

**PHILOMATH CITY COUNCIL
MINUTES
December 14, 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, December 14,
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 Doug Edmonds
14 Councilor Charla Koepppe
15 Councilor Eric Niemann
16 Councilor Jason Leonard

Excused:

Councilor Sean Manning
Councilor Angie Baca

17
18 Staff Present:

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

26 **3. CONSENT AGENDA**

- 27 **3.1 City Council Minutes – November 9, 2015**
28 **3.2 Public Works Committee Minutes – November 5, 2015**
29 **3.3 Police Committee Minutes – November 10, 2015**
30 **3.4 Park Advisory Board Minutes – December 1, 2015**
31

32 Mayor Sloan noted the addition of Agenda Item #8.6 CDBG loan forgiveness.
33

34 **MOTION:** Councilor Koepppe moved, Councilor Edmonds second, to approve the
35 consent agenda and the council agenda for December 14, 2015, as amended.
36 Motion APPROVED 5-0 (Yes: Koepppe, Edmonds, Leonard, Niemann and Sloan;
37 No: None.)
38

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

- 40 **4.1** None.
41

42 **5. VISITORS/PETITIONS**

- 43 **5.1 Elaine Hall, Philomath, OR** – Ms. Hall addressed her concerns about the water
44 issue on Starlight Village when the electricity goes out. She requested a long-
45 term plan from the City for a solution to the issue. Mayor Sloan stated that a
46 water reservoir on the west end of town would overcome the issue. There was
47 brief discussion about how much growth is needed before the additional water
48 tower is required. Mr. Workman explained that the Water Master Plan is just
49 beginning to be updated and noted that the west side water reservoir is one of
50 the projects that will get prioritized within the plan. Ms. Hall stated that having a
51 plan would help give that neighborhood more confidence.

- 1
2 **5.2** Sandi Hering, Philomath, OR – Ms. Hering stated her support of OSU Extension
3 and, more specifically, the 4-H program.
4
5 **5.3** Aurora Jensen, Philomath, OR – Ms. Jensen stated she is a 4-H member and
6 stated her support for the program.
7
8 **5.4** Tammy Skubinna, Corvallis, OR – Ms. Skubinna stated she was the 4-H agent
9 for Benton County for 26 years and stated her support for the service district.
10
11 **5.5** Judy Hays-Eberts, Philomath, OR – Ms. Hays-Eberts addressed the recent
12 request from a citizen to make amendments to the poultry ordinance. She
13 requested any changes take into consideration several factors including how
14 many complaints have been received and what the opinion is of the general
15 Philomath public. She suggested an arbitrator or ombudsman to resolve disputes
16 between neighbors. She requested that the Council not jump to conclusions.
17

18 **6. STAFF REPORTS**

- 19 **6.1 City Manager** – Mr. Workman reported the Park Advisory Board has been
20 meeting and expects to have an updated Park Master Plan ready to forward to
21 the Public Works Committee within the next couple of months.
22
23 **6.2 Public Works Director** – Mr. Fear reported on the recent rain events and stated
24 that so far the Marys River has stayed within its banks. He stated they continue
25 to sweep frequently and try to keep leaves off of the catch basins. There have
26 only been two calls so far regarding flooded catch basins.
27
28 He stated that interviews began today for the Utility Maintenance Worker position
29 and they will be conducting a total of eight interviews. He also reported that they
30 are preparing for the water system survey by the state that is conducted every
31 three years. They expect another positive report.
32
33 **6.3 City Recorder** – Ms. Post reported that the City's recent Facebook post about
34 sand bags reached over 1,800 people and had 37 page shares within 7 hours of
35 posting.
36
37 **6.4 Finance Director** – Ms. Swanson reported that the annual outside audit has
38 been completed and is posted on the City's website. She stated that the auditor
39 will be at the January City Council meeting to review the audit. She reported on
40 property tax revenues received in November and stated the collections came in
41 below the budgeted amount. She discussed potential reasons for this.
42
43 **6.5 Police Chief** – Chief Rueben reported that a business watch program has been
44 kicked off to compile a database of business contact information. This will enable
45 the department to send and receive information from businesses regarding
46 crime, scams and other timely information. He stated that reserve officer Marcia
47 Gilson has developed the form and will be distributing them to local businesses.
48 She also attended the Crime Prevention Academy recently.

49
50 Chief Rueben reported that the department's accreditation renewal is due this
51 March and described the process of writing reports that support adherence to

1 their policies. A report must be written for each policy. He also reported that Ted
2 Vaughn graduated from the Police Academy last week. He stated that Officer
3 Kevin Frahm, who has been with the department for less than a year, has been
4 recommended to be a field training officer and will be attending the training for
5 that.

