

The City Council for the City of Junction City, met in regular session at 6:30 p.m. on Tuesday, December 14, 2021 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/Acting Mayor, Ken Wells; Councilors Sandie Thomas, Sidney Washburne, Andrea Ceniga, John Gambie, and Karen Leach; City Administrator, Jason Knope; City Attorney, Mark Wolf; Police Chief, Bob Morris; Public Works Director, Gary Kaping; Finance Director, Mike Crocker; Planning Technician, Tere Andrews; 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

None.

3. Approval of Minutes – November 9, 2021

MOTION: Councilor Washburne made a motion to approve the November 9, 2021 minutes. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

4. Public Comment on Items not Listed on the Agenda

Mr. Darin Olson, 1715 W. 1st Avenue, Junction City, asked if the City owned the property on Bailey Lane between Pitney Lane and Prairie Road and if so, if a walking path could be placed around it. Director Kaping asked Mr. Olson to contact him and they would look at the site.

5. Public Hearing – Annexation and Rezone Booth Street (File: #A-21-15 and RZ-21-16)

A. Public Hearing

Mayor Ficek opened the public hearing at 6:35 p.m. She asked if there were any Council conflicts of interest or ex parte contacts/bias; there were none. Mayor Ficek read the required statements for the public hearing.

Staff Report

Planner Paula Taylor stated that the annexation and rezone request were submitted on August 27, 2021. Relevant noticing occurred and dates were outlined in the staff report. She reviewed the applicable criteria and noted that each were fully addressed in the staff report and findings. The subject property was east of Highway 99 and had access via Booth Street; property frontage was on Dreas Way and Booth Street. The main approval criteria for annexation was the property to be annexed had to be contiguous with the existing City limits, which the property was along the western property boundary. The property was designated as Industrial in the Comprehensive Plan map, and the proposed zoning was Light Industrial which was consistent with the City's Comprehensive (Comp) Plan designation.

Planner Taylor reviewed that discussion had occurred on including rights of way with this annexation, and three options had been presented to the Council: first option was to approve the annexation as submitted, the second option to include the right of way of Booth Street, and the third option to include the rights of way of Booth Street and a certain portion of Milliron Road (Milliron). Milliron was partially in the City limits up to just past the intersection of Dreas Way. Booth Street was currently out of the City limits. If the Council decided to include these rights of way in the annexation, the streets would be inside the City. The City was not required to annex these streets, and it was solely at the Council's discretion and would not affect the analysis of the property annexation area and rezone. Milliron was designated as a county road and if it were included in the annexation, it would still be under the jurisdiction of Lane County until a jurisdictional transfer occurred; Lane County would be responsible for its maintenance and upkeep. Booth Street was not an officially recognized county road but was a local access road. If Booth Street were included in the annexation, it would be under the jurisdiction of the City and managed consistent with City policies.

Planner Taylor continued that Lane County had provided comment that they would recommend including the abutting rights of way of Booth Street and a portion of Milliron in the annexation, as the transportation system was a key urban service and necessary to support development of the property. If the streets were included, the City would have greater control over what happened on those streets. The City would require frontage improvements of the applicant, once development occurred. Lane County did have a policy for streets within the Urban Growth Boundary (UGB) that they deferred to local City standards for improvements, so

if the streets were not included in the City limits, there was still a chance for the City to require that they be built to City standards. Also having City streets that accessed property within the City made it easier for service providers to get services installed in those streets, as there was less red tape and confusion on which jurisdiction provided authority for the streets. The City's Transportation System Plan (TSP) did envision that the entirety of Milliron would be built to City standards; TSP Project MV 21 read that Milliron would be constructed to major collector standards, including bike lanes and sidewalks from the west UGB to the east UGB.

Planner Taylor stated that the Planning Commission held a public hearing on October 20, 2021 and their recommendation was to include the rights of way of Booth Street and a portion of Milliron and for the Council to approve the annexation and rezone. Staff supported the recommendation of the Planning Commission. There was an issue raised at the Planning Commission regarding the provisions of JCMC 17.165.020, which addressed the non-remonstrance agreement for the property owners to pay for all costs for extending City services. The applicant's attorney was present at the Planning Commission meeting and agreed that the waiver agreement would be provided; this requirement was included in the findings before the Council.

