

City of Mt. Angel
City Council Meeting Minutes

CITY COUNCIL

7:00 PM

November 1, 2010

The City of Mt. Angel's City Council met in a regular session Monday, November 1, 2010 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 7:03 pm by Mayor Rick Schiedler.

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

A moment of silence was held in honor of Dennis Clary. Dennis was the City's wastewater treatment operator who died at home in his sleep recently. The City is not aware of any funeral arrangements at this time. The Mayor offered condolences to Dennis' family and friends.

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

Susan Muir, City Administrator
Tracy Grambusch, Finance Director
Michele Hall, Assistant to City Administrator
Dan Bernt, Public Works Superintendent

IV. **GUESTS, PRESENTATIONS, AND ANNOUNCEMENTS**

V. **CONSENT AGENDA:**

- a. Approve City Council Meeting minutes for October 4, 2010.
- b. Approve Special City Council Meeting minutes for September 29, 2010.
- c. Resolution adjusting budget for unanticipated revenue – Police dept. (insurance)
- d. Resolution adjusting budget for unanticipated revenue – Police dept. (car sale)
- e. Resolution adjusting budget for unanticipated revenue – police dept. (donation)
- f. Resolution transferring unspent grant funds from Working Capital Carryover into Library Grant Fund.
- g. Resolution receiving and transferring grant money – Police dept. (seat belt enforcement)
- h. Street closure request – Chamber of Commerce for Kris Kringle event.

(Recorder's note – the above resolutions were given the following numbers; item c – 1345, item d – 1346, item e – 1347, item f – 1348, item g – 1349)

Mrs. Hall mentioned some corrections to the minutes that were made by staff. There was a date change on the minutes and a correction page that was handed out for page 3 of 9. Mrs. Hall apologized for the

poor wording, she had taken minutes off the tape recording of the previous meeting and upon re-listening to it was able to better rephrase the statement.

Councilor Grassman asked to have items 5a & g removed from the consent agenda for discussion.

Councilor Donohue moved to approve the remainder of the consent agenda. Councilor Eder seconded.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

Councilor Grassman noted that on page 4 of 9 her statement was recorded as “she wanted more information” and she intended to add “before making a decision.”

Councilor Grassman made a motion to add “before making a decision” at the end of the fourth paragraph on page 4 of 9 of the October 4, 2010 meeting. Councilor Beyer seconded.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

On page 7 of 9 Councilor Kintz’s statement should read “DEQ and Marion County said from the property line to the middle of the street was the City’s responsibility.” And then when the minutes say “she saw some paperwork that stated it was the homeowner’s responsibility”, she was actually quoting from the City’s connection procedures and it is section “I”. And strike she “couldn’t find where else that was stated”.

In the last paragraph on that page, “she felt the Park/Tree Board felt constrained by waiting to adopt the Parks/Master Plan before doing other projects. And the Council could perhaps assist them in finding a small project to keep them encouraged”.

Councilor Kintz moved to amend Councilor Kintz statements on page 7 of 9 paragraphs 1 & 3. Councilor Otte seconded.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

Councilor Otte made a motion to approve the minutes for the October 4, 2010 City Council meeting as amended. Councilor Kintz seconded.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

Councilor Grassman asked about item 5.g about the seatbelt grant. She questioned if it had a specific designation or if it was required to go into the overtime line item. She wondered if it could go into the

training line item. Ms. Muir and Officer Charpiloz explained that this grant was specifically to pay for overtime that the officers worked to enforce the seatbelt law.

Councilor Donohue moved to approve Item 5.g on the consent agenda. Councilor Otte seconded.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

VI. REVIEW OF ACCOUNTS PAYABLE:

The Council reviewed Accounts Payable with Staff.

Councilors other questions were answered.

VII. APPEARANCE OF INTERESTED CITIZENS:

Don Fleck wished to address the council about Brent Earhart. He wished to thank Brent publicly for all that he has given to the community particularly to the fire department. He felt there were few in the community that knew how much Brent truly gave to the community. He gave a lot to the fire district and the community in general. He hopes that Brent's innovative policies will continue to be carried on and have been a great help to the coordination between agencies in emergency response.

Maureen Ernst read a statement to the Council in support of Brent Earhart. (Filed with the permanent record.)

VIII. COMMUNICATIONS/CORRESPONDENCE:

A letter from OSHA was included in the packet. Ms. Muir explained that this was the final report for the voluntary OSHA inspection. The City appreciated the opportunity to have this kind of visit which was more of a consultation type visit. There has already been work to resolve these issues particularly in public works.

Dan Bernt explained what public works has been doing in terms of fixes and training to address the issues brought up in the report.

The Council asked some additional questions regarding the report.

