals on buying new equipment, which saved the City a lot of money. Councilor Thomas added that she learned a lot by being on this Committee.

Councilor Gambie stated that the Public Safety and Finance and Judiciary Committees had a lot of good discussions and accomplished many tasks. The Finance and Judiciary Committee had been tasked by Council with many items and had worked through those and brought back to Council. He felt both Committee purpose statements were relevant and added that Committee members made great contributions. Councilor Wells expressed appreciation for everyone on these two Committees and noted that they did not always agree, but had great, open discussions that they talked through and then sent to Council.

Mayor Ficek asked if there were any suggested changes or improvements to the Committee system. Councilor Wells responded that he hoped they continued working through the Council goals that had been assigned to each Committee and noted that Administrator Knope had done a good job on that.

Administrator Knope reminded the Council that one of their goals was to look at adding citizen members to the Council Committees, so that could possibly be something that would directly impact how the Committees would run.

Councilor Gambie noted that a few years ago, they combined the Sewer and Street Committee with the Sanitation, Recycling, and Water Committee to form the Public Works Committee, which he thought was a good move for efficiency and having one less meeting a month. Along those same lines, he suggested the idea of combining the Community Services Committee and Community Development Committee.

Administrator Knope responded that would be positive as Community Services and Community Development both fell under the Public Works umbrella, with Director Kaping working with Community Development and Superintendent Tracer working with Community

Services. He added that if there was a big topic, the City could form a temporary subcommittee, citing the example of the Treatment Stakeholder Subcommittee. Administrator Knope continued that he would be happy to put together the paperwork necessary for the Council to review this idea and would bring back to a Council Work Session or other for further discussion. Councilor Wells responded that he thought that would be a great topic at a Work Session.

13. Plan to Complete and Present City Administrator Evaluation

Councilor Wells stated that a year ago, the Council did an evaluation of the City Administrator and it would be nice to complete the evaluation for 2022. He thought the evaluation forms they used last time were sufficient.

Administrator Knope noted that each Council member completed individual forms, and those were all compiled into one summary form. He agreed that the forms used last time were fine. He continued that the Council could prepare a summary form if desired, but he requested that he also be able to receive the individual Council forms that were submitted, as it would be useful to have everybody's complete feedback.

Councilor Wells asked Attorney Connelly about setting a timeframe for the Council to do the evaluations, submit to the Attorney for review, and then have review at the February meeting.

Administrator Knope asked Attorney Connelly if she could have Attorney Wolf put together a draft evaluation schedule and include the blank evaluation forms for the January 10, 2023 Council meeting. Attorney Connelly responded that she would do that.

14. Council Agenda Forecaster

Administrator Knope presented the forecaster. He suggested having Council training at a Work Session in January and/or February on Public Procurements and Public Meetings/How Committees worked.

Administrator Knope asked Attorney Connelly if she could prepare a draft training agenda for Council to review at the January 10, 2023 meeting. Attorney Connelly responded that she would.

Councilor Gambie noted that the Council had adopted Council rules last year and he thought it would be beneficial to review those and see if they wanted to make any potential changes. Administrator Knope suggested that it might be better to wait on that topic until the newly appointed Councilor was on board.

Councilor Wells shared that it was important that they all understood the rules, so they could follow them. He thought they had come a long ways in the last two years in understanding the process for how agendas were set for Council and Committees, and he thanked Administrator Knope for his work on creating the Agenda Process Guidelines.

15. Committee Reports

No Committees met.

16. Staff Reports

Chief Morris reported: The department was very busy, and activity at the schools had increased. Kids were still smiling and waving at officers, which was positive. The department would hold a neighborhood meeting tomorrow night at the Baptist Church.

Councilor Washburne asked if any grants had been received to do extra patrols over the upcoming holidays. Chief Morris responded yes.

Mayor Ficek asked when Shop with a Cop would be held. Chief Morris responded December 17th.

Director Kaping reported: A sewer mainline broke on Saturday, and Public Works staff did an outstanding job on the repair. Director Kaping thanked the Council for allowing Public Works to purchase the necessary equipment and have the right amount of staffing to be able to make an efficient repair. Public Works would be soliciting bids for slurry and crack sealing next spring.

