

City of Mt. Angel
City Council Meeting Minutes

CITY COUNCIL

7:00 PM

October 4, 2010

The City of Mt. Angel's City Council met in a regular session Monday, October 4, 2010 at the Community Meeting Room, 290 E. Charles Street, Mt. Angel, Oregon.

I. EXECUTIVE SESSION:

An Executive Session was held in accordance with "ORS 192.660(2) (d) to consult with deliberations with persons designated by the governing body to carry on labor negotiations" and was opened at 7:00 pm.

This executive session is exempt from public disclosure; a recording was made as required by law. Executive Session was adjourned at 7:16 pm.

II. CALL TO ORDER: The regular meeting of the Mt. Angel City Council was called to order at 7:25 pm by Mayor Rick Schiedler.

III. FLAG SALUTE:

Mayor Schiedler led the salute to the flag.

IV. 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
Brent Earhart, Police Chief

V. ACTION FROM THE EXECUTIVE SESSION:

Councilor Otte moved to approve the tentative agreement with the police union that they passed on September 15, 2010. Councilor Donohue seconded.

AYES: 5

NAYS: 1

ABSTAIN: 0

Councilor Kintz voted against this motion

VI. GUESTS, PRESENTATIONS, AND ANNOUNCEMENTS:

Ms. Muir introduced Al Fiedler from Pepsi Northwest Beverages. Mr. Fiedler and his team from Pepsi spent a day at Humpert Park giving it a facelift and repairs. They pressure washed, painted and repaired the play equipment, tables, cover, and signage. The City wanted to take the opportunity to thank Pepsi, Mr. Fiedler, and all of the Pepsi volunteers for their work and contribution to our city.

Mr. Fiedler said that the Pepsi employees through meetings they had during their employee appreciation week came up with this idea to give back to the community. They too feel it was a huge success. He

expressed appreciation for the cooperation from Susan and the public works department in facilitating the project. He was also appreciative of Councilor Grassman coming up to the worksite and presenting the team with a plaque. Mr. Fiedler, on behalf of Pepsi, gave the City a \$5,000 check towards parks. They have plans to make the volunteer day a yearly event.

Councilor Grassman commented that she has been up to the park to see the work and it is awesome. Several people in the community have commented on how excited they are about the park being fixed and how nice it looks. She thanked Mr. Fiedler again.

Mr. Fiedler stated that there were 27 volunteers involved in the project including Councilor Kintz and her son. Altogether they figured over 60 hours of work was accomplished that day.

Councilor Grassman asked if the \$5,000 would be going into the Parks fund. Ms. Muir answered that it would. Councilor Kintz stated that expenses would be coming out of that. Ms. Muir confirmed that the expenses for the repairs would be reimbursed from that \$5,000 and that the supplies for the project ran about \$1,500. There would be a nice amount left over. Councilor Kintz said that there was some wood on the sign and covered area that might need replacing as well.

VII. CONSENT AGENDA:

a. Approve City Council Meeting minutes for September 7, 2010.

Councilor Kintz had a couple of corrections to the minutes. There were some extra words on page 3 that could be deleted. Page 5, the word committee should be Board. Page 6, remove the word "they".

Councilor Kintz asked about the ads for the Council committees. Ms. Muir said that Mrs. Hall would know and she will ask her. It was suggested that the ad be in the newsletter and online.

Councilor Eder moved to approve the consent agenda. Councilor Grassman seconded.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

VIII. REVIEW OF ACCOUNTS PAYABLE:

The Council reviewed Accounts Payable with Staff.

Councilor Kintz commented on the extra notes in the accounts payable, it looked like staff was anticipating some of their questions and that was appreciated.

Ms. Muir brought the NORCOM invoice to the attention of the Council as it was a large bill. It is the annual fee and it was paid all at one time. She also mentioned that she and the Chief had been discussing the leased vehicle recently. It looks like Portland may be prepared to sell some more of their cars soon, so we will be purchasing a car and turning the leased vehicle back in.

Councilors other questions were answered.

IX. APPEARANCE OF INTERESTED CITIZENS:

John Gooley thanked the Council on behalf of the Oktoberfest for all the help the City provided to the festival from the police to public works. In spite of the rain, it was a good festival. It was very fun. It was encouraging to see people still come in spite of the weather.

The community building project is moving forward. They applied for their permits and they are actively pursuing funding and grants.

X. COMMUNICATIONS/CORRESPONDENCE:

A letter from the Census Bureau was included in the Council packet thanking the City for their involvement in a successful census.

XI. UNFINISHED BUSINESS:

XII. NEW BUSINESS:

a. Laborer's Wage scales

Ms. Muir explained that these resolutions were ratifying the wages scales that were approved by the Council previously.