Planner Taylor reviewed some of the applicable criteria:

- Comp Plan Chapter 4 Economic Development: Table 4.2 showed that the City would require 3 industrial zoned sites that ranged from 2 to 5 acres by the end of 2029 and would need 15 sites in total of varying sizes. This annexation alone would provide those 3 industrial sites that ranged from 2 to 5 acres.
- Comp Plan Chapter 6 Transportation and Goal 12 Oregon Statewide Planning Goals: The City's Transportation System Plan (TSP) did take this property into account for future development on this site. Upon site development, a formal traffic study would be required by the developer.
- Comp Plan Chapter 7 Public Facilities: The Public Works Department had indicated that water and sewer lines in Dreas Way could be extended to serve the subject property.
- Statewide Planning Goals - Goal 5 Natural Resources: There was a mapped wetland feature on this property, Wetland FC-02 per the City's Local Wetland Inventory Map. Department of State Lands (DSL) recommended a wetland delineation be done prior to development; a permit and associated mitigation were required for removal or fill of 50 cubic yards or greater. DSL and Army Corp of Engineers requirements would be required at the time of actual site development.

Councilor Gambie asked if it would be required that the frontage be improved, whether or not they annexed the rights of way. Planner Taylor responded that was correct, and Lane County transportation had indicated their preference would be that the adjacent portions of Booth Street be annexed to simplify the development process; however, there were provisions in Lane County's code that would allow them to coordinate with the City to ensure as much as they could that Booth Street would be developed to City standards.

Applicant Testimony

Mr. Mike Reeder, attorney for applicants Indar and Heidi Bhan, thanked LCOG planning staff and Technician Andrews for a complete and thorough staff report. The applicant did not have a concern one way or another on whether or not the rights of way were included with the annexation. A consideration for the Council was that if the City brought in the rights of way, Booth Street would then be adjacent to other industrial property to the east and that would give that property owner the flexibility to request annexation and develop per City standards. He added that he was available for any questions.

Public Testimony – In Favor, Neutral, or Opposed

None.

Additional Staff Comments

None.

Applicant Final Comments

None.

Questions from Council

Councilor Leach stated that she had attended the Planning Commission meeting and it was very well explained, which she appreciated. She added that no one had concerns with this annexation and rezone, and she commended Technician Andrews for her work on this.

Mayor Ficek thanked Technician Andrews and Planners Hearly and Taylor for their good work.

Mayor Ficek closed the public hearing and the record at 7:03 p.m.

Deliberation/Decision

Mayor Ficek opened the floor for deliberation by the Council. Councilor Wells noted that he was in favor of Exhibit A, Option 3, to include the rights of way of Booth Street and a certain portion of Milliron Road; Councilors expressed their agreement.

B. Ordinance No. 1 – An Ordinance Approving the Annexation and Rezone of Tax Lots 3400, 3500, 3600, 3700 of Lane County Assessor's Map 16-04-20-00.

Attorney Wolf read Ordinance No. 1 in full and read into the record that the Council chose Exhibit A, Option 3.

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

Attorney Wolf read Ordinance No. 1 by title only.

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

6. Audit Presentation Fiscal Year 2020-2021

Mr. Gatlin Hawkins, Isler CPA, presented the audit for the fiscal year ending on June 30, 2021. He reviewed the procedures and testing they performed during the audit. They did not encounter any difficulties in dealing with management, did not have any disagreements with management regarding financial reporting or auditing matters, and did not discover any material misstatements. The City received the Government Finance Officers Association Award for excellence in financial reporting on a cash or modified cash basis for last year's financial statements, and this year's financial statements would be submitted for that award as well. Overall, the City's financial condition increased 1.36 million during the year, and the City had an ending cash balance of 18.3 million at June 30, 2021.

Mayor Ficek thanked Mr. Hawkins for the presentation. She expressed appreciation to Director Crocker and for the fact that the City was in such good financial standing.

7. Capital Expenditure Plan (CEP) Update

Director Kaping presented the request to modify the existing Public Works CEP (Capital Expenditure Plan) to include replacement of the sewer grinder at the lagoon and a backhoe at Public Works. The last in-depth review of the CEP was 2020, and internal policy required that the CEP be reviewed at least every 5 years. The Public Works Committee reviewed on November 1, 2021 and recommended approval.

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

Break occurred at 7:26 p.m. Mayor Ficek left the meeting. Regular session reconvened at 7:49 p.m., and Council President Wells presided as Acting Mayor over the remainder of the meeting.

8. Oregon Public Works Cooperative Assistance Agreement

Director Kaping presented the Oregon Public Works Cooperative Assistance Agreement, which would allow Junction City to help other cities and other cities to assist Junction City in a major emergency or disaster. Agreement term was 5 years. The Public Works Committee reviewed on November 1, 2021 and recommended approval.

MOTION: Councilor Washburne made a motion to approve the Oregon Public Works Cooperative Agreement 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. Moose Lodge Street Closure Request

Director Kaping presented the request from the Junction City Moose Lodge to close Front Street from 3rd to 6th on December 18, 2021 for the Drive by Santa event. The Community Development Committee reviewed on December 1, 2021 and recommended approval.

