

**PHILOMATH CITY COUNCIL**  
**MINUTES**  
**February 8, 2016**

1  
2  
3  
4  
5  
6 **1. CALL TO ORDER**

7 The City Council of the City of Philomath was called to order on Monday, February 8,  
8 2016, 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 Koepp  
16 Councilor Sean Manning  
17 Councilor Eric Niemann  
18

Excused:

Councilor Jason Leonard

19 Staff Present:

20 City Manager Chris Workman (7:05 p.m.)  
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** – January 11, 2016 – Councilor Edmonds corrected Page  
29 2, Line 49 to read “competition at the high school will be March 24-28.”  
30 **3.2 Public Works Committee Minutes** – January 7, 2016 – Councilor Koepp  
31 corrected Page 2, Paragraph 3 to correct spelling of Mike “Sprouse.”  
32 **3.3 Public Works Committee Minutes** – January 12, 2016  
33 **3.4 Park Advisory Board Minutes** – January 5, 2016  
34

35 **MOTION:** Councilor Edmonds moved, Councilor Manning second, to approve the  
36 consent agenda as amended and the council agenda for February 8, 2016, as  
37 presented. Motion APPROVED 6-0 (Yes: Baca, Edmonds, Koepp, Manning,  
38 Niemann and Sloan; No: None.)  
39

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

- 41 **4.1** None.  
42

43 **5. VISITORS/PETITIONS**

- 44 **5.1 Mike and Tami Kibble, Philomath, OR** – Mr. and Mrs. Kibble appeared before the  
45 Council in response to a code violation letter they received from the City Planner  
46 regarding a recreational vehicle type dwelling on the vacant lot they own next to  
47 their house. They explained that they’d already had a family live on the adjacent  
48 empty lot for a year before in an RV with no complaints and didn’t understand  
49 why this tiny house was now an issue.  
50

51 *(Mr. Workman arrived at 7:05 p.m.)*

1  
2 The Kibble's explained their desire to help a military person pursuing their college  
3 education. They stated that City Manager Chris Workman had visited the site and  
4 indicated there wouldn't be a problem and shortly thereafter they received a letter  
5 from City Planner Jim Minard to remove the dwelling. Mr. Kibble distributed a  
6 packet of signatures from neighbors who do not object to the temporary unit  
7 and letters of support from neighbors.  
8

9 Mr. Workman summarized the recent receipt of complaints regarding two mini  
10 homes within the city. He stated he did visit the site and, after review with the  
11 Planner, determined that it is in violation of the new code regarding use of a  
12 recreational vehicle as a residence. He described available options at local  
13 mobile home parks that are acceptable locations. He noted that 45 days' notice  
14 was provided in the letter to provide time for relocation.  
15

16 Councilor Edmonds stated the Kibbles had done an excellent job of presenting  
17 their case. Councilor Manning stated she had visited the site and didn't feel it  
18 represented the reason the ordinance was passed. She supported some type of  
19 exception.  
20

21 Mr. Kibble requested at the least to allow the tenants to stay until the end of the  
22 college school year. He stated he understood the reasons for the City's code on  
23 this issue.  
24

25 Councilor Baca stated the tiny house market is exploding and had concerns  
26 about the 1,000 square foot minimum in the City's code, particularly if the home  
27 is constructed with typical stick-built housing materials.  
28

29 Councilor Niemann requested the City Attorney consider options that would  
30 make it possible to reach a compromise. Councilor Edmonds questioned what  
31 the Kibbles' long-term plan is for the property. Ms. Kibble stated she would like to  
32 eventually construct a home for her mother.  
33

34 Mayor Sloan stated he thought an extension could happen. He noted that there  
35 are reasons for zoning for mobile home parks and typical residences and  
36 residents have an expectation that their neighborhood will be made up of houses  
37 that do not detract from the value of their own. He questioned if the Kibbles ever  
38 considered checking with the City about permits before they proceeded. Ms.  
39 Kibble stated that nobody ever questioned the earlier RV that was on that site so  
40 it never occurred to her that it could be a violation.  
41

42 Mr. Workman stated he was hearing the Council wants to direct staff to give them  
43 an extension and work with the City Attorney and Planner to develop a  
44 resolution.  
45

