

PHILOMATH CITY COUNCIL
MINUTES
July 25, 2016

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6 **1. CALL TO ORDER**

7 The City Council of the City of Philomath was called to order on Monday, July 25, 2016,
8 at 7:00 p.m. in the Philomath City Hall Council Chambers by Mayor Rocky Sloan.
9

10 **2. ROLL CALL**

11 Present:

12 Mayor Rocky Sloan
13 Councilor Doug Edmonds
14 Councilor Charla Koeppe
15 Councilor Candy Koetz
16 Councilor Sean Manning
17 Councilor Eric Niemann
18

Excused:

Councilor Jason Leonard

19 Staff Present:

20 City Manager Chris Workman
21 City Attorney Jim Brewer
22 Finance Director Joan Swanson
23 City Recorder Ruth Post
24

Police Chief Ken Rueben
Public Works Director Kevin Fear

25 **3. CONSENT AGENDA**

26 **3.1 City Council Minutes – July 11, 2016**

27 **3.2 Finance/Administration Committee Minutes – April 27, 2016**
28

29 Councilor Niemann requested corrections to Agenda Item #3.1.
30

31 **4. ITEMS REMOVED FROM CONSENT AGENDA**

32 **4.1** Agenda Item #3.1 – Councilor Niemann requested corrections to the minutes. On
33 Page 40, Line 3, regarding his conflict of interest, he stated that it should indicate he
34 declared a conflict of interest due to a family relationship to the property owners. He also
35 requested that Page 40, Line 43, state the actual dollar figure amounts stated by
36 applicant Butch Busse for the estimated price range of the houses as \$220,000 to
37 \$320,000. Ms. Post stated she would make those corrections and bring the minutes
38 back on the August 8 Council agenda for approval. There was additional discussion
39 about the minutes that resulted in no additional amendments.
40

MOTION: Councilor Edmonds moved, Councilor Koeppe second, to approve the
42 consent agenda, minus Agenda Item #3.1, and the Council agenda for July 25, 2016, as
43 presented. Motion APPROVED 6-0 (Yes: Edmonds, Koeppe, Koetz, Manning, Niemann
44 and Sloan; No: None.)
45

46 **5. VISITORS/PETITIONS**

47 **5.1** None.
48

49 **6. STAFF REPORTS**

50 **6.1 City Manager** – Mr. Workman reported on the Music in the Park concert last
51 week. He stated the windy conditions on Thursday night were challenging and
52 concession sales were not as good as hoped; but the two bands did a good job of

1 entertaining. He stated they are still looking for a non-profit group interested in doing
2 concessions for the August concert.

3
4 **6.2 Public Works Director** – Excused.

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6 **6.3 City Recorder** – No report.

7
8 **6.4 Finance Director** – No report.

9
10 **6.5 Chief of Police** – Excused.

11
12 **6.6 Deputy City Attorney** – No report.

13
14 **7. COUNCIL REPORTS**

15 **7.1 Councilor Niemann** – Councilor Niemann offered condolences the City of Baton
16 Rouge and their Police Department over the passing of three officers and wounding of
17 three more. He reported on the Museum’s Up, Up and Away event last weekend and
18 extended congratulations to the Museum staff for the event. He also congratulated Brad
19 Fuqua from the Philomath Express on receipt of awards from the Oregon Newspaper
20 Publishers’ Association for design and photography.

21
22 **7.2 Councilor Edmonds** – Councilor Edmonds stated he had received questions
23 from citizens regarding the annexation application and had attempted to answer
24 questions as objectively as possible.

25
26 **8. NEW BUSINESS**

27 **8.1 PC16-05 Chapel Drive LLC Application for Annexation** – Mayor Sloan opened
28 the Council discussion on the annexation application. Councilor Manning stated she had
29 completed review of the record from the City Council public hearing on July 11 and was
30 prepared to participate in the decision. There were no ex-parte contacts declared since
31 the July 11 meeting disclosures.

32
33 Mr. Workman reviewed the flow chart developed by staff for new residential
34 development of property outside city limits but inside the urban growth boundary. He
35 noted this was developed to try to clarify Council questions surrounding the process.

36
37 Councilor Koepp asked for clarification about the developer’s statement during the
38 public hearing of 5,000 square foot minimum lot sizes. Mr. Workman stated he believed
39 that was a misstatement by Mr. Stapleton and the actual minimum lot size in the R-1
40 zone is 7,000 square feet. There was discussion about this being the basis for
41 approximately 6 lots per acre calculations.

42
43 Councilor Manning asked what was anticipated for the small commercial zone. Mr.
44 Workman noted that the small commercial zone appears on the existing Comprehensive
45 Plan Map and is anticipated for services that would cater to the residents in the area,
46 such as a small market.

47
48 Councilor Edmonds asked about the Transportation System Plan update requirements.
49 Mr. Workman explained the expectations of the required update would be for conditions
50 created by complete build-out of the project. He stated it would be helpful information but
51 could be outdated by the time build-out is achieved ten or more years down the road. He

1 stated it would probably be more valuable to staff to review the analysis as each phase
2 of the subdivision is submitted.

3
4 Mayor Sloan questioned if there was any additional discussion about the testimony
5 provided. Councilor Edmonds stated that there are wide-ranging issues from
6 transportation to water but wanted to make the clear statement that the City does have
7 water supply available. He referred to the master plans the City has in place.

8
9 Mayor Sloan stated as someone who works in the construction industry, he didn't
10 believe construction noise beyond 8 a.m. to 5 p.m. would be a significant issue.