Councilor Grassman made a motion to approve the resolution setting wages for the Laborer's Union as agreed to through Collective Bargaining. Councilor Otte seconded.

The motion was passed with the following vote:

AYES: 5 NAYS: 1 ABSTAIN: 0

Councilor Kintz voted against the motion.

(Recorder's note: this resolution was assigned number 1344)

b. Police Union Wage scales

Councilor Otte made a motion to approve the resolution setting wages for the Police Union as agreed to through Collective Bargaining. Councilor Eder seconded.

The motion was passed with the following vote:

AYES: 5 NAYS: 1 ABSTAIN: 0

Councilor Kintz voted against the motion.

Councilor Kintz stated the reason she voted no was that she believes that other people are taking pay cuts. According to the wage survey many of the positions are overpaid.

(Recorder's note: this resolution was assigned number 1343)

c. Resolution adjusting the budget for an unanticipated expense for the well generator.

Councilor Otte pointed out that there was no letter included in the packet as indicated in the staff report. Ms. Muir apologized and said she would look into that.

Councilor Donohue said he saw some people out working on the generator so he stopped by to see what was happening. He said that he was told the alternator blew in the generator. He feels that the Generac generator is one of the worst on the market and he would like for staff to find out some more information from the electrical engineer who approved the specs on this generator to see if there are any warranty

issues. He would further like staff to consider purchasing another brand as they have fewer problems than this brand.

Mrs. Grambusch explained that the letter stated that the consultant is still investigating. She also explained that this resolution was just to get the money into the budget. Right now, it is not in the budget, if we do not spend it that is fine. This resolution is just the mechanism for having the money available if it is needed.

Councilor Donohue wanted the staff to aggressively pursue the engineer to follow up with the company on this.

Councilor Grassman wondered what happened if the money is in the budget. She would feel more comfortable having more information before making a decision.

Councilor Kintz asked why the insurance company would be involved.

Mrs. Grambusch explained that the insurance company is able to follow-up with the manufacturing company more readily than we as the City are. It is part of our insurance policy.

The Council felt that they needed more information and would feel more comfortable waiting.

Ms. Muir explained that since the letter was left out of the packet and Council had some hesitations and there was no payment pending in the next 30 days, she would recommend that they carry the discussion over to the next meeting.

d. 2011-2012 Budget document discussion

Ms. Muir explained that she and Mrs. Grambusch had discussions about how the budget could be presented to the Council in a format that is more useful.

Councilor Grassman handed out some information that she received at the League of Oregon Cities conference. She handed out the Aikido Budget Manual which the City of Sandy uses. She felt that it was very good and felt it would give the information that the Council and the citizens are asking for.

Ms. Muir told the Council that staff was posing the question and asking for feedback ahead of time keeping in mind that we are moving with a software upgrade so now is the time to make changes to customize the reports. She wanted to hear from the Councilors and she and Mrs. Grambusch would meet and see how their wishes could be implemented.

Councilor Otte asked if the City is committed to the new software. Ms. Muir said that at this point the City is committed. Councilor Otte felt that would limit their abilities. Ms. Muir stated that her view is that technology should not lead in these kinds of situations, technology should assist. Ms. Muir is not limiting her ideas to just the parameters of the software.

Councilor Grassman asked for something more readable. She feels that it is too overwhelming. More charts and graphs would be helpful.

Councilor Kintz stated that she wanted to see actual and also year-to-date figures as close to the budget sessions as possible, perhaps even as late as April.

Councilor Grassman asked for 8 years of budget information. She thinks that might help them to see trends.

Councilor Otte stated that there might be changes throughout the year that would not necessarily be recorded in the budget document.

The Mayor said that a history of significant changes would be helpful to him.

Ms. Muir stated that several people had mentioned changing the way personnel information was handled.

Councilor Otte stated he wanted to see the bottom line all in one place. Councilor Grassman would like to see all the benefits and other personnel related expenses in the same place. Councilor Otte said he would follow up with an email explaining this to staff.

Councilor Donohue stated that rolling each year's savings for each department into the next year's budget helps encourage departments to save money.

Councilor Grassman said that at the League of Oregon Cities conference, having the long term history, like 10 -12 years really works at providing more meaningful information and actually ends up taking pressure off the Finance Director and putting the responsibility onto the managers where it should be.

Ms. Muir asked if there was anything else.

The Mayor stated he liked the equipment replacement schedule.

