

**STAYTON CITY COUNCIL
MEETING MINUTES
June 1st, 2009**

CALL TO ORDER

7:30 p.m.

President Don Walters

FLAG SALUTE

ROLL CALL

Mayor Gerry Aboud - Excused	Councilor Loftus
Councilor Frank	Councilor Vigil
Councilor Hemshorn	Council Walters

STAFF:

Don Eubank, City Administrator
Rich Sebens, Acting Chief of Police
Dave Kinney, Public Works Director
Dan Fleishman, City Planner
Christine Shaffer, Finance Director
Louise Meyers, Library Director
David A. Rhoten, City Attorney
Jeffrey M. Strickland, Assistant City Attorney
Rachel Halligan sitting in for Rebecca Petersen, Deputy City Recorder

PRESENTATIONS/COMMENTS FROM THE PUBLIC – None.

ANNOUNCEMENTS

a. Additions to the Agenda: None.

b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc. Councilors Loftus & Vigil stated that they are both business owners and residential property owners in the Urban Renewal district. Councilor Frank stated he had a conversation with Michelle Wonderling regarding Urban Renewal about one year ago.

CONSENT AGENDA

a. Minutes of the May 18, 2009 City Council Meeting

Councilor Vigil asked for clarification as to what the change was in the May 18, 2009 meeting minutes. Page 2, (TMDL) Total Mass Discharge Limit should be (TDML) Total Daily Maximum Load.

MOTION: From Councilor Vigil, and seconded by Councilor Hemshorn, to approve the meeting minutes of May 18, 2009 as amended. Motion passed 5:0.

PUBLIC HEARING

State Revenue Sharing

- a. Commencement of public hearing:** Council President Walters opened the public hearing and read the opening statement.
- b. Staff Report:** Ms. Shaffer entered into the record in their entirety, the State Revenue Sharing Funds document, and the staff report from Finance.

Christine Shaffer provided a summary of what the State Revenue Sharing Funds entails. Each year, the State of Oregon distributes funds to cities based on population for providing certain services. This is the second public hearing in order to receive those funds. At the first public hearing there were numerous requests from citizens and organizations on how to use those funds. The budget committee elected to set aside \$10,000 in the Community Grant Fund to which the Council has allocated \$8500 thus far. The Santiam Heritage Foundation is requesting \$800 to purchase a riding lawn mower to care for the property.

- c. Proponent's Testimony:** None.
- d. Opponent's Testimony** None
- e. General Testimony:** None.
- f. Questions from the Public:** None.
- g. Questions from the Council:** None
- h Staff Summary: Same as Above**
- i Close of Hearing:** There being no further testimony, Council President Walters closed the public hearing.
- h. Council Deliberation:**

1. Councilor Loftus likes the idea of supporting the Brown House. He is not sure \$800 is enough to buy a lawn mower. He is not necessarily ready to make a recommendation to adopt this. He would like more answers.

2. Councilor Hemshorn believes \$800 is a reasonable request. The foundation is not asking that we fund the entire amount. Councilor Hemshorn believes this is a request we can honor.

3. Council President Walters advised the issue on the floor is if the council will give the funds to the foundation, not how it is going to be spent.

4. Councilor Vigil questioned Ms. Shaffer as to what the other \$44,000 is being used for. She advised it will be put into the general fund as required by the grantor.

5. Councilor Loftus inquired if after the resolution is passed, will the council be able to ask questions and then make a recommendation to approve the request. Ms. Shaffer answered yes that the council would direct the staff to make the allocation in the budget.

MOTION. From Councilor Loftus, and seconded by Councilor Vigil to close the hearing.
Motion passed 5:0

Downtown Urban Renewal Plan

- a Commencement of public hearing:** Council President Walters opened the public hearing and read the opening statement.
- b. Staff Report:** Mr. Fleishman stated that due to a flawed notification process public testimony would be taken and entered in the permanent record. The public hearing previously scheduled for this meeting will be postponed until a later date.
- c. Testimony:** From the audience, Dick Morley, Stayton and Jack Carriger, Stayton Fire Chief stated that they would reserve their testimony for the public hearing. Mr. Carriger clarified that although the fire district has been notified of meetings they are opposed to an Urban Renewal District.

