

**PHILOMATH CITY COUNCIL**  
**MINUTES**  
**October 12, 2015**

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6 **1. CALL TO ORDER**

7 The City Council of the City of Philomath was called to order on Monday, October 12,  
8 2015, 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 Angie Baca  
14 Councilor Doug Edmonds  
15 Councilor Charla Koeppel  
16 Councilor Sean Manning  
17 Councilor Jason Leonard  
18

Excused:

Councilor Eric Niemann

19 Staff Present:

20 City Manager Chris Workman  
21 City Attorney Jim Brewer  
22 Police Chief Ken Rueben  
23 Finance Director Joan Swanson  
24 Public Works Director Kevin Fear  
25 City Recorder Ruth Post  
26

27 **3. CONSENT AGENDA**

28 **3.1 City Council Minutes** – September 14, 2015 – Mr. Workman stated that Page  
29 44, Line 15, should be corrected to read approved 5-0 with Councilor Eric  
30 Niemann recusing himself because his wife wrote the letter of recommendation.  
31

32 **MOTION:** Councilor Baca moved, Councilor Manning second, to approve the  
33 consent agenda and the council agenda for October 12, 2015, as amended.  
34 Motion APPROVED 6-0 (Yes: Baca, Koeppel, Manning, Edmonds, Leonard and  
35 Sloan; No: None.)  
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37 **4. ITEMS REMOVED FROM CONSENT AGENDA**

38 **4.1** None.  
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40 **5. VISITORS/PETITIONS**

41 **5.1 Richard Matson, Philomath, OR** – Mr. Matson stated his opposition to any new  
42 jail being located in Philomath and stated the City Council needs to block it if the  
43 County voters approve it. He stated a new jail is not in the best interest of  
44 Philomath. He stated it should be built on a vacant lot next to the Courthouse.  
45

46 **5.2 Doug Lilja, Philomath, OR** – Mr. Lilja distributed copies of an amendment to the  
47 zoning code that would restrict construction of a jail within 3500 feet of a school  
48 (Supplemental Agenda Item #5.2). He requested that the Council consider the  
49 amendment. He stated that he had previously asked the Council to consider an  
50 amendment prohibiting a jail within 2000 feet of a school but later learned that

1 the closest school was roughly 2500 feet away, so he was changing his request  
2 to 3500 feet.

3  
4 **5.3** Scott Ramsey, Philomath, OR – Mr. Ramsey stated the jail is an issue that  
5 should be put to the voters. He stated it does not make sense logistically to  
6 locate it in Philomath. He stated he fully supports building a new jail. He stated  
7 that the State Police stationed at OSU have stated they will not use the new jail.  
8 He stated polls show that 3 out of 4 residents do not want it. Mayor Sloan stated  
9 that defendants will not be transported to and from the Courthouse for hearings  
10 but will use more video conferencing instead. Councilor Manning stated that  
11 everyone in the County gets to vote in November. She questioned what Mr.  
12 Ramsey wants the Philomath voters to vote on. Mr. Ramsey stated he fails to  
13 see what Philomath gains by having the jail. He wants Philomath citizens to get  
14 to vote on whether the jail is located in Philomath.

15  
16 Mr. Lilja restated that his concern is with the jail being too close to schools. Mr.  
17 Ramsey described putting it to a vote in Philomath before the County could break  
18 ground.

19  
20 Councilor Edmonds requested clarification that Mr. Lilja was requesting a change  
21 to the Municipal Code and Mr. Ramsey is requesting a vote on the proposed  
22 code change. Chief Rueben clarified that the Philomath City Council did not  
23 make any decision to locate the jail in Philomath.

24  
25 **5.4** May Dasch, Philomath, OR – Ms. Dasch read a statement objecting to the  
26 explanatory statement written by the Benton County Commissioners regarding  
27 placement of the proposed jail in which it states the location is between Corvallis  
28 and Philomath (Supplemental Agenda Item #5.4). She stated errors with  
29 misleading statements lead her to question other statements made by the Sheriff  
30 and Commissioners. She requested that Ballot Measure 2-91 be withdrawn from  
31 the November 3rd election.

32  
33 **5.5** Jeff Lamb, Philomath, OR – Mr. Lamb complained about the way the Lakeside  
34 Industrial Park was annexed 15 years ago and now the city is being stuck with a  
35 jail because there was no development proposal at the time it was annexed. He  
36 also complained about the annexation that is on the ballot. He stated this  
37 situation is a direct result of allowing the Lakeside property to be annexed.

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39 **6. PUBLIC HEARING**

40 **6.1 Proposed Street Vacation: Applicant – Steven Kearsley; Location –**  
41 **Sunshine Avenue adjacent to Westbrook Phase IV Subdivision Lots #55**  
42 **and #56** – Mayor Sloan opened the public hearing at 7:38 p.m. Mr. Workman  
43 explained the issue with a large right-of-way that was originally platted at  
44 Sunshine and Topaz Streets with a future expectation of it accommodating truck  
45 traffic as a by-pass. He explained the issues that the right-of-way causes for the  
46 landowner trying to sell the adjacent lot.

47  
48 Steven Kearsley, Philomath, OR – Mr. Kearsley stated this right-of-way has  
49 stopped at least two sales of the lot due to the required setbacks from the arcing  
50 property line. He stated the property is in escrow and should the vacate be  
51 approved, it should sell. Mayor Sloan closed the public hearing at 7:45 p.m.