Director Crocker reported: Would be starting next year's budget prep soon. Interest rates had been going up; a year ago, the interest rate was 0.45%, with the City receiving \$8200.50 for the month. Last month the interest rate was at 3.1%, with the City receiving \$45,450 for the month.

Recorder Vodrup reported: The oaths of office for the newly elected officials would occur at the January 10, 2023 Council meeting.

Administrator Knope reported: The Public Works crew did a great job on the sewer mainline repair, and most of the equipment used for the repair did not exist before 2008/2010. He had sent Director Crocker the first items for next year's budget prep. The City was getting to the tail end of the Tyler Software conversion, and HR Assistant Eastland and Accountant Ellis had been doing a great job of assisting staff on entering timecards in the new system. The IT Department started the last major project this last week that would finish correcting the 200 plus deficiencies from the internal audit of the City's IT systems. A construction company was onsite and had prepared the foundation for the new City Hall and would also be doing some dry rot repair and hooking up utilities. Wolf House Movers would come back out and lower the building onto the foundation and then the utilities would be hooked up and the porches put back together. Staff would need to re-evaluate the budget, as costs to do work had been much higher than anticipated. The City's engineer was drawing up site plans, which would be going to the Finance and Judiciary Committee. The Police Department was working with an architect for the front of the new Police Department building. Staff was working with an architect on the RFP scope of work language to do the \$500,000 work at the Community Center, to make sure the City was meeting the grant requirements.

17. Previous Month's Expenditures. None.

18. Councilor Comments/Questions

Councilor Washburne expressed appreciation to staff for all their hard work in getting projects accomplished.

Councilor Ceniga thanked everybody for their hard work and said she was looking forward to another four years. She thanked Director Kaping and Superintendent Tracer for being well prepared and presenting great information at Committee meetings; this made the meetings efficient and they had made a lot of progress in the last couple of years.

Councilor Gambie commended the Fire Department for saving the taxpayers money by placing the antenna on the City's water tower, the Police Department for obtaining grants each year, and City staff for saving money over and over again, adding up to huge savings over time. He expressed appreciation to Public Works staff on fixing the 60 year old sewer mainline and said the Budget Committee and Council would have their work cut out for them in the next budget cycle to allocate extra funds to this area that needed attention. He thanked Administrator Knope, Director Kaping, and Superintendent Tracer for planning ahead and getting the equipment in place that they needed and for saving necessary funds in the Capital Expenditure Plan. He stated that he had enjoyed serving on the LCOG Board of Directors but would be resigning from serving on that board.

Councilor Leach expressed agreement with Councilor Ceniga's comments on the Committees. She thanked all City staff for their work and noted that each employee was appreciated.

Councilor Wells shared that he would be contacting each Councilor individually to receive their input on the Council Committee assignments, which he would be appointing in January. He continued that the last two years had been great and they had learned and accomplished a lot. He expressed appreciation to staff and Council for doing a great job and noted that they would take what they had learned and continue forward.

19. Executive Session per ORS 192.660(2)(f) to Consider Information or Records that are Exempt by Law from Public Inspection.

Mayor Ficek announced Executive Session at 8:22 p.m. Regular session convened at 8:58 p.m.

20. Other Business

MOTION: Councilor Wells made a motion to waive the attorney client privilege associated with the reported investigation dated October 5, 2022 by James Ferraris. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

Administrator Knope stated that a written public comment from a citizen had been distributed to the Council at the beginning of the meeting, and the comment included that the Junction City School District had a written statement on each of their agendas, "The Junction City School District Board of Directors does not allow public complaints or commendations to be made against individuals. The Board will not engage in discussions with members of the public during this time; it is for public comment only." He recommended that the Council consider adding some similar language to their agendas for clarity on public comments.

Councilor Leach responded that she thought that would be a good idea and to also share the proper way to address a complaint.

Councilor Wells suggested having that language on both Council and Committee agendas. Administrator Knope expressed his agreement.

Administrator Knope noted that the Council rules laid out the agenda format, so he would bring back a draft Council agenda and amended Council rules for Council review.

Councilor Gambia asked for clarification that if a citizen had a complaint about an individual, it was not appropriate to make that in public comment. Administrator Knope responded that was correct and he would recommend adding some language on the agenda on what to do if they had a complaint against an employee. He added that they could also prepare a script that the Mayor could read to that effect before calling for public comments.

