

**PHILOMATH CITY COUNCIL
REGULAR MEETING MINUTES
September 14, 2020**

A. ROLL CALL

The City Council of the City of Philomath was called to order by Mayor Eric Niemann on Monday, September 14, 2020 at 7:03 p.m. Due to the Oregon Governor’s Executive Order 20-12 requiring social distancing due to the COVID-19 pandemic, the meeting was held via video conferencing technology with the public allowed to attend electronically and with limited capacity available in the Philomath City Hall Council Chambers, 980 Applegate Street, Philomath, Oregon. Instructions with opportunities for the public to comment were provided on the meeting agenda, City’s website, and media notice.

Present:

Mayor Eric Niemann
Council President David Low
Councilor Ruth Causey
Councilor Doug Edmonds
Councilor Chas Jones
Councilor Matt Lehman

Absent:

Councilor Matthew Thomas

Staff Present:

City Manager Chris Workman
City Attorney Jim Brewer
Finance Director Joan Swanson
Police Chief Ken Rueben
Public Works Director Kevin Fear
City Recorder Ruth Post

Staff Absent:

B. CONSENT AGENDA

1. City Council minutes of August 10, 2020

2. Joint meeting of City Council and Planning Commission of August 10, 2020

MOTION: Councilor Low moved, Councilor Edmonds second, to approve the consent agenda and meeting agenda for the September 14, 2020 meeting as presented. Motion APPROVED 6-0 (Yes: Causey, Edmonds, Jones, Lehman, Low, and Niemann; No: None).

C. ITEMS REMOVED FROM CONSENT AGENDA

None.

D. VISITORS COMMENTS

1. Paula May, Lily’s Lope for Hope, Philomath, OR – Ms. May provided an overview of the virtual run that will be held this year to support the suicide prevention activities supported by Lily’s Lope for Hope. She described the importance of the suicide prevention work during this particularly difficult year. She described the need for more avenues to distribute funds. There was discussion about registering for the virtual run. Councilor Jones described the challenges of suicide prevention in the Indigenous community and opportunities that cultural awareness can provide.

2. Kate Porsche, Corvallis Benton County Economic Development Manager, Corvallis, OR — Ms. Porsche provided an update on activities of the economic development team, including outreach to the local business community. She described the use of technology to spread their reach in the business community. She also described the grant funds that they have managed, including extra outreach to minority owned businesses and the additional

1 grant funds available through Business Oregon. She described the roll-out in October of
2 Community Development Block Grant funds through micro-grants and the 75,000 masks
3 they have available to distribute. Ms. Porsche explained that they are coordinating with
4 Benton County for outreach to the farming community. There was discussion about the
5 Economic Development office interacting with the Emergency Operations Center during the
6 COVID-19 response.

7 3. Jean Goul, Philomath Community Services President, Philomath, OR – Ms. Goul
8 expressed gratitude to the community and county for the contributions to PCS during the
9 pandemic. She described the steps being taken to protect both volunteers and customers
10 during interactions. She also touched on the positive outreach they were able to conduct
11 during the Farmers’ Market this summer. Ms. Goul reviewed the activities of each of the
12 programs under the PCS umbrella. She noted they will be hiring a new Executive Director to
13 replace Mark McGuire who resigned. She provided an update on the installation of the
14 cooler that was donated by Heritage Natural Finishes from the Nectar Creek facility.

15 Ms. Goul reviewed the PCS and community response to contribute towards the wildfire
16 evacuees. She described outdoor shelter needs for the Gleaners during their distributions.
17 She thanked the Philomath Community Foundation for assistance in constructing their new
18 stairs.

19 4. Jessica Andrade, Philomath, OR — Ms. Andrade commented on Agenda Item #E.02,
20 Inclusivity Ad Hoc Committee membership rotation, and encouraged the committee
21 membership to remain unchanged at this time. She described the work that has been
22 completed so far and suggested the discussion be held to evaluate the different types of
23 committee formats the group could be structured around.

24 5. Ann Buell, Philomath, OR — Ms. Buell expressed concerns about Councilor Matthew
25 Thomas’ comments at the last City Council meeting. She stated concerns about the
26 gentrification of Philomath and the impact on the poor and Black residents. She described
27 issues with the City over maintenance of a ditch adjacent to her home on Willow Lane.

28 Ms. Buell stated concerns about the work being performed at Millpond Crossing throughout
29 COVID-19 and the wildfire smoke. She requested that the City prevent the continuation of
30 work during the smoky conditions. Ms. Buell stated concerns about construction noise and
31 the suffering of residents being subjected to the noise. She requested an ordinance to
32 address noise.

33 *Mayor Niemann called a break at 7:55 p.m. and reconvened at 8:02 p.m.*

34 **E. NEW BUSINESS**

35 **1. Planning Commission interviews and appointment** – Mayor Niemann reviewed the
36 process of selecting a new Commissioner.

