

City of Mt. Angel  
City Council Meeting Minutes

Draft/Subject to Approval

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**CITY COUNCIL**

**7:00 PM**

**November 2, 2009**

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The City of Mt. Angel's City Council met in a regular session Monday November 2, 2009 at the Community Meeting Room, 290 E. Charles Street, Mt. Angel, Oregon.

I. **CALL TO ORDER:** The regular meeting of the Mt. Angel City Council was called to order at 7:01 pm by Mayor Rick Schiedler.

II. **FLAG SALUTE:**  
Mayor Schiedler led the salute to the flag.

III. **ROLL CALL:**

**COUNCIL**

Rick Schiedler, Mayor  
Ray Eder, Council President  
Darren Beyer, Councilor  
Michael Donohue, Councilor  
Kelly Grassman, Councilor  
Teresa Kintz, Councilor  
Andrew Otte, Councilor

**STAFF**

Pete Wall, Interim City Administrator  
Michele Hall, Assistant to City Administrator  
Brent Earhart, Police Chief  
Tracy Grambusch, Finance Director  
Dan Bernt, Public Works Superintendent

IV. **APPEARANCE OF INTERESTED CITIZENS:**

James Scialabba brought a concern before the council regarding the need for speed bumps on Gilles Street as there are several kids and elderly people living in the neighborhood and there is a lot of traffic moving too fast along the street.

a. Dave Kohler from the Mt. Angel Community Foundation gave a Power-point presentation on the efforts of the Mt. Angel Community Foundation to raise money for the Oktoberfest building. He gave an overview of the historical uses of the building, the present conditions, and showed drawings of proposed future plans.

Jamie Johnk, the grant writer for the Oktoberfest Community Building project gave a presentation on the Community Development Block Grant (CDBG) for Cleveland Street. She presented details about the qualifications necessary for the grant application. Since her last presentation, she realized that the possibility of qualifying as a service to low income residents might be possible because of the senior housing on Cleveland Street. The Foundation is looking at possibly making a formal request to Council for the CDBG in January. The applications would then be filed in February.

Councilor Grassman asked if there was a cost estimate on fixing the street and how the City would generate any extra money needed to finance the street. Dave Kohler answered that the money would come from the Foundation.

Councilor Grassman asked how much they are seeking for the building and if there were set fund-raising goals. Dave Kohler explained that the Foundation has launched a capital campaign seeking 1.7 million dollars. It will conclude in March 2010, but there will be other fundraising activities that are ongoing. The Foundation expects grants to start coming in the middle of next year. A fundraising group within the Foundation has been created and a comprehensive strategic plan for raising money has been formulated.

Councilor Otte mentioned that access to the senior housing was off Sheridan Street. He wanted to know what the ramifications to the City would be during the time that the project was underway. The City would be unable to apply for other grants. He also asked what would happen if the fundraising failed. Dave Kohler said the Foundation is committed to making this happen. The capital campaign numbers will be clearer in January.

**V. APPROVE ACCOUNTS PAYABLE:**

Councilor Grassman asked about the invoice from Cooke's Stationary. Finance Director Grambusch answered that it was an expense for toner. Councilor Grassman also asked about the street lighting contract. Mrs. Grambusch answered that it is recurring expense and is separate from the electricity bills.

Councilor Donahue made a motion to approve accounts payable. Councilor Grassman seconded the motion.

The motion was passed with the following vote:

**AYES: 6                      NAYS: 0                      ABSTAIN: 0**

**VI. CONSENT AGENDA:**

- a. Approve City Council meeting minutes of October 12, 2009
- b. Authorize Interim City Administrator to hire a Children's Librarian and Temp Accounting Clerk
- c. Approve Street Closure Amendment for KristkindlMarkt
- d. Approve Liquor License for Cinco De Mayo Taqueria
- e. Resolution to adjust budget to cover attorney fees

Jim Kosel spoke to the validity of reconvening the regular meeting after adjourning Executive Sessions. He felt public meetings laws had been violated and quoted the ORS 192.630(1) Meetings must be open to the public; ORS 192.640 Public notice is required; ORS 192.680(1) Decisions by a public body in violation of 190.610 to 192.690 shall be voidable. He also felt the decision was in violation of Mt. Angel Council Rule 15.1 and Charter Section 16.

