

City of Mt. Angel
City Council Meeting Minutes

Drafted for Approval/Subject to Amendment

CITY COUNCIL

7:00 PM

MARCH 2, 2009

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

The Meeting was called to order at 7:10p.m. following an executive session.

I. FLAG SALUTE:

Mayor Schiedler led the salute to the flag.

II. 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
Dan Bernt, P.W. Superintendent
Tracy Grambusch, Finance Director
Chris Crean, City Attorney

III. MAYOR'S REPORT:

Mayor Schiedler changed the agenda and moved the Mayor's Report to the first item of business.

Mayor Schiedler reported on the training session held for the City Council. He was very glad everyone could attend and he stated he felt the training was beneficial for all the councilors.

Under section 10 of the Mt. Angel City Charter, the Mayor is authorized to appoint or remove city officers with the consent of the city council. On the advice of the city attorney, a termination of employment letter was sent to Jim Hunt on February 17, 2009. The Mayor requested that the council give its consent for that decision.

A motion was made by Councilor Beyer to give consent to the Mayor's decision to remove Jim Hunt as City Administrator. Councilor Grassman seconded the motion.

The motion was passed by the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

IV. APPEARANCE OF INTERESTED CITIZENS:

Jim Kosel, 745 St. Mary's Circle was concerned that the city did not receive any money from the economic stimulus grants. He wanted to know why that didn't happen. He wanted to know why anyone didn't look

online to see how easy it was. He was able to locate several that he thought the city would qualify for. He was disappointed that we missed a golden opportunity.

Margaret Hoffer, former Mayor asked to respond. She stated that in October she spoke to Mr. Hunt regarding the possibility of getting grants for streets. She said that in her experience the fall was the perfect time to ask for grants for streets. She cited projects such as Sheridan to Elm on Taylor St. or Railroad Avenue curb to curb. She felt Mr. Hunt dismissed her ideas and did not seem interested in applying for these grants

V. CORRESPONDENCE:

Jim Kosel, 745 St. Mary's Circle, requested discussion and possible answers to the questions that were asked in the correspondence.

Councilor Grassman stated that she didn't think the council was legally able to answer those questions at this time.

Mayor Schiedler felt like the amount of information contained in the letters would be too much to try and pick apart and deal with issue by issue.

Jackie Grosjacques asked if the councilors plan to give the public any answers to the Jim Hunt issue. She asked if at some point there could be some explanation to the citizens.

Mayor Schiedler stated that at some point the council would be willing to give an explanation when they could.

Councilor Grassman shared that the council is trying to move forward. They understand that these are difficult circumstances, but they are really trying to move ahead. She felt it might be counterproductive to regress to this topic in which there is so much that they can't legally address. It might not be possible to answer all the questions.

Mayor Schiedler and Chris Crean affirmed that at this time it is not possible. Perhaps at some future point there can be some discussion.

Mike Grant, who lives outside the city, but owns properties within the city asked to address the council. He was concerned about how money was being spent. It appears that a lot of money has been spent, taxpayer money. He hopes that this is being handled correctly and with an awareness as to the costs. He feels that the citizens who are footing the bill deserve to be informed. He demands the respect of being informed about this matter.

VI. APPROVE ACCOUNTS PAYABLE:

Councilor Grassman asked how to handle a conflict on the accounts payable, a check made to her mother-in-law. She chose to recuse herself.

Ray Eder also recused himself from Accounts Payable due to the invoice from the Chamber of Commerce Flower Baskets, which he is involved with.

Finance Director Grambusch brought up an addition to the accounts payable. PPP Design, the website designer is requesting payment. The invoice is for \$2150 and is the only barrier at this point to going live on the website.

In response to councilor's questions, Interim City Administrator Wall discussed the invoice/contract that was signed. He explained that the terms were that there was a payment upfront and then the final payment was due 60 days later. It is now past the due date and the tasks the company agreed to perform are now done. So, they have fulfilled their part of the agreement.

Councilor Otte asked if there is more there then when he looked at the website and what Pete thought.

Interim City Administrator Wall expressed confidence that it would be a good website and we can go live very soon with the disclaimer that the site is still "under construction." The designer had loaded more information and had given us the ability to make the changes and additions we need to make.

Assistant to the Administrator, Michele Hall reported on the training she received to update the website.

Councilor Grassman asked for clarification of the fees and what they were for.

Interim Administrator Wall reported that the cost will be for hosting the website. Some additional discussion about the details of the city's ability to maintain the website ensued.

Councilor Otte had a question about the M/D Control Systems, Inc. Public Works Director Bernt and Travis explained the details of why they used this service in fixing the electrical supply.

Councilor Donohue moved that the accounts payable be approved as amended. Councilor Beyer seconded the motion.

AYES: 4 NAYS: 0 ABSTAIN: 2

Councilors Eder and Grassman recused themselves due to a conflict of interest.