Councilor Gambia stated that they had quite a few discussions on Council members responding to public comments. He noted that the School District did not provide responses to public comment, but he was not sure the Council wanted to do that.

Administrator Knope responded that it was becoming expected for public comment at the Council meetings to become a dialogue and by putting in language, it gave the Council something to stand behind to indicate that it was not going to be a dialogue. He knew that Attorney Connelly would prefer that the Council did not respond to public comments and more often than not he would agree with that, as staff was often ambushed on the spot by questions.

Attorney Connelly added that she thought it was really critical to remain radio silent when comments were coming and her recommendation was that if there was public comment that a Council member wanted to discuss later, they could make a note of it and bring it up under Councilor Comments to ask if other Councilors were concerned, if they had a Council consensus on any follow up direction for staff, hear feedback from staff, etc.

Councilor Gambia stated that he agreed with Administrator Knope and Attorney Connelly and wanted to be careful that Council members understood this rule and what they would be committing the Council to change in its approach. Administrator Knope responded that this was already the current rule as it stood today.

Councilor Ceniga asked about responding to a comment that would be good to take to a particular Committee. Administrator Knope responded that as Attorney Connelly noted, that could be brought up under Councilor Comments, where staff could provide responses on the best Committee to take something to.

Administrator Knope added that follow up on public comment was added to each Council agenda, so staff would have the ability to come back at a meeting and provide information on questions that had been asked.

Councilor Ceniga stated that at the November meeting, a citizen continued to interject comments after they had been allowed their five minutes to provide a comment. Attorney Connelly responded that was a matter for the chair, who was the Mayor and who had the right to ask a citizen member to be quiet. If a citizen was truly disrupting a meeting, the Council could involve law enforcement and ask them to leave the room. She added that the citizen continually interjecting comments really interfered with the Council being able to discuss and

deliberate, which was a really important matter and the Council already knew what people thought.

Mayor Ficek asked how you drew the line when there was a group of citizens who had taken the time and trouble to come to a meeting and you wanted them to feel heard by the Council. Administrator Knope responded that everybody had the right to get up to the microphone and have five minutes to make their comment, but that did not mean they could come back up to the microphone five times.

Attorney Connelly shared that she was not saying the Mayor did not have the prerogative to allow people to speak if they had a new thought and raised their hand. It was within the chairs right to let them speak, but they should not just start speaking. They needed to be recognized and formally allowed to reintroduce into the conversation.

Councilor Ceniga noted that the citizen continued to have conversation with the Council that just went on and on. Administrator Knope responded that was what happened when the Mayor did not set boundaries and then it becomes the expectation from the public.

Councilor Wells responded that he liked the idea of Councilors bringing up any responses to public comment under Councilor Comments.

Attorney Connelly stated that having language on the agenda and having it announced before public comment would be a great way to set up that expectation, so that people who expect to be able to have a dialogue with the Council are told at the outset that they will need to make their five minutes count and then they will not expect to be responded to or be able to talk again.

Councilor Wells stated that when they drafted the statement, maybe they include how much time they would have to speak and to give their name and address. Administrator Knope responded that they could definitely make it more encompassing and when they brought it back to Council for review, the Council could amend it even further to where everybody was comfortable.

Councilor Gambie asked if the written public comment that was distributed on the Council dais or written comments submitted at a meeting went into the record. Administrator Knope responded yes.

Councilor Gambie asked if an email came into the Council in between meetings if that could become part of a meeting record. Administrator Knope responded that it would not be part of a meeting record but would be a public record.

Mayor Ficek stated that the written comment submitted was part of the public record and asked if it needed to be shared with the audience. Administrator Knope responded no and it would just become part of the Council packet.

21. Mayor's Comments

Mayor Ficek stated that she had quite a few comments to make but it was getting late and asked if she could make those comments before Councilor Wells was sworn in as Mayor at the January meeting. Administrator Knope responded yes.

Mayor Ficek wished everyone a Merry Christmas, Happy Hanukah, Happy Kwanzaa, and happy end to 2022. She hoped 2023 would be one of prosperity and peace and that everyone could enjoy the holidays with their families.

22. Adjournment

As there was no further business, the meeting was adjourned at 9:24 p.m.

ATTEST:

APPROVED:

Kitty Vodrup, City Recorder

Beverly A. Ficek, Mayor