Interim City Administrator, Pete Wall suggested that the minutes be tabled and we will seek legal counsel. Councilor Otte asked for the tape to be checked to confirm the wording on the closure of the meeting.

Jim Kosel addressed the legal counsel expenditure. He corrected an addition error. He felt council might consider a larger budget adjustment.

Mrs. Grambusch stated that a lot of the upcoming expenses may not necessarily come out of administration. Mr. Wall stated that we have not been spending much out of administration and we still have a credit with the City attorney. If we need to adjust the budget in the future, we can.

Councilor Otte moved that Consent agenda Item a., the October 12 Council minutes be removed and the minutes tabled. Councilor Grassman seconded.

The motion was passed with the following vote:

**AYES: 6                      NAYS: 0                      ABSTAIN: 0**

Councilor Otte moved that Item c., KristkindlMarkt street closure permit be removed from the consent agenda for discussion. Councilor Kintz seconded.

The motion was passed with the following vote:

**AYES: 6                      NAYS: 0                      ABSTAIN: 0**

Councilor Otte made a motion to approve the consent agenda with amendments. Councilor Eder seconded the motion.

The motion was passed with the following vote:

**AYES: 6                      NAYS: 0                      ABSTAIN: 0**

Councilor Otte was concerned about closing only half of the street. There are several parking spaces that would not have an outlet. Shawn Rottner and Chief Brent Earhart explained that the traffic pattern was changing to accommodate those spaces and the alleyway by the Glockenspiel would be used as an outlet.

He additionally wondered why the street needs to be closed until 10 am Sunday morning. Jim Kosel answered that the Chamber will not begin taking down tents until Sunday morning at 6 am.

Council instructed that a Traffic Control plan be added to the permit for clarification.

Councilor Otte made a motion to approve the amendment to the Kristkindl Markt street closure permit. Councilor Grassman seconded the motion.

The motion was passed with the following vote:

**AYES: 6                      NAYS: 0                      ABSTAIN: 0**

**VII. CORRESPONDENCE:**

There was no correspondence.

**VIII. STAFF REPORTS:**

**a. Police Department**

A written report by Chief Earhart was included in the council packet. Chief Brent Earhart added that they were extremely busy this weekend. There was a stabbing at a local establishment, a criminal mistreatment, and a death investigation.

**b. Public Works**

A written report by Dan Bernt was included in the council packet.

Councilor Kintz read the ordinance about the backflow devices and asked if that is for all sprinkler systems in the city. Mr. Bernt explained that this is a state law and explained that there is not complete compliance and the difficulty of gaining compliance. She asked how the people are notified. Mr. Bernt

explained that public works calls individuals for compliance each year. The public works staff spends time calling people each year. It is a state law to protect our water system. Councilor Kintz suggested that perhaps there was a more effective way of notifying residents of the need for compliance.

The Mayor asked about the work on Ebner Park. Mr. Bernt answered that there was a broken pipe that was being fixed. The water is off to all the parks now.

Councilor Eder asked about the wells and their locations for his information. Mr. Bernt answered that Well 5 is on Alder Street in Humpert Park, it's the lowest production well and runs 24-hours a day and pumps about 50 gallons per minute (gpm); Well 6 is down at the bottom on Old Mt. Angel Highway, it's about 12 years old now and we are currently waiting for a cla-valve. It is not being used, but is useable if it is needed. It pumps between 900-1000 gpm. Well 7 is the one up by the middle school at the end of Sheridan Street. It is the newest well; it also pumps about 900 gpm. This time of year, depending on which of the two high production wells that are running, they are running between three and four hours per day. We are in pretty good shape water wise.