6
7 Councilor Edmonds thanked Chief Rueben and his department for the integrity
8 they bring to the community and the profession.
9

10 **6.6 City Attorney** – Mr. Brewer introduced Deputy City Attorney Dan Miller who
11 represents Philomath at the Municipal Court and at Planning Commission
12 meetings. Chief Rueben stated that Dan is doing an outstanding job.
13

14 **7. COUNCIL REPORTS**

15 7.1 None.
16

17 **8. NEW BUSINESS**

18 **8.1 Benton View Drive Local Improvement District report** – Mr. Workman
19 summarized the LID reports in the packet and stated that he is requesting
20 approval of the reports. In addition to the approval, the Council can give staff
21 direction to present a resolution at the next meeting that the LID is moving
22 forward. He described the additional timeline if either project is moved forward.
23 Ms. Swanson stated her concern about estimating amounts that property owners
24 would pay without more refined construction cost estimates.
25

26 Councilor Edmonds stated it is important for the City to have concerns about the
27 cost to homeowners and the need to mitigate costs where possible. Mr.
28 Workman stated the sewer is an expensive project partly due to terrain and
29 layout of the properties. He explained that the City could require the five homes
30 that are currently not in conformance with the City code to hook up to the sewer
31 system but it would be more expensive for those property owners. This would
32 then create a domino effect requiring more homeowners to connect. He
33 emphasized it would be more efficient and cost-effective to complete the entire
34 project at one time. He described different repayment options that the Council
35 could make available to property owners.
36

37 **MOTION:** Councilor Edmonds moved, Councilor Koeppe second, to accept the
38 Benton View Drive Sewer LID Survey and Report as written and direct staff to
39 move forward with the Sewer LID with emphasis on mitigation of costs. Motion
40 APPROVED 5-0 (Yes: Edmonds, Koeppe, Leonard, Niemann and Sloan; No:
41 None).
42

43 Councilor Edmonds recommended using the assessment method of dividing the
44 project cost by the number of connections. Mr. Brewer explained the
45 establishment of a reimbursement district where any subsequent connections
46 would reimburse the district for a share of project costs. There was clarification
47 that the Council wanted to see a range of contributions to the project by the City.
48 Ms. Swanson pointed out that if the Council wants the City to pay a higher share,
49 the current lack of funds would push the project out into the future by several
50 years.
51

1 **MOTION:** Councilor Edmonds moved, Councilor Niemann second, to accept the
2 Benton View Drive Street LID Survey and Report as written and direct staff to
3 keep it on file. Motion APPROVED 5-0 (Yes: Edmonds, Koepp, Leonard,
4 Niemann and Sloan; No: None).
5

6 **8.2 2015-2016 Council Goals update** – Mr. Workman reviewed each of the goals.
7 He described the status of the Park Master Plan update and plans for a new park
8 on North 11th Street. He stated that the Wastewater Master Plan update will
9 hone in on the remaining 1952 concrete sewer lines to be replaced. He stated
10 that the groundwork is in place for negotiating a new Rock Creek Intertie
11 Agreement with Corvallis.
12

13 Mr. Workman stated that language is being developed for an ordinance related to
14 recreational marijuana use, sales and manufacturing. He described efforts to
15 market to grocery store chains to attract a store but emphasized the difficulty of
16 being successful with a large chain store just two miles to the east. There was
17 discussion about the possible filling of the store space by another non-grocery
18 business.
19

20 Mr. Workman recommended revamping the no-interest façade improvement loan
21 program. He noted the presentation earlier in the evening to the joint City Council
22 and Planning Commission regarding the Transportation System Plan update. He
23 stated it is unlikely to be completed by December 31, 2016, but should be well
24 underway. On the strategic plan goal, he recommended completion of a plan
25 addressing multiple facets of the community, rather than focusing solely on
26 economic development. Mr. Workman provided examples of outreach to OSU for
27 various projects.
28

29 There was additional discussion about nuisance properties.
30

31 **8.3 Philomath Public Art Council structural art proposal** – Ms. Post explained
32 that the Art Council would like Council approval of the approximate location for a
33 new structural piece of art to be placed at Dale Collins Readerboard Park. She
34 noted that the location shown in the agenda packet is approximate, and there
35 may be some repositioning when the piece is complete to get the best possible
36 viewing by oncoming highway traffic.
37

38 **MOTION:** Councilor Koepp moved, Councilor Niemann second, that the City
39 Council approve location of the “Traveling the Applegate Trail” artwork at Dale
40 Collins Readerboard Park. Motion APPROVED 5-0 (Yes: Edmonds, Koepp,
41 Leonard, Niemann and Sloan; No: None).
42

43 **8.4 Public Works printer purchase request** – Mr. Fear described the need for a
44 new large format printer to replace the 15-year-old printer. Councilor Niemann
45 questioned if the quote included maintenance. Mr. Fear stated that the service
46 contracts are so expensive that it didn’t seem to be worth it.
47

48 **MOTION:** Councilor Koepp moved, Councilor Edmonds second, that the City
49 purchase the new printer and optional software package from Central Print and
50 Reprographics for \$6,884.45. Motion APPROVED 5-0 (Yes: Edmonds, Koepp,
51 Leonard, Niemann and Sloan; No: None).