Ms. Muir explained that staff will be going over the report and making sure that all of the items were taken care of.

IX. UNFINISHED BUSINESS:

X. NEW BUSINESS:

a. Resolution adjusting budget for unanticipated expenses for the generator at Well #7

Councilor Donohue asked if there had been generator problems previous to the generator overloading when it was tested. Mr. Bernt said there have been no previous problems. This was the first real problem they have had with the generator. Councilor Beyer said he thought there was some related to Well #7. There have been no problems related to the generator until this most recent load test. Mr. Bernt further detailed exactly what happened during the test and what they found after the failure. Councilor Kintz asked if the 5-year warranty had been purchased on this generator. Mr. Bernt said it had not been purchased. She asked how much would a replacement be. Mr. Bernt said probably about \$50,000 which

was the cost of the current generator. He said there are several other similar products. This was the model that was approved by the engineer and electrical engineer after a formal bid process. It was equivalent to the model specified which met the criteria of the bid specifications and it was the lowest cost. Councilor Kintz asked that since the warranty had not been purchased, if there was still a possibility to go through the insurance company. Mrs. Grambusch said that was perhaps still an option. Staff could investigate it.

Councilor Grassman wanted to confirm what the quote was trying to communicate. Mr. Bernt said that until they took the generator apart they could not tell exactly what was wrong and how much it would cost to fix it. She was wondering why one of the brand name generators was not purchased. Mr. Bernt explained that it met the terms of the bid, it was the brand the contractor offered, and that the engineers approved it.

Councilor Grassman stated that she does not feel okay approving the \$17,000 expenditure. She feels like the City is taking a big risk for not a lot of guarantee that it will work after being fixed.

Councilor Eder asked if the generator had ever run. Mr. Bernt said that it had. Councilor Eder asked if each well has a generator. Mr. Bernt said that there are generators at well 6 & 7. Councilor Eder asked if there was a warranty on the repair. Mr. Bernt replied that there is probably a one year warranty on the repair.

Councilor Kintz asked what the purpose of the backup generator was if we have back-up gravity fed reservoirs. Mr. Bernt replied that there is only 1.5 million gallons in the reservoir. They maintain a large percentage of that water for fire suppression and in a long term outage the reservoir is not enough.

Councilor Grassman what the purpose of the resolution was, was it necessary for the company to have this to begin repairs. Ms. Muir stated that this gives staff budget authority to spend the money to make the repairs.

More discussion took place between the Councilors and Mr. Bernt. Well #6 has a Coleman generator but there are some other issues that have come up with Well #6 like a shaft problem, so Mr. Bernt is hesitant to just rely on one well as a backup.

Councilor Eder moved to approve the resolution to adjusting the fiscal year 2010-2011 budget for unanticipated expenses and transferring appropriations within the City of Mt. Angel water utility fund and water utility reserve fund. Councilor Donohue seconded.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

(Recorder's note – This resolution was numbered 1350)

b. Resolution setting wage scales for Exempt (non-union) employees

Ms. Muir requested to remove this item from the agenda with the consent of the Council.

c. Grant Update

Ms. Muir explained the table of grants that has been developed and will be posted on the website. The City has applied for over a million dollars in grants this year.

Staff has identified an opportunity for the Community Development Block Grant (CDBG). She has heard that some people were concerned about the Wastewater treatment plant and that it might be nearing a time when repairs and replacement would need to be addressed. According to the CDBG guidelines and the counsel received from the Council of Governments the City could be eligible for a Wastewater Master Plan in order to begin addressing those concerns. It will be brought back to the Council in December. There will be a public hearing, public hearings are always held for CDBG grants. The engineer felt that this will be a helpful tool in looking towards improvements to the wastewater treatment facilities.

Ms. Muir had received word this morning that ODOT would like to look at the Taylor Street project. She felt that was a positive sign and would be scheduling time, along with Mrs. Hall for ODOT representative to tour the proposed project.

Councilor Kintz asked about the de-federalized CDBG funds. She requested information about how these funds might be able to be used as the report mentioned the possibility of using the money for water and sewer repairs and possibly bill payment. Ms. Muir explained that some cities receive their grant money directly from the federal government whose requirements are less stringent than the guidelines that we fall under and whose money is used for programs as described in the report. The Council of Governments has some ideas of how the monies that we currently have related to these programs may be used for project grants for repairing sewer and water lines for customers. Staff will be working with the Council of Governments in the coming months to see what process would need to be implemented to utilize that money for the benefit of our citizens.

d. Social Media policy

Ms. Muir explained that to address the concerns brought up about social media in various conferences and meetings that council members and staff have attended over the year, this policy was drafted to guide the use of social media and begin to address liability issues. It is based off of another city's policy and has been approved by their attorney. Ms. Muir mentioned that she had spoken with the City's attorney who advised that as the issues surrounding social media change, the policy will need to be constantly amended to adapt to those changes. Staff recommends this policy be approved so that we can continue to move forward with additional ways to communicate with the public.