Councilor Beyer if the well in Humpert Park isn't pumping very much, why are we pumping out of that so much and not the others? Mr. Bernt explained that the pump there has been downsized and it is not on a telemetry system like the others and therefore has to manually be turned on and off. They have regulated the floats in the reservoirs and the others pumps to accommodate the constant running of this pump without overflowing the reservoir.

#### **c. Finance**

A written report by Tracy Grambusch was included in the council packet. Councilor Kintz has some questions on expenditures compared to budget the items are already at about 50%, when only a third of the fiscal year has gone by.

She specifically was concerned about dispatch services, the court computer services. Mrs. Grambusch stated that most of those expenditures were probably be an annual fee or a quarterly fee. Also Oktoberfest expenses have come in and would heavily influence some of those numbers.

Councilor Eder asked if we had much interest in our Part-time accounting clerk position. Mrs. Grambusch reported that we are having a second interview tomorrow.

#### **d. Continuity of Operations Plan**

A special written report by Michele Hall, Assistant to the City Administrator was included in the packet.

Councilor Otte asked if we were able to borrow the wording from the grant application from Benton County so we can qualify for this grant. Mrs. Hall explained that the grant has already been awarded to Benton County on behalf of Benton County, Marion County, and four other counties. We do not have to apply, we are invited to participate.

Councilor Otte asked if a consulting firm has been hired. Mrs. Hall responded that Marion County has hired a consulting firm that will manage the project and our part will be entering our city's information into a pre-formatted program. Then we will have a comprehensive plan in place for each department within the city.

Councilor Donohue asked about the Red Cross no longer providing shelter management services as of June 2010. Mrs. Hall reported that was so. Mayor Schiedler asked the reason for that decision. Mrs. Hall stated that the information she had received was because of liability. They have been repeatedly sued for

damages to shelters, like scratched in gym floors and in response to some of the recent major disasters like Katrina. They could no longer afford to defend themselves in lawsuits. So, they are transferring the liability to the cities, counties and the states. They will continue to bring in all the equipment and help us get set up, but the management of the shelter will be our responsibility.

Councilor Otte asked if there is any tie between this plan and the CERT plan. Mrs. Hall responded that she did not know, although it will probably somehow take them into account because we have the Emergency Operations Plan and other disaster type plans. This plan will provide more clarity on the roles and functions of each department during a time of crisis. The Emergency Operations plan provides a more general structure and this will be more specific about the departmental roles.

**IX. OLD BUSINESS:**

**a. Amend Council Rules to read “Review Accounts Payable” instead of “Approve Accounts Payable”.**

Mr. Wall explained that at the last meeting it was brought up that other cities do not approve accounts payable to avoid ethics issues. This resolution will allow for a review of the bills and claims instead of approval.

The resolution was missing from the packet so the issue was tabled at the request of Mr. Wall.

**b. City Hall Tree discussion -**

Mr. Wall stated that there had been a lot of feedback after the removal of the Blue Spruce tree by City Hall. There had been several ideas mentioned to him and to the staff. He requested discussion and direction from the council. He asked Mrs. Hall to explain the information she had discovered while researching this issue.

Much discussion took place with a variety of ideas. The need to convene the Park/Tree Board was discussed along with recruitment suggestions.

The Council felt more thought should be put into the decision about a replacement tree or possibly a landscaped area beside City Hall with seating for the Glockenspiel. Therefore they directed Mr. Wall to negotiate with the Chamber of Commerce to provide an acceptable cut tree and continue the discussion at a later time, possibly with the input of the Parks/Tree Board.

**X. NEW BUSINESS:**

**a. Resolution to approve City Administrator Profile.**

A copy of the City Administrator Profile for recruitment was included in the Council Packet.