VII. CONSENT AGENDA:

- a. Approve Minutes of City Council meeting of January 5, 2009
- b. Approve Minutes of City Council meeting of February 2, 2009
- c. Approve Minutes of City Council Special meeting of February 9, 2009
- d. Approve Minutes of City Council Work-session of February 9, 2009
- e. Budget Committee Member Appointment
- f. O'fest Street Closure Agreement

Jim Kosel, 745 St. Mary's Circle asked to speak about consent agenda Item# C. He had some corrections. On 7.c. page 1 of 2, "city ordinance 192.65" should state "ORS 192.650."

Councilor Grassman noticed that Item 7.d., Ms. Messmer's name needed to be corrected throughout the document.

Mayor Schiedler asked for his name to be corrected on 7.d. as well.

Councilor Otte moved that Items 7c. and d. be removed from the consent agenda. Council president Eder seconded the motion.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

A motion was made by Councilor Otte to approve the consent agenda as amended. Councilor Donohue seconded the motion.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

A motion was made by Councilor Otte to approve Item# 7.c as amended. Councilor Kintz seconded the motion.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

A motion was made by Councilor Otte to approve Item # 7.d as amended. Councilor Donohue seconded the motion.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

VIII. POLICE DEPARTMENT REPORT:

Police Chief Brent Earhart provided a written staff report that was included in the council packet.

Councilor Kintz asked if these staff reports could be read into record for the public to hear.

Discussion ensued about how many people received the packet and have access to the reports. Finance Director Grambusch reported that the packets are made readily available to the public. Assistant Hall added that she was aware of about 30 that were emailed from the office. Maureen Ernst said that approximately 130-140 were forwarded through the Chamber of Commerce.

Shaun Rottner suggested that copies of the reports be made available at the council meetings for the public to refer to.

Interim City Administrator Wall shared that he hopes to combine all the reports into a friendlier format and have it available to the public in as many places as possible for example, at the council meetings, the library, and the front counter at City Hall.

Councilor Donohue suggested the website.

Chief Earhart reported that Rep. Vic Gilliam had contacted him that day and has drafted a bill that will help the city recoup some of the money that is currently going to the county. He thanked Jim Kosel for bringing that to the attention of Rep. Gilliam.

IX. PUBLIC WORKS REPORT:

Public Works Superintendent Dan Bernt provided a written staff report that was included in the council packet.

Superintendent Bernt addressed the question of the I & I projects for the year. He reported that Taylor St.; Elm to Sheridan; and St. Mary's are the projects for the year.

Interim Administrator Wall indicated that he would be speaking more about the I & I project in his report.

X. FINANCE REPORT:

Finance Director Tracy Grambusch prepared a written report that was included in the council packet.

XI. CODE ENFORCEMENT:

Code Enforcement Officer Jacque Keller-McCormick provided a written summary of enforcement activities that was included in the council packet. A spelling correction was noted. Councilor Otte was concerned that case 08-10038 was still open after a year and requested that it be looked into.

XII. OLD BUSINESS:

a. Resolution 1277- Fees and Charges for Sewerage Services

Jim Kosel, 745 St. Mary's Circle pointed out that there were some discrepancies in the language of resolution 1277 and 1280 that were conflicting and he wished them to be addressed before they were voted on.

Section 1.B. should be amended to read, "will be assessed a 1 ½ % late fee." instead of, "may be assessed a 1 ½ % late fee." If not then Resolution 1280 section 5 needs to read "will be charged" instead of "may be charged."

Section 2.A of 1277 should be deleted as unnecessary. B and C should be relettered to A and B.

Section 2.B- the word proprietary should read extra-territorial to match the current legal language used by the state. While they mean the same thing, Attorney Crean confirmed that extra-territorial is probably the most common usage. Mr. Kosel added it may help people trying to search the website for this information.

Section 3 should perhaps address the extra-territorial situation.

Section 5 – would like POTW defined or stricken from the resolution. Attorney Crean reported that POTW stands for publically owned treatment works.

Some discussion ensued relating to the corrections brought up by Mr. Kosel.

Council President Eder recused himself from Item# 12a.b which contains Resolution 1277 and 1280, citing an ethics complaint.

Councilor Otte moved to adopt Resolution 1277 with the following amendments;
Remove Section 2.A and make Section 2.B into 2.A and 2.C into 2.B.
Change the word proprietary to read extraterritorial.
In Section 5, POTW shall read publically owned treatment works.

Councilor Donohue seconded the motion.

The motion was passed with the following vote:

AYES: 4 NAYS: 1 ABSTAIN: 1

Councilor Kintz voted against the motion.

There was some additional discussion regarding the Sludge Fund.

Finance Director Grambusch gave some explanation about how Sludge Fund contributions and loans from the Sludge Fund have been handled over her tenure with the city.

Interim Administrator Wall explained the costs that the city has recently had that might affect contributions to the Sludge Fund.