UNFINISHED BUSINESS -None

NEW BUSINESS

Un-numbered Ordinance Adoption of Urban Renewal Plan – Deferred.

Resolutions No. 838 & 839, Certifying Eligibility & Electing to Receive State Revenue Sharing Funds

- a. Staff Report** – Ms. Shaffer stated that ORS 221.770 requires cities to annually pass a resolution requesting state revenue sharing money (Resolution No. 838), Resolution No. 839 declares the City’s election to receive state revenues.
- b Council Deliberation -** Councilor Loftus asked that Susan Brandt comment on the Brown House. Mrs. Brandt advised that the men of the Lutheran Church have been donating their time and mower for the last year and someone else did it before that, so a mower is needed. Councilor Frank asked what the status is of the Brown House. Ms. Shaffer stated that the foundation group works on the house as money is available, so that no debt is incurred.

Grant funds were not requested at the meeting. Staff will ask Mr. Pendleton to attend the next meeting to answer questions regarding their grant proposal.

- c Council Decision**

MOTION: From Councilor Vigil, and seconded by Councilor Loftus, to approve

Resolution No. 838, Certifying the City of Stayton's Eligibility to receive State-Shared Revenues by Providing the Necessary Municipal Services.

Motion passed: 5:0

MOTION: From Council Hemshorn and seconded by Councilor Loftus motion to approve Resolution No. 839, Declaring the City's Election to Receive State Revenues. Motion passed: 5:0

Endowment Agreement

a. Staff Report – Ms. Shaffer stated that staff recommends that the City Council authorize the City Administrator to execute the Endowment Agreement, as presented.

b. Council Deliberation Councilor Loftus asked Gil Stewart if the Library board approved the endowment agreement unanimously. Gil replied yes to this question.

c. Council Decision

MOTION: From Councilor Frank and seconded by Councilor Vigil to approve the City Administrator to execute the proposed Endowment Agreement. Motion passed: 5:0

Banking Services Contract

a. Staff Report – Ms. Shaffer stated that staff recommends authorizing the City Administrator to execute a contract with West Coast Bank for the city's banking services for a three year period, with an option to renew the contract up to an additional three years.

b. Council Deliberation -Councilor Frank questioned why West Coast Bank is so much cheaper. Ms. Shaffer advised there are a lot of transactions that West Coast charges less for than the other banks.

Ms. Shaffer stated that Mike Jaeger, Manager, West Coast Bank Stayton was part of the budget committee. Due to the Banking Services Contract Mr. Jaeger has resigned his position on that committee.

c. Council Decision

MOTION: From Councilor Frank and seconded by Councilor Hemshorn move to award the Banking Services Contract to West Coast Bank, and authorize the City Administrator to execute the contract, for a three year period commencing on July 1, 2009, with an option for up to two additional years. Motion Passed: 5:0

Bid Award for Sewer Pipe Rehabilitation

- a. **Staff Report** – Mr. Kinney recommends the council award the contract to Michels Corp for the 2009 City of Stayton Annual Program for the In-

Place Rehabilitation of Sanitary Sewer Pipe Using Cured-In-Place Pipe (CIPP) in the amount of \$111,945.

- b. **Council Deliberation** Councilor Vigil asked if Michels would be able to complete this job in the recommended time frame. Mr. Kinney advised the 3500 lineal feet will be completed within two weeks time.

c. **Council Decision**

MOTION: From Councilor Vigil and seconded by Councilor Hemshorn, to award the contract to Michels Corp for the 2009 City of Stayton Annual Program, for the In-Place Rehabilitation of Sanitary Sewer Pipe, Using Cured-In-Place Pipe (CIPP), in the amount of \$111,945. Motion Passed: 5:0

Chemeketa Cooperative Regional Library Service (CCRLS) Amendment

- a. **Staff Report** – Ms. Meyers stated the City has had a contractual agreement with CCRLS for over 32 years to provide library services to all residents of the Chemeketa Community College District. The current contract is a 5 year agreement.