11
12 Councilor Manning stated that people want to be re-assured about their concerns and
13 understand how the process works. She stated that the letter from Read Stapleton,
14 Planning Group Manager, from DOWL was very helpful. Mayor Sloan agreed. He cited
15 the people saying that the development would increase everyone's property taxes but no
16 specific examples were provided.

17
18 Councilor Edmonds described contacts he made with the department heads regarding
19 impacts on City resources of this development. He stated that the planned expansion
20 would not have an immediate impact on department resources. He stated that he
21 discussed property taxes with Ms. Swanson. Ms. Swanson stated that property taxes for
22 current citizens will not be affected.

23
24 Mayor Sloan questioned if there were any specific sections of the rebuttal that the
25 Council wanted to address. He noted there are many state regulations safe-guarding the
26 riparian zones and felt confident that the developer will work with the neighbors.
27 Councilor Edmonds stated he'd already heard of discussions the developer had with one
28 of the neighbors regarding the bike paths.

29
30 **MOTION:** Councilor Edmonds moved, Councilor Koeppe second, the City Council

31 1) Adopt the Findings of Fact as presented in this staff report and upon the evidence
32 and discussions presented at the public hearing and that the City Manager be directed to
33 place this annexation request as presented in File No. PC16-05 on the November 2016
34 ballot; and If the annexation is approved by the Philomath voters, the City will conduct the
35 proper hearings to rezone the subject property from County Rural Residential to Low
36 Density Residential (R-1), and

37 2) If this proposed annexation is approved by the voters of Philomath, the City shall
38 require that a complete, updated traffic impact analysis (TIA) be prepared by a qualified
39 transportation engineer and submitted prior to adoption of the proposed zoning and
40 comprehensive plan changes. Before the TIA is prepared, Benton County, the Corvallis
41 Transit System and the Oregon Department of Transportation shall be invited to participate
42 in the scoping of the TIA, in order to assure that all local transportation systems (including
43 state highways, county roads, key intersections, traffic signals and local buses services) are
44 addressed by the report.

45 Councilor Niemann declared his abstention from voting due to his previously disclosed
46 conflict of interest.

47 Motion APPROVED 5-0 (Yes: Edmonds, Koeppe, Koetz, Manning, and Sloan; No:
48 None; Abstained: Niemann)

1 **8.2 Social Service Agency Allocations for FY 2016-2017** – Ms. Swanson
2 described the Council policy of allocating 30% of the City’s state revenue sharing to
3 provide assistance to local non-profit social service agencies. She reviewed the process
4 of hearing presentations from the agencies by the Finance/Administration Committee.
5 Councilor Koeppel stated this is a difficult decision every year.
6

7 Councilor Niemann stated he would not be voting due to conflict of interest as he is on
8 the PYAC Board. There was discussion about how the list of agencies is developed,
9 based on the services they provide to Philomath citizens. Ms. Swanson encouraged any
10 Councilor who knows of a group not represented on the list to forward their information
11 to her.
12

13 **MOTION:** Councilor Koeppel moved, Councilor Manning second, the City Council
14 approve Social Service contributions for fiscal year 2016-2017 to the following agencies:
15 PYAC \$6,000; Philomath Community Services \$5,000; Senior Meals \$1,000;
16 Strengthening Rural Families \$1,000; ABC House \$2,500; and further moved the City
17 Council approve contributions from the Water and Sewer funds for fiscal year 2016-17 to
18 the following agencies: FISH Emergency Services \$3,000 and We Care \$3,000. Motion
19 APPROVED 5-0 (Yes: Edmonds, Koeppel, Koetz, Manning, and Sloan. No: None;
20 Abstained: Niemann.)
21

22 **9. RESOLUTIONS/ORDINANCES**

23 **9.1 Resolution 16-10 Referring PC16-04 Skirvin Farms LLC Annexation to**
24 **Philomath Electorate** – Mr. Workman stated this is follow-up from the last meeting
25 where the Council voted to put the Skirvin Annexation on the ballot. Mayor Sloan stated
26 this annexation would be positive for the town and the future of the Frolic & Rodeo.
27

28 **MOTION:** Councilor Koeppel moved, Councilor Edmonds second, to approve Resolution
29 16-10. Motion APPROVED 6-0 (Yes: Edmonds, Koeppel, Koetz, Manning, Niemann and
30 Sloan. No: None.)
31

32 **9.2 Amendment of Resolution 16-09 Ballot Title for Marijuana Tax, Exhibit 3** –
33 Mr. Miller explained the need to add the dollar figure for anticipated revenues and the
34 deletion of a sentence that was irrelevant. He reviewed Council’s options to request a
35 new Resolution or correct the Explanatory Statement by motion.
36

37 **MOTION:** Councilor Edmonds moved, Councilor Niemann second, the City Council
38 direct the City Attorney and City Recorder to revise Exhibit 3 of Resolution 16-09 to
39 delete the last sentence in Paragraph 1: However, the tax bill become operative only if
40 the ballot measure prohibiting the establishment of certain marijuana registrants and
41 licensees fails with the corrections as noted in the discussion. Motion APPROVED 6-0
42 (Yes: Edmonds, Koeppel, Koetz, Manning, Niemann and Sloan. No: None.)
43

44 **10. INFORMATION & CORRESPONDENCE**

45 **10.1 Philomath Connection ridership for June 2016** – No comment.
46

47 **11. ADJOURNMENT**

48 **11.1 Adjournment** – Seeing no further business, Mayor Sloan adjourned the meeting
49 at 7:44 p.m.
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51
52

1 SIGNED:
2 Rocky Sloan, Mayor

ATTEST:
Ruth Post, MMC, City Recorder