XIII. CITY ADMINISTRATOR REPORT:

Due to the Mill City fire, the staff is investigating some options on backing up the City's records. Mrs. Hall has been working with Woodburn IT to come up with a solution. At this time, it has been determined that an immediate fix would be to purchase another back-up tape and store our information at Woodburn. At the very least, we would have access to our electronic files. Many of the files are being converted to electronic files.

The City received notice from the Governor's Office that Vic Hoffer has received a regional Governor's award for his volunteer service. Ms. Muir passed around a card for the Council to sign.

In the continuing effort to work smarter and not necessarily harder, Mrs. Grambusch and Mr. Sperle have been working together to address the issue of shut-off notices for water. It takes a significant amount of time to prepare and deliver the door hangers that are currently used to notify the 45-60 customers that receive them each month. The City will be moving to a post card notification system and the public will be notified over the next few months of the changeover. There will be a monthly savings of public work time. There will be about a \$300 capital outlay to get this set up.

Councilor Kintz suggested that the same process could be used for cross-connection (back-flow) notification. Ms. Muir said she would look into that as another process change.

Councilor Donohue wanted to ensure that accommodations were being made for those who were truly in need and having difficulties paying their bills. Ms. Muir said that she hears daily conversation in the office where reasonable accommodations are being made. Councilor Grassman said she had just witnessed someone receiving help of that nature in City Hall today.

Since the Council has now passed the resolutions for the unions, Ms. Muir will bring forward the salary resolution for the exempt employees next month. She understands that the interim city administrator had some discussions with the Council on that previously.

Ms. Muir also contacted the assessor's office about the tax exempt property situation created by the clinic coming in. She spoke with Pat who explained some of the tax code to her. When Ms. Muir mentioned it was a hospital, Pat said that typically hospitals are exempt. She also made it clear that taxing is at the discretion of the assessor and the City has no role in the decision.

Councilor Donohue asked if there is an appeals process. Ms. Muir answered that she had not asked that specific question, but she made it clear it is the assessor's decision. She did say that 501(c)(3) organizations typically qualify, although not all. The determination is based on use and not on ownership and they are very thorough.

Additional discussion took place about the tax exempt status.

XIV. REVIEW OF STAFF REPORTS:

a. Police Department

A written report by Chief Earhart was included in the council packet.

Councilor Otte asked about the use of the grant money. Chief explained that it was a \$5000 education grant and they will be using it for the Bicycle Rodeo program. Councilor Grassman asked about the Bicycle Rodeo and the Chief explained what they do at the rodeo.

The Chief followed up with the earlier comment about the purchase of the new car. At this time, it looks like the car will be turned in about October 15th. The new car is pretty nice and only has about 42,000 miles on it.

Councilor Kintz asked if the police could do anything about the kids riding without helmets and on the wrong side of the streets. The Chief answered that they can and if the kids are under a certain age the parents get the ticket. She asked why the parents get ticketed, why they don't just take the bike. Chief said they are not allowed to confiscate the bikes for that. The ticket is \$25 and up until the age of 12 the parents get the ticket.

Councilor Grassman asked about the number of DUI's from Oktoberfest. The Chief explained that there were seven, two were directly from the festival and five from other establishments, but OLCC gets to decide if that is festival related or not. Mayor Schiedler asked how that compared to other years; it is up five from last year. Chief Earhart responded that in previous years it has been as high as 50-60. Oktoberfest has done a good job in controlling this and helping people get rides home if necessary.

Councilor Kintz asked about the incident report. She was wondering about the "J" shift and "E" shift and they weren't always indicated. Chief Earhart explained that report is generated through Woodburn and that is how they identify their shifts. Mt. Angel only has 2 shifts, it is a programming thing. She asked about the times, but it looks like at times there are two – three officers on. Chief explained that he is on during the day and the school resource officer and there is the dayshift officer. She referenced a date where there were three officer IDs listed. He explained that covers a 24 hour period and not just one shift.

b. Public Works

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

Ms. Muir explained that in the report it states that the City is still waiting for the submersible pump and she heard from Public Works that it arrived today.

Councilor Otte asked about the tree trimming and sign cleaning and where that occurred.

Councilor Grassman asked about the tree trimming. She asked if the property owner is responsible for the trees in the sidewalk median and if they needed a permit. Ms. Muir said she was not sure and would look into it. Other discussion took place.

c. Finance

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

Councilor Otte asked about the OSHA inspection referenced in the report. Mrs. Grambusch and Ms. Muir explained what an OSHA visit might entail. Mrs. Grambusch explained that the City had received notice that it was on the list to receive a compliance visit soon which could have resulted in fines if they found things out of place, but they had an option for a voluntary visit which would help us identify problem areas and get them resolved without the fines.