46 **5.2** Brittni and Kyle M'Gann, Philomath, OR – Mr. and Mrs. M'Gann described how  
47 they'd introduced themselves to their neighborhood and described how much  
48 they loved this town. She stated the tiny house is not a permanent situation for  
49 them but it allows them to get their feet under them while he attends Oregon  
50 State University on the GI Bill. They described how they had the house  
51 constructed. Ms. M'Gann stated they'd contacted mobile home parks prior to

1 locating on the Kibbles' lot and didn't get a positive reception. She stated that the  
2 neighborhood they're in feels safer than most mobile homes parks.  
3

4 **5.3** Mike Sprouse, Philomath, OR – Mr. Sprouse stated he would prefer that the tree  
5 at Westbrook Park not be cut down but understands that a decision has been  
6 made on that. He requested the Council consider allowing him to crowd fund to  
7 raise money to have a sculpture made out of the tree stump. He stated he thinks  
8 of this as a legacy project for himself. He stated that the chainsaw artist would  
9 cost \$1,500 to \$2,000 and he would then maintain it himself. He stated if  
10 sufficient funds aren't raised then possibly the funds could be used elsewhere in  
11 the park.  
12

13 Mayor Sloan suggested that Mr. Sprouse present the project to the Park Advisory  
14 Board at their March 1 meeting. Councilor Niemann questioned if there would be  
15 any problem with the roots remaining after the majority of the tree is cut down.  
16 Mr. Fear stated he didn't think the roots would be a problem after the main tree  
17 body was cut down.  
18

19 **6. STAFF REPORTS**

20 **6.1 City Manager** – Mr. Workman reported he attended a State Parks Grant  
21 workshop with Park Advisory Board member Sonlla Heern last week. He stated  
22 that Ms. Heern is going to take the lead on writing the grant and the consultant  
23 has completed the design revisions based on feedback from the Park Board.  
24

25 **6.2 Public Works Director** – Mr. Fear reported that Spring Cleanup will be April 18  
26 through 23 this year with the same hours.  
27

28 **6.3 City Recorder** – No report.  
29

30 **6.4 Finance Director** – Ms. Swanson stated that the first budget meeting will be  
31 April 21.  
32

33 **6.5 Police Chief** – Chief Rueben reported that accreditation is ongoing with the on-  
34 site visit the first week in April. He reviewed the agenda items that were covered  
35 at the Police Committee meeting last week.  
36

37 **6.6 City Attorney** – No report.  
38

39 **7. COUNCIL REPORTS**

40 **7.1 Councilor Niemann** – Councilor Niemann expressed sympathy to the City of  
41 Seaside for the loss of Sgt. Jason Goodding last week. He reported on changes  
42 to the Boy Scouts' paper drop box program that should improve the program. He  
43 reminded the Council that the Samaritan Awards are Wednesday night to honor  
44 community volunteers. He also reported that there are currently 217 boys and  
45 girls participating in the PYAC basketball program on 24 teams, all with volunteer  
46 coaches and local sponsors. Finally, he reported that the Philomath High School  
47 boys' basketball team is on top of the standings and plays this weekend. He  
48 encouraged everyone to support the community and thanked the volunteers that  
49 make them happen.  
50

1           **7.2 Mayor Sloan** – Mayor Sloan reported on his attendance at the Corvallis Area  
2 Metropolitan Planning Organization meeting last week and described the  
3 statistics on accidents on Highway 20 between Corvallis and Albany. Chief  
4 Rueben added that recent reports showed this stretch of highway was ranked  
5 third in the state for total accidents in 2015.  
6

7           **8. NEW BUSINESS**

8           **8.1 OLCC application from Eats & Treats LLC** – Mr. Workman described the liquor  
9 license change applied to allow use of their kitchen for a small brewery operation.  
10

11           Sandy McHenry, Philomath, OR – Mr. McHenry stated that Mr. Bierly produces a  
12 gluten-free beer which fits into their restaurant’s philosophy.  
13