Mr. Bernie Seiler, a budget committee member stated that he was on the committee that set up the Sludge Fund and the original intention was to save 1 million dollars over 10 years.

The council discussed various ideas of assuring that enough money is being put into the fund and to safeguard it as much as possible from being used for other projects.

Public Works Director Bernt explained that the staff does not have the authorization to borrow from that fund. All monies that have been borrowed from the fund were directed by the City Council.

Councilor Donohue asked that staff look for the original paperwork establishing the Sludge Fund.

b. Resolution 1280- A Schedule for Water Rates

A short discussion regarding a water rate increase took place.

Councilor Otte made a motion to accept the resolution with the following amendments:
Change the word "proprietary" to "extraterritorial."
In Section 5, the word "will" shall be changed to "may" and
"which ever" shall read "whichever."

Councilor Donohue seconded the motion.

The motion was passed with the following vote:

AYES: 4 NAYS: 1 ABSTAIN: 1

Councilor Kintz voted against the motion.

XIII. NEW BUSINESS:

a. Resolution 1281 – Authorized Signers for Payroll and Accounts Payable

A motion was made by Councilor Otte to accept Resolution 1281 as presented. It was seconded by Council President Eder.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

b. Resolution 1282 – Authorizing Signers for Mt. Angel Government Investment Pool

A motion was made by Councilor Otte to accept Resolution 1282 as presented. It was seconded by Councilor Beyer.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

c. Adoption of Mt. Angel City Council Goals

A discussion took place about the council goals and how they should be prioritized.

Shaun Rottner commented that leaving them as they are right now would give the various committees the flexibility to help set priorities when they meet.

There was a correction noted on the short term goal notes #5 should say “typically serve in an advisory *role*. Boards...”

A motion was made by Councilor Grassman to accept the City Council Goals. Councilor Beyer seconded the motion.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

d. Ratify Agreement between City of Mt. Angel and Pete Wall

Under Section 10 of the Mt. Angel City Charter, Mayor Schiedler entered into a contract with Pete Wall for Interim City Administrator Services. Mayor Schiedler requested that the council give consent to this action.

Councilor Donohue moved to give consent to the Mayor’s decision to hire Pete Wall as the Interim City Administrator. Councilor Beyer seconded the motion.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

XIV. CITY ADMINISTRATOR'S REPORT :

Interim Administrator Wall offered thanks for the helpfulness and support he has received since taking his position.

He is currently reviewing paperwork and having meetings that are assisting him in getting his feet on the ground as he takes on the role of Interim City Administrator.

He reported that the I&I bid for this year was awarded to Michel's Corporation for \$30,000. The bids ranged from \$30,974.92 - \$60,032.00. He will be going ahead with that under the council purchasing rules.

There will be a work-session Monday, March 9, 2009 to begin City Administrator recruitment. The meeting will begin at 7 pm.

The first budget meeting needs to be held soon. The budget calendar was adopted but no dates were set for the first meeting. After discussion with the council in this meeting, it was decided that it would be scheduled for Tuesday, April 7, 2009 at 6pm. The committee usually consists of 7 citizens, the 6 councilors, and the mayor.

Follow-up on the website; a lot of progress has been made and we are moving forward. They will be noticing new things on many days; we hope to go live very soon.

Assistant to the City Administrator Hall also shared that while the website will be up soon, the council may want to consider what information from the packet will be posted on the website due to security concerns. The packets contain addresses and signatures that would become assessable worldwide.

Jim Kosel reported that other cities have chosen to delete addresses from their packets.

XV. CITY COUNCILOR'S REPORT:

Councilor Grassman inquired about money in the budget for councilors to attend training. She found the last training session she attended on government budgeting to be quite helpful. April 1, 2009 is City/County day at the capitol which costs \$25 and she would like to go and perhaps other councilors as well. Finance Director Grambusch stated that there is limited amount of money available. Mayor Schielder said that Mayor's Day was well worth it and League of Oregon Cities recommended the City/County Day for all the councilors.


Mayor Schielder inquired about the Tree Board. Interim Administrator Pete Wall reported that he had some discussion with board members and there was some interest in combining the Tree Board with the proposed Parks Board. He will be having a conversation with the Parks master plan developer tomorrow and will have more answers after that. Staff will do some additional research and write an ordinance to combine the two boards. The parks plan should also be run past the planning commission.

Councilor Beyer reported on behalf of Maureen Ernst of the Chamber of Commerce to invite the citizens to a Legislative Update with Rep. Vic Gilliam and Sen. Fred Girod on Monday March 16, 2009 at 7pm here in the library meeting room.

XVI. ADJOURN REGULAR MEETING:

Mayor Schiedler adjourned the meeting at 9:07 p.m.

Respectfully submitted by:



Michele Hall, Assistant to City Administrator

ATTESTED BY:



Rick Schiedler, Mayor

