

PHILOMATH CITY COUNCIL
MINUTES
December 12, 2016

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1. CALL TO ORDER

The City Council of the City of Philomath was called to order on Monday, December 12, 2016, at 7:00 p.m. in the Philomath City Hall Council Chambers by Mayor Rocky Sloan.

2. ROLL CALL

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|-------------------------|--------------------------|
| <u>Present:</u> | <u>Excused:</u> |
| Mayor Rocky Sloan | Councilor Charla Koeppel |
| Councilor Doug Edmonds | |
| Councilor Candy Koetz | |
| Councilor Jason Leonard | |
| Councilor Sean Manning | |
| Councilor Eric Niemann | |

Staff Present:

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

3. CONSENT AGENDA

- 3.1 City Council Minutes – November 14, 2016**
- 3.2 Police Committee Minutes – November 10, 2016**
- 3.3 Finance/Administration Committee Minutes – December 5, 2016**

MOTION: Councilor Edmonds moved, Councilor Manning second, to approve the consent agenda and the Council agenda for December 12, 2016, as presented. Motion APPROVED 6-0 (Yes: Edmonds, Koetz, Leonard, Manning, Niemann, and Sloan; No: None.)

4. ITEMS REMOVED FROM CONSENT AGENDA

4.1 None.

Mayor Sloan presented Councilor Leonard with a plaque of appreciation for his 4 years as a City Councilor. Councilor Leonard stated this was a great experience, and he learned a lot. He encouraged anyone interested in getting involved to consider serving.

5. VISITORS/PETITIONS

5.1 Formation of Citizens Advisory Council request – Robert Turner, Philomath, OR – Mr. Turner directed the Council’s attention to the letter he submitted in the agenda packet. He stated he met with Mr. Workman last week and they brainstormed opportunities to greater involve the public. He stated his group would like City endorsement but it isn’t necessary and their desire is to provide the City with visionary feedback. He stated the letter in the packet is more of an invitation to the City to participate in their organization. Councilor Edmonds questioned who the signors of the letter were intending to influence. Mr. Turner stated they have talked to other community members about their plans. Mayor Sloan questioned if the group plans to have a liaison

1 to attend City meetings. Mr. Turner stated there would be involvement and encouraged
2 anyone who wants to learn more about the government to join them. Councilor Edmonds
3 questioned how long this interest has existed with this group and noted that the City is
4 always looking for volunteers to serve on existing committees. Mr. Turner stated it
5 seems that outside influencers are having more say in the future of the community than
6 citizens. Councilor Manning asked for an example of findings that the group would
7 expect to share. Mr. Turner stated an example would be sharing information. Mr.
8 Workman stated he is glad to see public involvement. He stated the City does have a
9 good system set up including a Planning Commission that represents the general public.
10 He encouraged reading up on the duties of the members of the Planning Commission.
11 He described outreach methods used to get information out about land use actions and
12 the importance of education and holding discussions to help educate community
13 members. He described the use of a Civics 101 or land use training for citizens he could
14 hold occasionally and stated his willingness to arrange that type of training. He stated he
15 would recommend the Council and staff take time to consider any other action. Mr.
16 Turner stated a roundtable discussion would be a potential start.
17

18 **5.2 Skirvin Farms LLC City Park Proposal – Marlyn Weaver, Willamette West Real**
19 **Estate, Philomath, OR** – Mr. Weaver stated he and the Skirvin’s met with Mr. Workman
20 last week regarding the proposal that was distributed to the Council (Supplemental
21 Agenda Item #5.2. He stated the proposal to donate a portion of Skirvin Farms and sell
22 the remainder to create a new City park is a starting place for conversations with the
23 City. He stated that Skirvins felt it would be easier to raise the funds for the proposal if
24 the City and Frolic Association worked hand-in-hand. He described fundraising options
25 that could be considered if the City accepts the proposal. He stated that there were
26 probably a lot of people who would be interested in the City owning this land. Councilor
27 Manning questioned if this is an all-or-nothing proposal. Mr. Weaver stated they are
28 beginning with the donation of the Parcel A piece. He stated this is a community that
29 prides itself on volunteerism and the Skirvin family made a major commitment over 30
30 years ago to make this site what it is. He suggested naming it Skirvin Park and using
31 that as a catalyst for a fundraising campaign.
32

33 Councilor Manning questioned what the property would be used for if the proposal
34 wasn’t accepted. Mr. Weaver stated that they are offering the property to the City for
35 \$1,000 for a year to raise the money couldn’t imagine the City turning that down. He
36 stated the City has nothing to lose and they are hoping the Frolic & Rodeo people will be
37 enthusiastic about the proposal too. He stated they would like to see the option accepted
38 by March 15, 2017 and Skirvin’s are willing to extend the Rodeo’s lease through 2018 to
39 provide sufficient time for completing the proposal. He stated they are hoping the City
40 Council will make a serious effort to involve the community and find out if the community
41 wants this. He stated he will be one of the hardest working fundraisers on this project.
42