Mr. Wall explained that the City recruitment committee drafted this profile. While he appreciates Mr. Kosel’s suggestions, he believes the profile is fine and accurately reflects the qualifications sought by the Council.

Councilor Otte asked about the term ICMA and if people would know what that was. Mr. Wall said that is a common term among city managers nationwide. Councilor Otte, as a member of the recruitment committee explained what the thought process was behind the financial and budget qualifications.

Councilor Kintz asked about the interpretation of service clubs. Mr. Wall explained that would be the Chamber of Commerce, the Lion's Club, and other community organizations. Most councils desire to have the City Administrator be an active part of the community.

Councilor Beyer made a motion to approve the City Administrator Profile. Councilor Kintz seconded the motion.

The motion was passed with the following vote:

**AYES: 6    NAYS: 0    ABSTAIN: 0**

(Recorder's note – this resolution was assigned number 1309.)

**b. Approve salary to be offered for City Administrator recruitment**

Jim Kosel questioned the term DOQ or DOE. He thought the council may want to consider removing it from the salary scale.

Mr. Wall stated this isn't the official advertisement. When the contract is offered, a salary will be negotiated at that time.

Councilor Kintz asked about the City Recorder and the duties of the City Recorder. Mr. Wall explained some of the duties. Councilor Kintz mentioned that she thought there might be need to separate the Administrator and Recorder positions.

Councilor Grassman asked about widening the salary range. Councilor Beyer thought that the range of \$60-80,000 would be a good range.

Councilor Grassman wondered if it was acceptable to offer a lower salary and then give them a raise after six months if it seems to be working out. Mr. Wall stated that a lot of the terms would be negotiated when coming to an agreement on the final contract.

Councilor Donohue made a motion to approve the salary to be offered for the City Administrator recruitment at \$60-80,000 DOQ. Councilor Otte seconded the motion.

The motion was passed with the following vote:

**AYES: 5    NAYS: 1    ABSTAIN: 0**

Councilor Kintz opposed the motion.

**c. Motion to approve a monthly newsletter and authorize expenditure to cover distribution costs.**

Mr. Wall explained that the cost would come out of City Council expense line item which could be adjusted at a later date if need be.

Councilor Kintz asked for clarification on the costs.

Mr. Wall explained that it would be a monthly cost of \$95 to insert a single into the Shopper. The printing would be done in the office as we are not meeting our current quota of black and white copies covered by the lease agreement with the copier company.

Councilor Donahue asked what the printing costs would be, if we are doing it on our copier.

Councilor Kintz asked about the distribution area. Councilor Otte answered that of the options we were given the 1,100 serve the greater Mt. Angel Community and not the outlying areas.

Councilor Kintz asked if the newsletter will be posted on the website. Mrs. Hall stated that was the eventual goal.

Councilor Grassman made a motion to approve a newsletter and to allocate budget dollars for the insertion and distribution of the Mt. Angel City Newsletter in the Mt. Angel Shopper. Councilor Donohue seconded the motion.

The motion was passed with the following vote:

**AYES: 6                      NAYS: 0                      ABSTAIN: 0**

**XI. CITY ADMINISTRATOR'S REPORT:**

Mr. Wall gave a verbal report.

The bids for the Elm Street Waterline are in. There were 13 bids Low bid was \$44,892 and the bids ranged all of the way up to \$67,201.77. The engineer estimated \$50-60,000. The recommendation from the Engineer is in and they are in the seven (7) day waiting period. The City will move forward with that project.

**XII. CITY COUNCILOR'S REPORT:**

The Councilor's had no reports this month.

**XIV. MAYOR'S REPORT:**

The Mayor had no report this month.

**XV. ADJOURN REGULAR MEETING:**

Mayor Schiedler adjourned the meeting at 9:23 p.m.

Respectfully submitted by:

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Michele Hall, Assistant to City Administrator

ATTESTED BY:

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Rick Schiedler, Mayor