14           John Paul Biery, Philomath, OR – Mr. Biery stated that he is moving his brewing  
15 from a hobby to a business operation and will be using the restaurant’s kitchen to  
16 brew his beer. This necessitates the OLCC liquor license change.  
17

18           Lynda McHenry, Philomath, OR – Ms. McHenry stated this won’t change their  
19 restaurant operations but it will allow them to provide Mr. Bierly’s beer on tap  
20 instead of bottled.  
21

22           Mr. Biery stated that there is only one other gluten-free brewing operation in  
23 Oregon located in Portland and he’s excited to have his brewery in Philomath. He  
24 described the difference in the brewing operation to make gluten-free beer.  
25

26           Chief Rueben stated there are no disqualifying concerns about the application.  
27 Mr. Biery described his excitement to join the Philomath community.  
28

29           **MOTION:** Councilor Niemann moved, Councilor Koeppe second, the City Council  
30 recommend approval of the change of license OLCC application for Eats and  
31 Treats LLC. Motion APPROVED 6-0 (Yes: Baca, Edmonds, Koeppe, Manning,  
32 Niemann and Sloan; No: None).  
33

34           **8.2 Consider adoption of Arboricultural Specifications Manual** – Councilor  
35 Edmonds stated this manual was reviewed by the Public Works Committee and  
36 feels it is well detailed.  
37

38           **MOTION:** Councilor Edmonds moved, Councilor Manning second, to adopt the  
39 Arboricultural Specifications Manual as written. Motion APPROVED 6-0 (Yes:  
40 Baca, Edmonds, Koeppe, Manning, Niemann and Sloan; No: None).  
41

42           **8.3 Consider adoption of updated Park Master Plan** – Councilor Edmonds  
43 thanked the Park Advisory Board for all of their work in providing the updated  
44 Park Master Plan. He stated that the Public Works Committee did a walk-through  
45 of the parks and made some minor changes to the priority list. Mr. Workman  
46 recognized Park Advisory Board Chair Dale Collins for all the work that the Board  
47 put into this update.  
48

49           **MOTION:** Councilor Edmonds moved, Councilor Niemann second, to adopt the  
50 updates to the Park Master Plan as written. Motion APPROVED 6-0 (Yes: Baca,  
51 Edmonds, Koeppe, Manning, Niemann and Sloan; No: None.).

1  
2 **8.4 Appointment of FY 2016-2017 Budget Officer** – Mayor Sloan noted this is an  
3 annual requirement.  
4

5 **MOTION:** Councilor Baca moved, Councilor Edmonds second, the City Council  
6 appoint Finance Director Joan Swanson as the 2016-2017 Budget Officer under  
7 the supervision of the City Manager. Motion APPROVED 6-0 (Yes: Baca,  
8 Edmonds, Koepe, Manning, Niemann and Sloan; No: None).  
9

10 **8.5 TSP Citizen Advisory Committee and Technical Advisory Committee**  
11 **appointments** – Mr. Workman reviewed the makeup of the two committees. He  
12 stated the first CAC meeting will be February 25 and the TAC has already been  
13 reviewing material on an ongoing basis.  
14

15 **MOTION:** Councilor Manning moved, Councilor Edmonds second, to approve the  
16 appointments to the Citizens Advisory Committee and Technical Advisory  
17 Committee as presented. Motion APPROVED 6-0 (Yes: Baca, Edmonds,  
18 Koepe, Manning, Niemann and Sloan; No: None).  
19

20 **9. INFORMATION & CORRESPONDENCE**

21 **9.1 Website report for January 2016** – No comment.

22 **9.2 Philomath Connection ridership for January 2016**– No comment.

23 **9.3 FY 2016-2017 budget calendar** – No comment.

24 **9.4 Philomath Fire & Rescue introduction of Chief Thomas Miller** – Councilor  
25 Baca stated she met all of the candidates and feels that Mr. Miller will fit  
26 Philomath the best.  
27

28 **10. ADJOURNMENT**

29 **10.1 Adjournment** – Seeing no further business, Mayor Sloan adjourned the meeting  
30 at 8:07 p.m.  
31

32 SIGNED:  
33 Rocky Sloan, Mayor

ATTEST:  
Ruth Post, MMC, City Recorder