43 Mr. Brewer clarified that the City can accept tax-free donations towards a project like
44 this.
45

46 **6. STAFF REPORTS**

47 **6.1 City Manager** – Mr. Workman thanked Councilor Leonard for his service and
48 stated he made a major contribution to the community while serving on the Council. He
49 stated he sent out an update of the 2015-2016 Council Goals and described the different
50 timelines and results of the nine goals. Councilor Edmonds noted he appreciated the
51 progress on park facilities during the term. Mr. Workman stated that outreach will
52 continue with OSU. Mr. Workman reported on a training he attended last week on

1 floodplain construction and different methods of mitigating floodplain hazards. He
2 described the relationship between FEMA and the Army Corp of Engineers when dealing
3 with floodplains. He also reported that ODOT came out with the updated STIP funding
4 list through 2022 and most of the projects are bridges that need to be repaired. He
5 stated the downtown highway project did not make the list and they are continuing to
6 look for other funding sources.

7
8 **6.2 Public Works Director – Excused.**

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10 **6.3 City Recorder –** Ms. Post reported that the certified official election results are
11 included in the packet as Item #9.3. She also reported that information has been posted
12 on the Home page of the City’s website regarding committee vacancies for 2017 and a
13 new page has been added that will provide information on active planning applications.

14
15 **6.4 Chief of Police –** Chief Rueben reported on the death investigation that was
16 publicized in the newspaper this week. He stated they are meeting with the District
17 Attorney to consider murder charges in this case and they are coordinating with
18 Clackamas County on the case. He stated that many pieces of stolen property have
19 been recovered and identified because of this case.

20
21 **6.5 Finance Director –** Ms. Swanson thanked Councilor Leonard for his service.

22
23 **6.6 City Attorney –** No report.

24
25 **7. COUNCIL REPORTS**

26 **7.1** None.

27
28 **8. RESOLUTIONS/ORDINANCES**

29 **8.1 Resolution 16-16 setting tax rate and adopting Intergovernmental**
30 **Agreement with Oregon Department of Revenue regarding collection of marijuana**
31 **tax –** Mr. Workman reviewed the next steps after receiving voter approval of a tax on
32 retail marijuana products at the November 8 election. He stated it is prudent to be
33 transparent and complete all of these steps before any type of application is received to
34 establish a marijuana retailer business. Councilor Niemann questioned if this mirrors the
35 tax on liquor. Mr. Brewer clarified that liquor tax is set by the State and described the
36 differences between the two. Mr. Workman confirmed that the State fee for collecting the
37 tax is 4% of the City’s 3% tax. There was discussion about banks being able to accept
38 funds from retailers. Mr. Brewer reviewed the federal status versus the state status of
39 the legality of the sale of marijuana.

40
41 **MOTION:** Councilor Niemann moved, Councilor Edmonds second, the City Council
42 approve Resolution 16-16 establishing the rate of a tax and approving an
43 Intergovernmental Agreement with the Oregon Department of Revenue for collection of
44 a City tax on the sale of marijuana items by marijuana retailers in the City of Philomath.
45 Motion APPROVED 6-0 (Yes: Edmonds, Koetz, Leonard, Manning, Niemann, and
46 Sloan; No: None.)

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48 **9. INFORMATION/CORRESPONDENCE**

49 **9.1 City website report – November 2016 –** No comment.

50 **9.2 Philomath Connection ridership – November 2016 –** No comment.

51 **9.3 Certification of November 8, 2016, general election with canvas of votes –**
52 No comment.

1 **9.4 Preliminary 2016 population estimate from Portland State University – No**
2 comment.

3
4 Mayor Sloan stated the proposal by the Skirvin's is very generous and he will call them
5 tomorrow to thank them for extending the offer.

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7 **10. EXECUTIVE SESSION**

8 **10.1 Per ORS 192.660(2)(i) Performance evaluations of public officers and**
9 **employees** – Mayor Sloan declared a recess at 7:59 p.m. to excuse the public. At 8:04
10 p.m., he read the rules for the Executive Session into the record.

11
12 **ROLL CALL:**

13 Present:

14 Mayor Rocky Sloan
15 Councilor Doug Edmonds
16 Councilor Candy Koetz
17 Councilor Jason Leonard
18 Councilor Sean Manning
19 Councilor Eric Niemann

Excused:

Councilor Charla Koeppel

20
21 Staff Present:

22 City Manager Chris Workman
23 City Recorder Ruth Post

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25 At 9:10 p.m., Mayor Sloan moved the Council back into public session.

26
27 **MOTION:** Councilor Edmonds moved, Councilor Manning second, to evaluate Chris
28 Workman's contract in March and the accompanying salary discussion. Motion
29 APPROVED 6-0 (Yes: Edmonds, Koetz, Leonard, Manning, Niemann, and Sloan; No:
30 None.)

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32 **11. ADJOURNMENT**

33 **11.1 Adjournment** – Seeing no further business, Mayor Sloan adjourned the meeting
34 at 9:11 p.m.

35
36 **SIGNED:**

37 Rocky Sloan, Mayor

ATTEST:

Ruth Post, MMC, City Recorder