Councilor Donohue asked why the attorney felt this would need to be constantly updated. Ms. Muir said they are concerned about Constitutional issues and freedom of speech. And who would make decisions regarding the posts.

Councilor Beyer moved to approve the policy regarding the use of social media for the City of Mt. Angel. Councilor Grassman seconded

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

XI. CITY ADMINISTRATOR REPORT:

January 3, 2011 will be the first meeting of the new year. Ms. Muir wanted to bring this up since it is so close to the holidays and ensure that the Council would be available because of possible holiday plans.

Ms. Muir introduced the tentative calendar for 2011. This will be posted on the website. It will be a way to track Council, Committee, and City items for next year. This is a planning tool for the Council and the public. Please let us know if there are other ways we can make this a more useful tool.

Ms. Muir reported on the interim chief position. She introduced Officer Charpilloz who is taking the lead on operations right now and is doing a great job. Susan interviewed some candidates from the Oregon Association of Police Chiefs who are available to fill in temporarily for situations where the chief's position is vacant. She will be appointing an interim soon. There should be an announcement about that very soon.

Susan Muir and Mrs. Grambusch will be participating in the annual audit this week.

The City has been recruiting for the Budget Committee and Planning Commission. Advertisements are posted on the website, in the newsletter, and letters were sent out to those whose terms are expiring. The shorter application form is available online now. Applications should be available for appointments at the December meeting.

In terms of a wastewater treatment operator, Dennis had many certifications to keep the plant running. Gavin is now in place filling that position; he also holds the same certifications and can fill in for the interim. The City is also a member of the Oregon Water Utilities Association who can help us through this transition and provide consulting services.

Ms. Muir wanted to give an update on the police car purchase that has been discussed over the previous months. The City of Portland was not ready when we were initially ready to purchase. So, it has taken a little longer to negotiate a deal. And there were some budgetary items to consider which Ms. Muir asked Mrs. Grambusch to address.

Mrs. Grambusch said that in preparation for a purchase, she had been looking over the budget and noticed that some things didn't look quite right. The budget inadvertently showed a different budget year for vehicle replacement and the inventory included cars we no longer own, but did at the time the budget was being prepared. She has updated the budget information and wanted to handout a correction sheet for the Council to put with their budget document.

Ms. Muir said that City of Portland has indicated they are ready to sell some cars now and Officer Charpilloz was offered a deal that he and Ms. Muir think the City should take advantage of. The City has been informed that City of Portland is going to be changing their replacement schedule and keeping the cars a lot longer in the future.

Officer Charpilloz said that he had been offered two low mileage cars.

Councilor Donohue asked what they had been used for.

Officer Charpilloz answered that he knew one was a lieutenant's car and he was not sure what the other was specifically used for.

Councilor Donohue asked if the City was going to purchase both.

Ms. Muir said that is why we were having this discussion. The budget for replacement was \$7000 for one car and Officer Charpilloz had been offered both cars plus the cost of getting them fully functional for \$9460. That seemed like a wise purchase for the City. Ms Muir also stated that the police departments have been informed that the Crown Victoria model, which is the car we have been using, will no longer be made. After this model year runs through the system all of our other fixtures may become obsolete. Purchasing two low mileage cars for a good price seems to make sense. While Ms. Muir has the budgeting

authority to make this purchase, she wanted to have a head nod approval of the Council to proceed on purchasing the two cars instead of one as outlined in the budget. This will replace the leased vehicle (#01) and car #22. #22 has been a high maintenance vehicle especially after the engine was flooded and had to be replaced. Councilor Grassman asked if this opportunity would be available in the future. When Officer Charpilloz stated that the opportunities through the City of Portland were probably drying up, she pointed out that in the future they would need to look at something different in the budgeting. Councilor Donohue said that if these deals are still available next year we may want to purchase an extra. The Council gave their consent. Councilor Otte wanted to know in what condition the cars would be in for this price. Officer Charpilloz said this price is after all the expenses making them fully functional. Councilor Eder asked about the disposition of #22. Officer Charpilloz said he's had several thoughts, but he has considered making this the School Resource Officer car. This would relieve the SRO from using his personal vehicle or another patrol car that might need to be utilized elsewhere.

The City has received a report that Tom Duker is home from the hospital. He also broke his ankle when he suffered the heart attack. He will be recovering for some time and is taking a little break from planning commission.