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2 **7. STAFF REPORTS**

3 **7.1 City Manager** – Mr. Workman stated the Park Advisory Board will be conducting  
4 a door-to-door survey this Saturday in the area of the proposed North 11th Street  
5 park to hopefully generate more community involvement. He stated they will also  
6 hold a workshop on Saturday, November 14, regarding natural playscape park  
7 features and to develop park design proposals. He reported on his attendance at  
8 the League of Oregon Cities conference in September along with Mayor Sloan  
9 and Councilor Niemann.

10  
11 **7.2 Public Works Director** – Mr. Fear reported that a job posting was issued today  
12 for a new utility worker.

13  
14 **7.3 City Recorder** – Ms. Post reported that the first quarter of the new fiscal year  
15 saw an uptick in building permit activity; and since July 1, system development  
16 charges for 5 new houses have been collected.

17  
18 **7.4 Finance Director** – Ms. Swanson reported that Julie Nunez has begun work as  
19 the Utility Billing Clerk, replacing Sarah Gibbons who has graduated from OSU  
20 and accepted a position with an accounting firm in Seattle. Ms. Swanson also  
21 reported that the annual audit was conducted last month and there were no  
22 issues. She stated the auditors will attend a City Council meeting before the end  
23 of the year to report on their findings.

24  
25 **7.5 Police Chief** – Chief Rueben reported that Officer Ted Vaughn is halfway  
26 through the police academy and is doing very well. He also reported on the  
27 status of the major bicycle theft cases they have been working on and have  
28 donated unclaimed bikes to the local Lions Club for sale.

29  
30 **7.6 City Attorney** – Mr. Brewer reported on his attendance at the annual Oregon  
31 City Attorneys' Association. He stated that if the Council wants to consider a ban  
32 on recreational marijuana retail outlets, it should probably be considered fairly  
33 soon.

34  
35 **8. COUNCIL REPORTS**

36 **8.1 Mayor Sloan** – Mayor Sloan reported on his attendance at the LOC annual  
37 conference.

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39 **9. NEW BUSINESS**

40 **9.1 Public Works vehicle purchase** – Mr. Fear described the vehicle program at  
41 Public Works. He stated that the vehicle to be replaced is 13 years old, and he is  
42 proposing replacement with a gasoline utility van. He explained how the van  
43 would be used when the City acquires a sewer camera. Mayor Sloan described  
44 his recent experience in outfitting a new van for his employer and supported the  
45 reasonableness of this quote. Mr. Workman described the care that Public Works  
46 takes of their vehicles to make them last up to 13 years.

47  
48 **MOTION:** Councilor Edmonds moved, Councilor Baca second, that the City  
49 purchase the new vehicle and interior package from the state bid for \$38,799.00.  
50 Motion APPROVED 6-0 (Yes: Baca, Edmonds, Koepp, Leonard, Manning and  
51 Sloan; No: None).

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2 **10. ORDINANCES & RESOLUTIONS**

3 **10.1 Ordinance #803 vacating a portion of Sunshine Avenue in the Westbrook**  
4 **Phase IV Subdivision adjacent to Lots #55 and #56 – First Reading – Mr.**  
5 Brewer read the proposed ordinance twice by title.

6  
7 **ROLL CALL:** Yes: Leonard, Manning, Baca, Edmonds, Koeppe and Sloan; No:  
8 None. Ordinance #803 approved 6-0, effective November 11, 2015.

9  
10 **10.2 Resolution 15-12 authorizing application for an Infrastructure Finance**  
11 **Authority grant for update of the water and wastewater master plans – Mr.**  
12 Workman summarized the opportunity the grant provides to update both the  
13 water and wastewater master plans.

14  
15 **MOTION:** Councilor Baca moved, Councilor Edmonds second, to adopt  
16 Resolution 15-12, a resolution authorizing application for grant: In the matter of  
17 authorizing the city to apply for a grant from the Infrastructure Finance Authority  
18 for an update of the Water Master Plan and the Wastewater Master Plan and  
19 delegating authority to the City Manager to sign the application. Motion  
20 APPROVED 6-0 (Yes: Baca, Koeppe, Manning, Edmonds, Leonard and Sloan;  
21 No: None.)  
22

23 **11. INFORMATION & CORRESPONDENCE**

24 **11.1 Website report for September 2015 – No comment.**

25 **11.2 Philomath Connection ridership for September 2015 – No comment.**

26 **11.3 Thank you from ABC House – No comment.**  
27

28 **12. EXECUTIVE SESSION**

29 **12.1 Per ORS 192.660(2)(h) Litigation likely to be filed – Mayor Sloan moved the**  
30 Council into executive session at 8:12 p.m. and read the rules for conduct.  
31 Attendees: City Council: Sloan, Baca, Edmonds, Koeppe, Leonard, and Manning.  
32 Staff: Workman, Brewer, Rueben, Swanson and Post.  
33 Media: Brad Fuqua, Philomath Express.  
34

35 At 8:35 p.m., Mayor Sloan moved the City Council back into public session.

36  
37 Councilor Edmonds reported on a recent Chamber of Commerce meeting  
38 discussion regarding programs previously conducted by the Downtown  
39 Association.  
40

41 Councilor Leonard reported he participated in the Lily's Lope for Hope 5K on  
42 Saturday and it was well attended with good sponsors.  
43

44 **13. ADJOURNMENT**

45 **13.1 Adjournment –** Seeing no further business, Mayor Sloan adjourned the meeting  
46 at 8:37 p.m.  
47

48 SIGNED:  
49 Rocky Sloan, Mayor

ATTEST:  
Ruth Post, MMC, City Recorder