- b. **Council Deliberation** – Councilor Frank would like to thank all involved that included how the issue ties in with the Goals the City Council has adapted. Councilor Vigil wanted to make it be heard that under Fiscal Impact, it does in fact cost the city around \$12,000 to be part of this.

c. **Council Decision**

MOTION – From Councilor Hemshorn and seconded by Councilor Frank to authorize staff to execute the CCRLS contract. Motion Passed: 5:0

SPLF Grant Funds for Outreach Storyteller Program

- a. **Staff Report** – Ms. Meyers recommends acceptance of the grant which will provide for hiring and implementing the Outreach Storyteller program.

- b. **Council Deliberation** – Council President Walters asked if the money that the Library is receiving pays for the entire storyteller position. Ms. Meyers stated it will pay for the hiring process, the material and equipment needed, the mileage and the wages. There will be some out of pocket expenses for the library, such as staff time involved to hire a person. No additional funding is required.

Council Loftus asked if this is a program the library is adopting, or is an additional person being hired. Louise advised the proposal is to accept the funds which will provide money to hire a library assistant with expertise in child development and various aspects of the position. Also, the library will provide a collection of books that will be left at the centers and rotated monthly. The schedule of the storyteller will be negotiated and at a later date, the council will be asked to approve a job description which will include experience with brain development, child literacy, and storytime skills just to name a few.

Councilor Frank asked if the individual would be aware this program is only funded for three years. Ms. Meyers answered in the affirmative stating the position is funded for one year with a commitment to continue to pay for it for a total of three years as funds are available.

Councilor Frank asked if after this time, will the Library ask this position to become a permanent position. Louise advised that the answer to this is no, and this is a temporary program, but hopefully people will realize how valuable this program is.

Councilor Loftus asked if this position will be limited to conducting storytime in the city limits. Louise advised the interest shown in this program included day cares and preschools in Sublimity and Aumsville. Councilor Loftus asked if the foundation has asked these cities to help donate to this program. Louise advised the monies funding this program have come from many agencies, including the Doris Whipper fund that is based out of Lyons.

Councilor Vigil would like to emphasize our library is for the community of Stayton and that should be taken into consideration when this program is implemented.

c. Council Decision –

MOTION – From Councilor Vigil and seconded by Councilor Loftus to accept the grant funds and to authorize staff to begin implementation of the Outreach Storyteller Program including hiring the staff member. Motion Passed: 5:0

Proposal for new job description for Library Assistant position

- a. **Staff Report** – Louise Meyers recommends adoption of a new job description for the Library Assistant position for Youth Services, as Karen Mills is retiring. Local Government Personnel Institute (LGPI) reviewed the new job description and assigned a rating of Grade 5.

b. Council Deliberation

Council Loftus asked if there were any qualifications for this position, or could a minor or someone with just a GED be considered. Louise advised Councilor Loftus to turn to page two of the job description and it lists the qualifications.

Councilor Vigil advised that the job description does not require a degree, it just suggests the equivalent. Christine Shaffer said if certain degrees are required it raises the demand for pay.

Councilor Vigil advised he has some concerns about developing a new job description. He feels the library assistant job description is efficient enough. He does not feel that changing the job title is the way to proceed. If the new position is not going to require a degree in Child Development, the Library Assistant job description will work. Councilor Vigil does not feel this is the appropriate time to develop a new job description.

Councilor Frank said the way he understands that what has been done is that Karen Mills has never had a job description so the job functions that Karen Mills does daily has been listed and sent to LPGI. LPGI then developed a job description and sent back the pay scale. Like wise, in the last nine years Karen Mills has not been paid enough. Louise said some people say a childrens library staff persons time is immeasurable.

Councilor Vigil says that you can take any position and get really detailed about what they do all day long, then present that to someone to develop a new job description. Councilor Vigil does not feel this is a responsible act for the City of Stayton to be acting on right now.

Councilor Walters reiterated this job is already being done by Karen Mills, there is just not a description for the job.

Louise Meyers advised the Library Assistant job description does not reflect that the person hired will be working mostly with children. It was determined that this is an important aspect to be listed along with other duties Karen Mills does.