Ms. Muir thanked the officers for their help in this process of transitioning from the leadership of Chief Earhart. She wanted to offer her thoughts on moving forward with the recruitment as we move through thanking Chief Earhart for his service, as some stated here tonight, to appointing an interim, and then moving on through the recruitment process and hiring a new chief. She passed along the Council's support to the officers and they have her support through this transition. She would like to establish a recruitment committee to assist in the process. A recruitment schedule was given out.

Ms. Muir and Mrs. Grambusch would like to have a small advisory committee to assist in formulating the proposed budget for this year. She envisions it as being comprised of one member of the Council and one member of the budget committee helping to formulate some improvements to the budget process.

XII. REVIEW OF STAFF REPORTS:

a. Police Department

A written report by Susan Muir, City Administrator was included in the council packet.

Councilor Kintz asked if the police log really needed to be included in the packet. Several councilors said that it was helpful to them to have this information.

Councilor Grassman encouraged all the Council members to go on a ride along with the officers.

b. Public Works

A written report by Dan Bernt, Public Works Director was included in the council packet.

Ms. Muir mentioned that she and Dan have been making changes in the way they are communicating information and she was pleased with the report that was submitted this month.

Councilor Otte asked how often the City discharges water into the river. He was looking at the report and seeing the lagoon levels rising with the amount of rain we have had. Mr. Bernt reported that they are preparing for the discharge season, but it is dependent on their DEQ permit and the level of the river. Today the staff cleaned out the discharge pipe and recycled some of the water back through the plant in preparation for discharging by the end of the month. The pumps have all been checked and the equipment is ready to go.

Councilor Donohue asked if we went through very much chlorine during the year. Mr. Bernt said that during the discharge season they go through about 8 cylinders of chlorine depending on wastewater quality.

Councilor Kintz asked about the Pepsi billing issues. Mr. Bernt said Pepsi did not get their numbers reported properly so the City did not have enough information to generate a bill. Ms. Muir and Al Fiedler and Mr. Bernt had been working on a solution of averaging over three months. Councilor Kintz asked if there was a meter that the City read. Mr. Bernt said that they do, but there are other testing requirements that they have to meet that impact the bill as well and that is what they did not have done. He is working with Pepsi to smooth the process out for the future.

Councilor asked about the service line re-taps; she wanted to know if that was for water. Mr. Bernt answered that occasionally if people complain about not having enough water flow, the staff will pull the meters and do a flow test on the lines. Most of the time it is a problem on their side of the line, but the City does the test to verify that there is no mineral crust forming to the mainline. If there is a lot of build up in the line, they re-tap into the mainline at another location.

c. Finance

A written report by Tracy Grambusch, Finance Director was included in the council packet.

Councilor Donohue commented about the high court fees collected. He wanted to know that if that was a record number of fees collected. Mrs. Grambusch said that there had been a large number of court cases this last month.

Councilor Eder asked about last year tax collection, he wanted to know what happened to the 7.5 percent. Mrs. Grambusch pointed out that it is recorded under prior year taxes (as opposed to current year) in the budget depending on when it is collected.

Ms. Muir reported that the City has had good news about PERS rates. She'll be giving more detail on that at a later time, but it is coming in well below the high percentage some of the projections were forecasting.

Councilor Donohue said that hopefully the money that the City has held back over the years would be more than enough to cover the cost.

Councilor Kintz had a question about the leased car. She was referring to a transfer of \$4418 to cover the cost of the lease. She thought we were done with the leased car. Ms. Muir pointed out that this report was through September 30th. The leased car will be returned just as soon as we have the Portland vehicles ready to go. Mrs. Grambusch pointed out that if not all the money is used to pay the lease it can be transferred to the vehicle replacement fund.

XIII. CITY COUNCILOR'S /COMMITTEE REPORT:

Councilor Eder wanted to talk about last month's meeting. He feels that the Park/Tree Board serves the City well in the role it has been given. He felt the discussion surrounding their activities went on too long at the last meeting, especially with an attorney sitting in the audience and in the future he will be utilizing the term "process check" to move the meeting along.

Councilor Kintz apologized, she did not know the attorney was here, she could not see him because of the podium.

Councilor Otte gave a report on the Communication Committee. The committee is focusing on formulating a broader scoped city-wide Communication Plan. Ms. Muir and the Mayor attended. And a plan was laid out to formulate the communication plan.

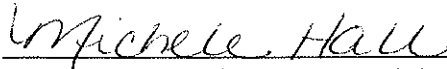
XV. MAYOR'S REPORT:

The Mayor did not have any items to share at this meeting.

XVI. ADJOURN REGULAR SESSION:

Mayor Schiedler adjourned the regular meeting at 8:45 p.m.

Respectfully submitted by:



Michele Hall, Assistant to City Administrator

ATTESTED BY:



Rick Schiedler, Mayor