XV. CITY COUNCILOR'S /COMMITTEE REPORT:

Councilor Donohue felt that the property owner should not be responsible for the sewer line once it leaves the property. Councilor Otte asked if it was part of the code. Councilor Kintz stated that DEQ and the County said it is the City responsibility from the property line which is the City right of way, but she saw the City's connection procedure section "L" that said it was the homeowner's responsibility although she couldn't find where else that was stated. The Council felt that it is the City's responsibility to manage the sewer line in the City right of way. Ms. Muir said that she needed to investigate this issue and would be willing to bring a memo back on this.

Councilor Grassman gave out a packet of information that she compiled from the League of Oregon Cities conference. It involved social media and she has been working with Ms. Muir to develop policies. Councilor Otte asked if we understood the legal ramifications of that. She also included several other handouts with good information and ideas for the City.

Councilor Kintz reported on the Park/Tree Board meeting. She said that she felt the Park/Tree Board felt restrained by having to wait to adopt Parks Master Plan before they did anything else and she thought that they needed a small project to complete to keep them encouraged in the meantime and that the Council could perhaps facilitate that. Ms. Muir stated that she did not have her notes but that what she remembered was that the Park/Board was going to be working hard on the Parks Master Plan so that they could prepare for a joint meeting with the Planning Commission so that a recommendation for adoption of the Parks Master Plan could be made to the Council soon, so we will be eligible to apply for grants. Then after the master plan is taken care of, the first thing on the agenda would be to bring back a recommendation on planting trees. Ms. Muir asked Councilor Kintz if she was asking the Council to change that priority. Councilor Kintz said she thought the Board should have a little leeway to do something about the trees, particularly across the street from City Hall. Ms. Muir asked if that timeline didn't work for them. Councilor Otte asked if their hands were tied or if there was a way to have dual priorities. Ms. Muir answered that there was but there was significant staff time being dedicated to the other goals as well. Councilor Grassman pointed out that that goal for the Park/Tree Board was to be able to apply for grants and that timeline is running short for the spring applications so the Parks Master Plan is a priority. Councilor Kintz also addressed the Saalfeld House. Ms. Muir asked if there was some direction

the Council would like to give her that is different from the plan the Park/Tree Board had laid out. Councilor Grassman said that she liked the priorities that the Park/Tree Board had set forth and she did not understand why it would be necessary to change those priorities; it is the wrong time of the year to plant anything. Councilor Kintz said that planting would at least let people feel like they were doing something. Councilor Otte asked for the Chair of the Park/Tree Board to comment.

Karl Bischoff, the Chair of the Park/Tree Board said that they wanted to adopt the Parks Master Plan. They do not want to start a tree planting project only to decide through the process that the trees were planted in the wrong place. The plan will also address the Saalfeld House. So he feels it is very important to get the plan in place before we move forward.

Councilor Donohue asked about the master plan that the University of Oregon prepared for the City and didn't the council adopt that plan. Councilor Grassman explained that while that was the thought, the plan actually needs to be presented to the Planning Commission and they recommend it to the Council for final adoption.

XV. MAYOR'S REPORT:

The Mayor will be speaking at the October 11, 2010 candidates' forum about City goals.

XVI. RECESS REGULAR SESSION:

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

XVII. EXECUTIVE SESSION:

An executive session was held pursuant to ORS 192.660(2)(f) in order "to consider information or records that are exempt by law from public inspection". An audio recording was made of the executive session as required by law it is exempt from public disclosure. The executive session was called to order at 8:55 and was adjourned at 10:50 pm.

XVIII. REGULAR SESSION RECONVENED:

The regular session was reconvened at 10:50 pm.

The Mayor asked for any action on the executive session. No action was taken on the executive session.

The Council did need to take action on a related topic.

Ms. Muir suggested that the Council make a motion to direct the City Administrator to create a memorandum of understanding with the police union regarding time worked during Oktoberfest.

Mark Amberg, attorney for the City, said that he will be in discussion with the police union about the pass through payments for the police officers time worked during Oktoberfest.

Councilor Kintz made a motion to direct the City Administrator to enter into discussion with the Police Union for pass through payments of police officers for Oktoberfest starting in 2011. Councilor Otte seconded.

Councilor Donohue would like to see an invoice for what the City bills Oktoberfest each year.

The motion was passed with the following vote:

AYES: 6 NAYS: 0 ABSTAIN: 0

XIV. RECESS REGULAR SESSION:

Mayor Schiedler adjourned the regular meeting at 10:57p.m.

Respectfully submitted by:

Michele Hall
Michele Hall, Assistant to City Administrator

ATTESTED BY:

Rick Schiedler
Rick Schiedler, Mayor