37 Joey McGlinchy – Mr. McGlinchy described his interest in upcoming City projects. He
38 reviewed the actions of the Planning Commission and his research on governing
39 documents. He described his work for the Oregon Construction Contractors Board. He
40 noted he is also a candidate for City Council and has observed on-line Planning
41 Commission meetings.

42 Van Hunsaker — Mr. Hunsaker explained his interest in the Planning Commission as he is
43 not currently volunteering in any other capacity at this time. He reviewed his past experience
44 in the updating of the Comprehensive Plan and his understanding of Oregon land use
45 regulations. He described the benefits of the upcoming Downtown Streetscapes project. Mr.

1 Hunsaker addressed the role of the Planning Commission in following the laws and the
2 development currently under construction. He described the importance of natural growth
3 and SDC's to fund projects like the water treatment plant.

4 Mary Jensen, Philomath, OR – Not available.

5 Council first voted by raised hands for two out of the three candidates.

6
7 **VOTE:** Van Hunsaker: 6 votes (Causey, Edmonds, Jones, Lehman, Low and Niemann)
8 Mary Jensen: 0 votes
9 Joey McGlinchy: 6 votes (Causey, Edmonds, Jones, Lehman, Low and Niemann)

10
11 Council voted between Van Hunsaker and Joey McGlinchy.

12
13 **VOTE:** Van Hunsaker: 4 votes (Edmonds, Jones, Low and Niemann)
14 Joey McGlinchy: 2 votes (Causey and Lehman)

15
16 **MOTION:** Councilor Causey moved, Councilor Edmonds second, to appoint Van Hunsaker
17 to the Planning Commission and waive the two week waiting period. Motion APPROVED 6-
18 0 (Yes: Causey, Edmonds, Jones, Lehman, Low, and Niemann; No: None).

19
20 Councilor Jones suggested that the two week waiting period should be done away with.

21
22 **2. Inclusivity Ad Hoc Committee membership rotation** – Councilor Causey requested
23 that the Council approve a slate of speakers that have been arranged to provide
24 presentations in coming weeks, including providing publicity and outreach to the high
25 school: September 22 – Gwen Carr, Oregon Black Pioneers; October 8 – Kerry Tymchuk,
26 Oregon Historical Society; and October 20 – Robert Kentta, The Confederated Tribes of the
27 Siletz Indians.

28
29 Councilor Causey suggested that the existing committee members continue serving through
30 the end of the year and that it continue to meet on an every other month basis, with a
31 workshop format on the alternating months.

32
33 There was discussion about the notification method for the presentations to ensure that all
34 members of the City Council could view them without violating public meeting laws.

35
36 Ms. Swanson reminded the Council of the need to move money to fund any expenses for
37 speakers because there is no money budgeted. Mayor Niemann suggested that there are
38 potential donors available and only one of the speakers has requested an honorarium.

39
40 Councilor Edmonds clarified that the speakers would not be during an Inclusivity Ad Hoc
41 Committee meeting. Councilor Causey stated she would support the first speaker's
42 honorarium. There was discussion about different options for paying for the speaker's fee.

43
44 Councilor Edmonds supported the retention of the current committee membership through
45 the end of the year. There was further discussion about budgeting and receipt of grant
46 funds.

1 **MOTION:** Councilor Edmonds moved, Councilor Low seconded, that the funds for the
2 speaker come from either grant or contributed funds.

3
4 Councilor Jones stated that the financial support of a speaker reinforces the commitment
5 that the City made in passing the resolution. Councilor Lehman described a growing divide
6 in the community and recommended presenting education about inclusivity sooner than
7 later.

8
9 Motion FAILED 2-4 (Yes: Edmonds and Low; No: Causey, Jones, Lehman and Niemann.)

10
11 **MOTION:** Councilor Lehman moved, Councilor Causey seconded, to transfer \$150 from the
12 Contingency Fund to the City Council Fund to pay for the honorarium for the Oregon Black
13 Pioneers speaker and schedule the other two speakers for the dates previously stated.
14 Motion APPROVED 4-2 (Yes: Causey, Jones, Lehman and Niemann; No: Edmonds and
15 Low).

16
17 Ms. Swanson recommended proceeding with the speaker and the Council can consider the
18 resolution to transfer contingency funds at the October meeting.

19
20 *Mayor Niemann called a break at 8:59 p.m. and reconvened at 9:04 p.m.*

21
22 **3. USDA Rural Business Development Grant Acceptance** – Mr. Workman reviewed the
23 City’s fiscal agent status for this grant in conjunction with the other seven cities making up
24 the Mid-Valley Partners. He reviewed the benefits of the grant in maintaining the full staffing
25 of the Oregon RAIN program which provides resources for small businesses and
26 entrepreneurs. He noted that a resolution to accept and allocate the grant funds in the
27 budget will be presented at the October City Council meeting.

28
29 **MOTION:** Councilor Low moved, Councilor Jones second, to accept the 2020 USDA Rural
30 Business Development Grant in cooperation with Mid-Valley Partners, and authorize the city
31 manager to sign the grant documents. Motion APPROVED 6-0 (Yes: Causey, Edmonds,
32 Jones, Lehman, Low, and Niemann; No: None).