MOTION: Councilor Thomas made a motion to approve the street closure request for the Moose Lodge Drive-by Santa on December 18, 2021 as conditioned in Attachment B with the nonexclusive use of City streets for street closure from 12:00 p.m. to 3:00 p.m. The use of City streets will apply to the section of Front Street between 3rd and 6th Street. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

10. Liquor License Application – J.C. Mart, Inc.

Chief Morris reviewed that a liquor license application had been received from J.C. Mart, Inc. at 930 Ivy Street; this was formerly United Grocery, and there had been a change in ownership and change of the business name. The Police Department had no concerns with the Council providing a recommendation to OLCC to approve this license.

MOTION: Councilor Leach made a motion to recommend approval of the liquor license application for J.C. Mart, Inc. The motion was seconded by Councilor Thomas and passed by unanimous vote of the Council.

11. Business Pandemic Impact Support Program Audit RFP

Director Crocker reviewed that the Council had directed the Finance Committee to compile a scope of work that could be included in a Request for Proposal (RFP) for a forensic audit of the Business Pandemic Impact Support Program. The Finance Committee met on November 4, 2021 and discussed the scope, sample RFPs, and Mr. Sumner's agenda item request and forwarded the RFP for Council review. Director Crocker noted that the scope of items in the RFP included every item that Mr. Sumner had submitted in his agenda item request. If the Council approved the RFP, staff would distribute as quickly as possible and bring responses back to the Council.

Acting Mayor Wells asked what the cost estimate would be for this work. Director Crocker responded between \$3,000 to \$5,000.

Councilor Leach stated that she thought it was worth the cost of clearing the air about this and being transparent. She noted that she had been asked about this many times by many people.

Councilor Thomas stated that she was on the Finance Committee and thought it was a good idea to be transparent.

Acting Mayor Wells noted that he was also on the Finance Committee and they discussed this at length and had a good discussion. He added that the Council had received a letter from Mr. Bill DiMarco, and he invited Mr. DiMarco to make comments.

Mr. Bill DiMarco, 1790 Rose Street, Junction City, stated that doing the audit for transparency was a good idea, but he expressed concerns with the scope of work as written and thought it should be refined.

MOTION: Councilor Washburne made a motion to direct staff to issue the RFP as written and bring back the responses for Council review. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

12. Budget Committee Appointments

Director Crocker reviewed that three Budget Committee position terms would be expiring on December 31, 2021. Positions were advertised, and four applications were received. Councilor Gambee noted that he would like to appoint any applicants that were not serving on other Committees.

MOTION: Councilor Leach made a motion to appoint new members to the City's Budget Committee as follows: Kara McDaniel to Position 1, Jim Hukill to Position 3, and Jack Sumner to Position 4. The motion was seconded by Councilor Washburne and passed by a vote of 4 to 1, with Councilors Thomas, Washburne, Ceniga, and Leach voting in favor and Councilor Gambee voting against.

13. January Budget Committee Agenda Review

Director Crocker presented the draft January 20, 2022 Budget Committee agenda, for Council review.

14. Judge Pro-Tem Appointments

This item was tabled.

15. Court Budget Discussion

Director Crocker stated that the Finance Committee began the process last year to review and create recommendations to get the Court Department budget back on track. Demands of the department seemed steady, but the resources to support those services had not risen over the last 10 years; therefore, Court was not fully funded by the fees it received. The Committee reviewed a lot of information and at their October 7, 2021 meeting, they recommended the following changes:

- 2% increase to the revenue allocations (The Council made this change at the November 9, 2021 Council meeting).
- 20% personnel allocation move to Administration
- \$5,000 reduction of Materials and Services
- \$500 reduction in contingency

Director Crocker added that these changes would be included in the upcoming budget, and it would take five years to get the Court Department budget on a healthy track.

Councilor Gambiae stated that the Finance Committee had in depth discussions and thoroughly reviewed this at a number of meetings. He thanked Administrator Knope and Director Crocker for presenting options and thought this was a great move.

Councilor Thomas noted that nobody lost their job, and she thanked staff for their hard work on this. She added that this was definitely a good idea.

Acting Mayor Wells said that they had taken the same approach with Court as they had with all of the other departments. They did not expect this to happen overnight but had rolled this into a five-year plan. He added that this was the last department they had to review, and he thanked staff for working on this.

16. Council Agenda Forecaster

Administrator Knope presented the forecaster.

17. Committee Reports

Public Works Committee (December 6, 2021). Councilor Washburne reported:

- Discussed a recent notification from DEQ on expansion at the lagoons and staff was waiting on a response from DEQ.
- City was still waiting on responses for drilling test wells.

Community Development Committee (December 1, 2021). Councilor Ceniga reported:

- Reviewed Moose Lodge street closure.