Councilor Hemshorn advised with the hourly wage being offered, it will be hard to get a person with a college degree to even apply. She feels that it is not the councils position to advise the Library to move someone up the scale, as there may not be anyway capable of doing this job, although they could certainly apply. Council Hemshorn advised most people do expect a job description applicable to the job they are applying for, that can be referred back to. She also said it is important to notice Karen has been with the Library for nine years, and it is important to hire someone that will like their job. As an employer it is their responsibility to have a job description and describe it accurately.

City Administrator Don Eubank said a lot of the job descriptions he has seen were made in 1997. When a job description is sent to LGPI, they go over the

information and send us the median pay wage, not the high or the low.

Councilor Walters advised the person should be paid for the job they are doing.

Councilor Vigil agreed but feels the job they will be doing is a Library Assistant, with Youth Services being emphasized and does not justify a pay raise. He feels the title is just being changed from Library Assistant to Library Assistant / Youth Services.

Louise Meyers wanted to let the council know, they did not ask for a pay raise, they were required to send it to LGPI and that is the pay scale received with the new job description.

Councilor Loftus asked if the LGPI was just a recommendation. Christine Shaffer advised that is true. Councilor Loftus made a motion that someone be hired with a base pay rate at \$10.00 an hour and if an applicant is more qualified, make a range in the \$13.00 or \$14.00 range. There was not a second, so the motion was denied.

c. Council Decision

MOTION – From Councilor Hemshorn and seconded by Council Frank to approve adoption of the new job description of Library Assistant : Youth Services as presented. Motion Passed : 3:2 (Loftus/Vigil)

STAFF/COMMISSION REPORTS

City Administrator’s Report – Don Eubank – Bring the council up to date on the Charter Review Process. Tom Sponsler, a Portland attorney is looking over the Charter and will have it back to Don to go over. After it is reviewed, it will be brought to the council, hopefully the first or second council meeting in July.

Council Frank asked what the timeline was to get everything finished with the charter review and get it to the voters.

City Administrator advised they come up with a date of July 24th, 2009 to have everything ready, not submitted.

Dave Kinney advised the date to get it submitted to the state elections would be September 1, 2009.

PRESENTATIONS/COMMENTS FROM THE PUBLIC – Larry Emery, Stayton. Mr. Emery voiced his concern about the rail cars on W. Locust Street and the unsightliness of the cars due too graffiti. Mr. Sebens has been working with Willamette Valley Railroad to get the cars removed. It was suggested that a graffiti ordinance be implemented for enforcement purposes.

BUSINESS FROM THE CITY ADMINISTRATOR - None

BUSINESS FROM THE MAYOR – Mayor Absent

BUSINESS FROM THE COUNCIL – Councilor Frank commented Councilor Vigil on his take and perspective on things. Councilor Frank asked Dave Kinney what the status was on the porta-potties for the parks. There will be three porta potties placed in the city parks. One at Riverfront Park, one at Santiam Station Park, and one at Quail Run Park. This will cost approximately \$500 for three months and will be serviced once a week. They will be chained up to prevent vandalism or theft.

Councilor Frank asked if a date was going to be set up for an executive session to do the City Administrators evaluation. A question was asked if the new resolution had been printed and distributed Don Eubank advised they had been given the new resolution. It was decided to wait until the Mayor returns to set up the date for the evaluation.

Councilor Vigil advised the councilors received in their box, the rental agreement for the library meeting room. He wanted to make sure that the correct one is being used. Louise Meyers advised the correct one is being used. He also advised when reading the Parks and Rec Board meeting minutes, they mentioned they encourage the council liaison to attend the meetings. Councilor Vigil would like them to know he is reading their minutes and hearing their concerns. One issue is putting a bandstand in the Pioneer Park. Councilor Vigil would like to recommend a better area may be to put a bandstand in the downtown area, where there are restaurants and things, when there is an evening event.

ADJOURN

There being no further business, the meeting was adjourned.

APPROVED BY THE STAYTON CITY COUNCIL this 15th day of June 2009, by a 5:0 VOTE OF THE STAYTON CITY COUNCIL.

CITY OF STAYTON

Date: 06/17/2009 By: /S/
Gerry Aboud, Mayor

Date: 06/17/2009 Attest: /S/
Don Eubank, City Administrator

Date: 06/16/2009 Submitted By: /S/
Rebecca Petersen, Deputy City Recorder