33
34 **4. Reimbursement District for Boulevard Apartments** – Mr. Workman explained the
35 primary need to set a public hearing for the Reimbursement District. There was discussion
36 about the potential date for a public hearing. It was agreed to schedule a special meeting of
37 the Council on October 5 specifically to hold the public hearing.

38
39 **MOTION:** Councilor Edmonds moved, Councilor Causey second, the City Council schedule
40 an informational hearing for The Boulevard Apartments Reimbursement District for October
41 5, 2020. Motion APPROVED 6-0 (Yes: Causey, Edmonds, Jones, Lehman, Low, and
42 Niemann; No: None).

43
44 **F. COUNCIL REPORTS**

45 **1. Mayor Niemann – If I Were Mayor Contest** – Mayor Niemann described the awards
46 ceremony for the 2020 contest during the recent Oregon Mayor’s Conference. He
47 encouraged the city to participate this year.

48
49 *Councilor Low exited the meeting at 9:14 p.m.*

1 There was discussion about sharing the winning entries from 2020 and staff proceeding with
2 outreach to the schools.

3
4 **2. Councilor Low – Small Business and Social Service Assistance Grants update –**
5 Councilor Low was unavailable on the Zoom call to make this report.

6
7 **3. Councilor Edmonds —** Councilor Edmonds clarified that he supported the speakers
8 associated with Agenda Item #E.02 and was strictly voting regarding the source of funding.

9
10 Mayor Niemann questioned the City’s noise ordinance. Mr. Workman reviewed the City’s
11 existing noise ordinance. There was discussion about employment issues raised by Ms.
12 Buell in Visitors Comments. There was discussion about the hours allowed for construction
13 by City ordinance and the subcontractors employed by the developer. There was discussion
14 about OSHA compliance and inspections during COVID-19 and in the wildfire smoke.

15
16 There was discussion about whether the City should declare an emergency due to the
17 wildfires that could reimburse expenses associated with the event. There was discussion
18 about whether the city has incurred any expenses that would qualify for FEMA
19 reimbursement.

20
21 Councilor Causey questioned when the Millpond Crossing development will be completed.
22 Mr. Fear described the houses that are currently under construction in closest proximity to
23 the Buell’s house.

24
25 Mayor Niemann described an upcoming event at the Majestic Theater.

26
27 Councilor Jones questioned what the process is for addressing Mr. Lamb’s park request in
28 Agenda Item #H.04. Mayor Niemann noted that that issue has been forwarded to the Park
29 Board to address.

30
31 **G. STAFF REPORTS**

32 **1. City Attorney –** No report.

33 **2. Police Chief –** Excused.

34 **3. City Recorder –** Ms. Post reminded all of the candidates for Mayor and City Council that
35 the use of City resources for campaign purposes is prohibited by State Statute and any
36 public record copies for campaign purposes will be subject to the fee schedule. She also
37 reminded incumbent Councilors running for re-election that they should not use City-
38 provided email accounts for campaign purposes and recommended creation of a personal
39 email account for that purpose if needed.

40 **4. Finance Director –** No report.

41 **5. Public Works Director –** Mr. Fear reported on the resignation of a long-time employee.
42 They will be recruiting for a replacement.

43 **6. City Manager –** Mr. Workman reported on the Comprehensive Plan update, including a
44 meeting of the Advisory Committee this week. He also reported that the DLCD technical
45 grant has been reduced due to State funding cuts but the budget does include sufficient
46 allocated funds. He reported on the Downtown Streetscape project and the current review of
47 Stormwater detention. He added that the Downtown Streetscape survey has been re-
48 activated for more public feedback, and the timber town theme is currently proving to be
49 popular.

1 Mr. Workman reported that the Citizens' Academy has been postponed to January 2021 in
2 hopes of holding in-person sessions. He added that he did submit the program for a
3 community award with LOC. Councilor Edmonds provided positive feedback on the Citizens'
4 Academy from a citizen he recently spoke to.

5 **H. INFORMATION & CORRESPONDENCE**

- 6 **1. Park Advisory Board minutes of August 13, 2020**
- 7 **2. Finance & Administration Committee minutes of August 26, 2020**
- 8 **3. Philomath Connection bus ridership for August 2020**
- 9 **4. Documents submitted by Jeff Lamb regarding meetings in 2014 of an independent**
10 **Philomath Veterans Memorial Committee**
- 11 **5. Thank you letter from ABC House for social service assistance grant**
- 12 **6. Thank you letter from PYAC for social service assistance grant**
- 13 **7. Thank you letter from Strengthening Rural Families for social service assistance**
14 **grant**
- 15 **8. Thank you letter from We Care for utility service assistance grant**
- 16 **9. RAIN Oregon Annual Report**

17
18 **I. ADJOURNMENT**

19 Seeing no further business, meeting adjourned at 9:42 p.m. by Mayor Niemann.

20 Eric Niemann, Mayor

Ruth Post, MMC, City Recorder