Public Safety Committee. Councilor Gambiae noted that the December 30, 2021 meeting would be rescheduled to Friday, January 7, 2022. He added that at the last Public Safety Committee meeting (November 10, 2021), they talked about officer tasks and coverage on shifts.

Finance and Judiciary Committee (December 2, 2021). Councilor Gambiae reported:

- The forensic audit would move to the next phase and then come back to Council for approval before anyone was hired.
- The Committee had worked through all items tasked by the Council.
- The Committee discussed the wage study for non-represented positions. It would be coming back to Committee and they hoped to bring that back to Council.

18. Staff Reports

Chief Morris noted that he did not have anything for tonight. Councilor Thomas asked if the jail were open. Chief Morris responded that it was open on a limited basis when someone was presenting a significant problem.

Director Kaping reported: DEQ submitted a letter to the City on more stringent parameters for the sewer treatment expansion. Staff sent back a letter asking DEQ to provide the parameters, so the City could determine what the cost would be discharge to Flat Creek or the Long Tom and what the best option would be for the City. Staff spoke to a well driller today, who would provide a bid for doing the test well. Public Works was working on a waterline and installing a fiber line at the school during Christmas break.

Director Crocker reported: The Revolving Loan Fund Committee would meet on Wednesday, January 12, 2022 at 1:00 p.m. at City Hall.

Administrator Knope reported: The City was still waiting for funding from the state for the purchase of the new building next door and for work at the Community Center. The tenants in the new building were no longer leasing, as they had purchased a building, so City staff was going through that space to see what needed to be addressed. Had started using the Zoom platform for virtual access to Council meetings; would continue to use Free Conference Call for two or three months. He was working on a couple of digital initiatives: New City website and implementing a tracking software for public records and nuisance complaints. Money was budgeted for both items; these would assist in better communication and processes for the public, and he would bring through Committee and then to Council.

19. Previous Month's Expenditures

Councilor Thomas asked about attorney fees on a building. Administrator Knope responded that was for the Building Department and not for a specific building.

20. Councilor Comments/Questions

Councilor Leach thanked Director Kaping and his staff for the wonderful float in the Chamber Light Parade and noted that it was great to see all the people at the parade. She said that she had gone to the Committee meetings and so much work had been done. She expressed appreciation to everyone and wished everybody a Merry Christmas.

Councilor Gambia echoed the comments by Councilor Leach on how great it was to see the Light Parade back in full force. He noted that it was a fun event and the Chamber did a good job. He continued that the budget the auditor had reported on had ended on June 30, 2021 and that was the budget that was approved in 2020 as the pandemic was starting. He continued that in preparing that budget, some members of the Budget Committee had expressed concerns about the future and were advocating for 5 to 10% reductions in the City. There was a split vote of the Budget Committee and those cuts did not occur, and he was so thankful for that and that no one lost their jobs based on a perspective of fear some had in the spring of 2020. As the auditor reported today, they were able to manage the City in such a way that no one had to lose their job and the City came out almost 1.5 million dollars ahead in this year. He added that he was very proud of staff and of the Budget Committee. He expressed respect to Robert Stott and Bill DiMarco, who had both served on the Budget Committee and were instrumental in the positive financial outcome.

Councilor Ceniga noted that it was great to see the Light Parade back, and she heard many people comment that it reminded them of a Hallmark Christmas movie. She referred to an incident that happened after the parade and expressed appreciation to the Police Department and Fire Department for their quick responses. She reminded everyone that the City's 150th Anniversary would be coming up next year and she encouraged the community to get involved in the planning of the week long celebration. She thanked the Council and everybody for their good work in 2021 and hoped everyone had a safe and happy holiday.

Councilor Washburne thanked everybody for all their hard work at the meeting and wished the Mayor well.

Councilor Thomas echoed Councilor Washburne's comments and thanked staff for all that they did. She thanked Recorder Vodrup for all of her work and wished everybody a Merry Christmas.

Acting Mayor Wells stated that he had participated in the Light Parade and it was wonderful to see all the people attending and showing great community support. He noted that there were many great entries and he thanked the Chamber, Public Works, all the businesses, and everyone that participated. He complimented staff and the Council and said that they had done a lot of work this last year.

21. Executive Session per ORS 192.660(2)(f) to consider records or information that are exempt by law from public disclosure and per ORS 192.660(2)(i) to review and evaluate the job performance of a public officer.

Acting Mayor Wells announced executive session at 8:49 p.m. Executive Session ended at 9:46 p.m.

22. Adjournment

As there was no further business, the meeting was adjourned at 9:46 p.m.

ATTEST:

APPROVED:

Kitty Vodrup, City Recorder

Kenneth Wells, Acting Mayor