1
2 **8.5 Jail zoning** – Mr. Workman explained the receipt of the initiative petition related
3 to jail zoning and his contact with the chief petitioners suggesting taking the
4 request to the Planning Commission. The chief petitioners have since withdrawn
5 the proposed petition and are willing to work with the City on a solution.
6

7 **MOTION:** Councilor Edmonds moved, Councilor Niemann second, to direct the
8 Philomath Planning Commission to place the Jail Zoning issue on its next
9 agenda and to work with Philomath citizens to find acceptable language to
10 address their concerns. Motion APPROVED 5-0 (Yes: Edmonds, Koepp, Leonard,
11 Niemann and Sloan; No: None).
12

13 **8.6 CDBG loan forgiveness** – Ms. Swanson explained the outstanding CDBG loans
14 for 203 S 19th Street.
15

16 Barb Hartz, Principal Broker, Landmark Realty, Philomath, OR – Ms. Hartz
17 explained the outstanding loans associated with the home total more than the
18 approved buyer loan amount. She requested the Council waive the \$6,068 due
19 from the seller's estate that exceeds the buyer's loan. She stated that if this
20 buyer's purchase falls through, the property will likely fall into foreclosure and the
21 City could well lose its entire loan proceeds of \$26,261. Ms. Swanson explained
22 how the two loans originated and how the total of all outstanding obligations on
23 the house exceeds the purchaser's approved loan amount.
24

25 **MOTION:** Councilor Niemann moved, Councilor Leonard second, the City
26 Council approve forgiveness of \$6,068 of the total \$26,261 loans owed to the
27 City on the property located at 203 S. 19th Street, Philomath, OR. Motion
28 APPROVED 5-0 (Yes: Edmonds, Koepp, Leonard, Niemann and Sloan; No:
29 None).
30

31 **9. ORDINANCES & RESOLUTIONS**

32 **9.1 Ordinance #804 Annexing Hartz Property – first reading** – Mr. Brewer read
33 the proposed ordinance twice by title.
34

35 **ROLL CALL VOTE:** Approved 5-0 (Yes: Edmonds, Koepp, Leonard, Niemann
36 and Sloan. No: None. Excused: Manning and Baca.) Ordinance approved
37 unanimously at first reading.
38

39 **9.2 Resolution 15-13 OSU Extension Taxing District** – Mr. Workman stated that
40 the cities of Albany, Adair Village and Monroe approved the original resolution,
41 and the city of Corvallis approved the revised resolution. He stated that the
42 distinction between the two resolutions is that the revised resolution states that
43 the Council approves taking the district to the voters, but it does not endorse the
44 district. Councilor Koepp requested clarification that opting out of participation
45 would only affect people living within the Philomath city limits and not those in the
46 county with a Philomath address. Mr. Workman confirmed that this was correct.
47

48 **MOTION:** Councilor Niemann moved, Councilor Koepp second, to adopt
49 revised Resolution 15-13, a Resolution Approving Benton County Order to
50 Initiate Formation of Benton County Extension and 4-H Service District. Motion

1 APPROVED 5-0 (Yes: Edmonds, Koeppe, Leonard, Niemann and Sloan; No:
2 None).
3

4 **10. INFORMATION & CORRESPONDENCE**

5 **10.1 Website report for November 2015** – No comment.

6 **10.2 Philomath Connection ridership for November 2015** – No comment.

7 **10.3 November 3, 2015 election results (official)** – No comment.

8 **10.4 Preliminary 2015 population estimate from Portland State University** – No
9 comment.

10
11 **11. EXECUTIVE SESSION**

12 **11.1 Per ORS 192.660(2)(i) Performance Evaluations of Public Officers and**
13 **Employees** – Mayor Sloan announced the purpose of the Executive Session to
14 discuss the City Manager’s evaluation. He excused the public at 9:14 p.m. and
15 announced the rules for attendance and disclosure.

16
17 Attendees: Mayor Sloan, City Councilors Leonard, Edmonds, Koeppe, and
18 Niemann, City Manager Workman, City Attorney Brewer, Finance Director
19 Swanson, Police Chief Rueben, and City Recorder Post.

20
21 At 9:25 p.m., Mayor Sloan reconvened the Council into general session and
22 invited the public to return.
23

24 **11.2 City Manager’s Salary** – Ms. Swanson reviewed the management salary
25 schedule that has five steps for each position. She noted that Mr. Workman was
26 hired at Step 1 and in July 2015 he was moved to Step 2. She explained that she
27 needs direction from the Council as to what Mr. Workman’s salary should be
28 effective July 1, 2016. Council consensus was to move him to Step 3.
29

30 **12. ADJOURNMENT**

31 **12.1 Adjournment** – Seeing no further business, Mayor Sloan adjourned the meeting
32 at 9:28 p.m.
33

34 SIGNED:
35 Rocky Sloan, Mayor

ATTEST:
Ruth Post, MMC, City Recorder