

CITY OF JEFFERSON
COUNCIL WORK SESSION
AUGUST 10, 2017
6:30 PM

Council Present: Stan Neal, Dave Beyerl, Cyndie Hightower, Mike Myers,
Council Present by Phone: Walt Perry
Council Absent: Brad Cheney
Staff Present: Greg Ellis, Deanna Donato

- I. **Call to Order/Flag Salute:** Mayor called meeting to order at 6:31pm. Followed by flag salute. Greg then asked Mayor if he could make some announcements. First announcement was about an application for the vacant seat; David Watkins application was not signed, but that had been corrected. Second announcement was the speakers that were scheduled to be here tonight will be back at another date as it is not time sensitive material. Thirdly, he notified all that the recall signatures had been taken to the county and verified today. Letters to those being recalled were sent out today, and September 19, 2017 is the ballot deadline.
- II. **Vacant Council Position Appointment:**

Mayor did roll call vote of all present. Councilor Beyerl, Councilor Neal, Councilor Myers, Councilor Perry, were present.

First applicant up is Edna Campau. Mayor asked her to tell them something about herself and why she wants to come back. Edna: Lived in Jefferson for 39 years, has extensive experience in local government, and served on this Council as both Mayor and Councilwoman in the past. Believes her background and experience can be beneficial to both the City and the community. Mayor then asked Council if they had any questions. Councilor Myers: When you take the oath of office, you swear to uphold the laws, rules and procedures of this City, what steps will you take to uphold the oath? Edna: For one she would familiarize herself with the Charter and duties of the various officers.

David Watkins is up next, Mayor asked same question. David: Lived in Jefferson about 18 months. He and his wife spent about a year before that researching where they wanted to live before moving; Jefferson seemed to have everything they were looking for or was close enough to things Jefferson did not have to offer. He is from England, but he is a US citizen, and served on council in England. He would love to see the City expand but with controlled expansion; wants to see the city expand with the city coming together as one. He understands there are issues here with lack of police and technology. He would like to see the City expand slowly and carefully. Mayor asks for questions from Council. Councilor Myers: same question regarding how he plans to uphold the oath? David: He would read the Charter and become familiar with it and if he had any questions he would be looking to the City Manager or legal counsel for advice.

Tim Groome: He has been in Jefferson since 1999. Community involvement has always been his desire. He was previously on this Council for 14 years and he thinks he has a lot to offer. How will he uphold oath? The Charter is the rules the City follows and he will follow the rules. As a Councilor he took an oath, in the military he took an oath and he believes in following the rules associated with an oath.

Tyler Webster: He grew up in the area and surrounding area as a kid and has lived here for 3 years. He wants to see some positive change in the community and some

decent change like more growth. How will he uphold the oath? Learn the oath, know it, follow it, abide by it, and then cross reference it with State law and legal counsel. Mayor asks if Council is ready for roll call vote. Councilor Myers corrects and says nominations are first.

Councilor Beyerl nominated Edna Campau and Councilor Myers seconded. Mayor asked for any discussion. Councilor Perry: He believed Edna, with her experience, was more in tune and capable of dealing with some of the issues the City is currently having at this time. Councilor Neal: commented he thought all were good candidates; however, he believes first person nominated has the advantage.

No other comments so Mayor asked for roll call vote.

Councilor Beyerl: yes; Councilor Neal: no; Councilor Myers: yes; Councilor Perry: yes Motion carried.

Mayor swore in Edna Campau. Councilor Myers: to other applicants, please stay in touch with the City as more positions will be available this time next year.

III. **Worksession Topics: CANCELLED**

IV. **Council Deliberation/Revised Findings:**

Hamby Family Limited Partnership Annexation, Tax lot 103W 12 00908, Remand from the Oregon Land Use Board of Appeals (LUBA); LUBA Case No. 2016-084, on City Council Approval of ANX 16-01/ZC 16-01.

Mayor asked Councilor Beyerl if he had any deliberations on findings.

Councilor Beyerl: He finds it really hard to accept that we found the applicant to have met all criteria and then because of some personal vendettas and “not in my back yard” scenarios we are trying to change up and say applicant didn’t meet criteria and he finds the contradiction to be wrong.

Councilor Neal: feels that the final order in front of them tonight covers all the concerns that he had about the annexation most of which had to do with EMS services. He did not believe it was addressed well in the first findings. He did not like the blanket statements from the first findings in regards to fire dept. He also did not believe the applicant covered police coverage very well. Those major concerns ARE covered in the findings before them tonight.

Councilor Myers: He believes Councilor Neal was the only one that spoke up at the last meeting on these same topics. No discussion on social or environmental impact in the previous record but is now interspersed in these findings, not sure where that came from. He understood the concerns related to police, fire and EMS as it was well articulated, but the rest of the stuff in this final order, he is not sure where it came from as he did not remember hearing it in any testimony or anything he had read that was entered for the record.

Councilor Perry: To put it simply, we just took something that was a positive and spun it to the negative.

Mayor asked if Council wanted to entertain a motion. Long pause as no motion has come up yet.

Councilor Neal motions to accept final order as written and Councilor Myers seconds.

Mayor asks for any discussion.

Councilor Myers: to Greg: If motion fails what does that mean? Greg: If it fails tonight then no decision has been made by Council. No decision as of the 17th, then the application is approved as the applicant has 120 days for decision.

Legal counsel may disagree if they want to-Mr. Coulombe interrupts at this time and states for the record he is absolutely disagreeing with Greg and walks out of

meeting. Mr. Kennedy also states Council has the option to bring back original findings with a motion. Greg stated that was his understanding also.

Councilor Campau: stated she cannot vote as she has not had time to read the record and will abstain from this vote.

Councilor Neal: What does a yes vote do? He thought a yes vote on the final order before them tonight denied the application. Councilor Beyerl clarified what a no and a yes vote for tonight's findings would do.

Hearing no further discussion, the Mayor calls the question by roll call vote: Councilor Beyerl: NO; Councilor Neal: YES; Councilor Myers: NO; Councilor Perry: NO. Motion denied.

Greg: Now discussion is open for other options or motions.

Councilor Beyerl: At this time, going off of some things that Greg researched for him on technicalities, it states in the Council rules in section 3 adopted by Resolution 882 Council meetings shall be conducted pursuant to Roberts Rules of Order. Under those rules, a motion resulted in a tie vote need not be reconsidered, rather the motion that was defeated due to a tie vote, can simply be stated and voted upon again. Since he made the motion last time he will move so again.

Councilor Beyerl motioned to adopt the previously presented final order of remand approving the Hamby application for annexation and direct staff to prepare an ordinance effecting annexation and rezone approval and Councilor Perry seconded.

Mayor asked for any discussion.

Councilor Myers: Asked what does that mean? Councilor Beyerl: It means annexation will be approved if it is a yes vote.

Hearing no further discussion the Mayor calls the question by roll call vote: Councilor Perry: YES; Councilor Myers: YES; Councilor Neal: NO; Councilor Beyerl: YES. Motion carries.

Greg: Explains to Council: What this now means is Council need to move to an ordinance. The deadline for 120 days is still in place; however, the applicant can choose to extend the 120 days. He then asks the Applicant if they would be willing to extend the 120 days, as it may be a little rough to have an ordinance in place by next Thursday. Mr. Kennedy confers with Hamby representative and they agree to opt to extend date. The agreed upon date that the ordinance will come back before Council is Sept 14th. Greg cautions Council regarding any discussion about the vote tonight as it would be ex-parte as it is not final until ordinance is set. Urges caution during comments and visitor section also.

V. Approval of Accounts Payable: 1st half for August:

Councilor Perry moved to approve accounts payable and Councilor Beyerl seconded.

Discussion: Councilor Myers had a question regarding building permits and Greg said he would need to confer to verify the answer.

All in favor, motion carries.

Greg asked Mayor that an appointment to planning as the liaison be made. No volunteers, so Councilor Beyerl agreed to do it in the interim until someone was selected.

VI. Visitors:

Councilor Perry asks to be excused as he is cutting out. Mayor approved and Councilor Perry hung up at approximately 7:25 pm.

Linda Baker: 1287 Filbert St Jefferson OR- States library is moving forward and reads statement attached to minutes. Councilor Beyerl puts challenge out to all - he pledges \$1000 to the library and hopes others will step up and match that.

Dennis Persons: 1870 Talbot Rd, Jefferson OR- He just had an observation that had to do with the City manager position. Council tonight relied on Mr. Ellis several times tonight, and there is no substitute for years of experience in professionalism and Council cannot afford not to have a City Manager with this type of experience.

Mersha Studer: 453 Oakdale Ct, Jefferson OR- Coming across the tracks she has noticed how nice the banners look and wanted to thank all involved for creating them for the City.

VII. Council Comments: none

VIII. Adjournment:

Councilor Beyerl moved to adjourn Councilor Myers seconded, closed at 7:25 pm.

MINUTES APPROVED this 24th day of August 2017.

Cyndie Hightower, Mayor

ATTEST:

Greg Ellis, Interim City Admin/Recorder