

CITY OF JEFFERSON
Regular Council Meeting
August 24, 2017
6:30 PM

COUNCIL PRESENT: Walt Perry, Mike Myers, Dave Beyerl, Edna Campau, Cyndie Hightower

COUNCIL ABSENT: none

STAFF PRESENT: Greg Ellis, Deanna Donato, Lissa Davis, Jeff Buskirk

I. **CALL TO ORDER/FLAG SALUTE:** Mayor called meeting to order at 6:35 pm followed by flag salute.

II. **OLD BUSINESS:**

2.1 Itinerant Merchant: Councilor Beyerl: Reading this ordinance, he is not clear about the designation. Lissa: The City can't charge locals differently than others. She split these merchants into different levels; Pedlers, Solicitors, and Itinerant Merchants, leaving it up to Council on how long they want them to stay in town. Councilor Beyerl- So there is no distinguishable differences for those that want to be here for a year over people who roll into town and want to be here just a few days or so? Lissa- Yes we could other than letting locals be free as that is not allowed.

Councilor Myers: If this were adopted, then staff would set the fee scale? Lissa: We could take what we already have and divvy it up to daily, monthly, and annually. The application would need to be redone to show the price levels and the 120 day limit would be removed.

Councilor Beyerl: So we would prorate the fee based on time frame the merchant would be in town. Councilor Myers: He would like Council to be the broad stroke and have staff do the fee scales.

Councilor Perry: Asked about garage sales being exempt from this ordinance and Lissa said she could look into that but garage sales not fall under this category.

Councilor Campau: Wants to see the language all the same as Lissa has struck out some of the language points out. Also, 4.08.060 section B needs corrected, as Marion County is in charge of ensuring inspections are safe and sanitary etc. Councilor Myers: Lissa is going to clean it up and then send to legal. How does Council feel about this? Council consensus is for Lissa to clean up and move it to legal.

2.2 Vehicle for Hire: JMC Chapter 4.12

Lissa: Gave brief narrative of her staff report.

Councilor Campau: her understanding is this is for someone who lives here. Lissa: Again we can't give preference to locals over anyone coming in from out of town. Councilor Campau: Asked questions on why the City is doing this as the drivers are already vetted thru home company.

Lissa: Uber and Lift can be given the exemption if necessary.

Councilor Beyerl: he gets it, but still has an issue about not seeing if they have insurance. If we have no insurance ordinance how can we ensure safety of the community?

Councilor Campau: Can we take a question from Mrs. Bittick? Mayor: Yes. Stacy Bittick: Informs Council that Uber did multiple background checks on her and she is fully vetted with Uber. She is insured more than any person needs to be. If she gets a call under her coverage area, she has to pick them up or it does not look good on her. She does not have a home base, she has an app. She can have someone from Uber come talk to Council about this if needed.

Councilor Beyerl: All he wants to see is that anyone that wants to operate from here just has to show whatever Uber gave them. Stacy Bittick: For her, as she lives here, that is great, but to be honest, if an Uber driver gets a call and is not registered here, they are going to take the ride and go and NOT check in with the City.

Councilor Myers: It all comes down to enforceability and honestly there is no way to enforce this.

Councilor Beyerl: Sounds like there is no need to change this ordinance then. Stacy Bittick: For an independent taxi business setting up in town you should have something in place for that so

you can make sure you are covered. If it is a big taxi company, then that company would normally do the vetting of the drivers just like Uber or Lift. Councilor Beyerl: Wouldn't that be discriminating if we have an ordinance for one but not the other. Lissa: They really are not the same type of business. Taxi cabs can be stopped on the street and Uber and Lift are done through an app and paid for in advance-they can't be hailed from the street.

Councilor Campau: Thinks this should be dropped- at least no revisions. Councilor Myers: For clarification, if we drop the revisions, then Uber could operate? Councilor Beyerl: He believes Council would need to drop the whole ordinance including what is already on the books in order for Uber to operate.

Lissa: If a cab company wants to come in, then we could re-do the ordinance.

Councilor Myers: So by dropping this ordinance, it levels the playing field? Lissa: Yes. Councilor Myers: A level playing field is what we wanted.

Councilor Beyerl: So are we sending this to legal? Lissa: It would be just like the Itinerant Merchant permit. Legal would go thru it and update, then it would come back before Council for adoption. More discussion ensues.

After lengthy discussion, Councilors Beyerl and Myers want it sent on to legal and drop the fees. Councilor Campau does not want it to go to legal she just wants it to go away and Councilor Perry agrees with her.

Councilor Perry was about to make a motion to remove chapter 4.12 from the JMC when Sarah Cook made a point of order from the audience. She stated it takes an ordinance to repeal an ordinance.

Council consensus is for staff to write an ordinance to repeal ordinance 4.12 from the JMC.

2.3 Hamby Annexation Ordinance 702-Repeal of Ordinance #695:

Greg states ordinance # will be 702 as it was not numbered in the packets. Greg also let the Mayor and Council know he had placed a "cheat sheet" in front of each of them to follow procedure in order to enact this in one night or not.

Mayor asks if any one does not want it approved in one session. All Council agreed to approve in one session. Mayor stated ordinance would be read by title only. Greg instructs the Mayor to read ordinance title and follow the sheet.

Mayor reads ordinance title. Councilor Campau moved to adopt ordinance 702 reading title and Councilor Beyerl seconded. Mayor states it has been moved and seconded to second reading and asks for any discussion. Hearing no discussion, she calls for the vote. All were in favor and passed unanimously, the second reading will be by title only.

Mayor reads ordinance by title only for second time. Councilor Beyerl moved to approve by title only and Councilor Perry seconded. Mayor then called for a roll call vote:

Councilor Byerl: Aye

Councilor Myers: Aye

Councilor Campau: Aye

Councilor Perry: Aye

All in favor and passed unanimously.

2.4 City Manager/City Recorder:

Councilor Myers: A lot of discussion on this last time. One item discussed was the 9 million dollar budget and the challenge of funding city manager. He went back and looked and ran numbers. We run on a significantly less budget. We should be analyzing current budget and how much do we have to pay for the service. The contingency fund was reduced from 10% to 6.5%. Looking at the current accounts payable, legal fees in the 2nd month of new budget year after tonight's approval of payables, puts us under \$ 28,000 and that is a concern. We have to hire a person, and we have to account for a lot of things, all of them require a recorder or deputy recorder who can do this. We are currently challenged in this area. We need to do some significant training and upgrade some training. Right now the City is in a critical situation by not having qualified staff. He sees the benefit of having Greg here. He wants to defer decision on this for 2 weeks and have an exec session in 2 weeks to discuss employee positions and pay. He believes they may have a resolution to this conflict. Council consensus is to hold it over. Greg asked if Council wants to

elect new positions then do exec session. Meeting will begin at 5:30 to elect positions then go to exec session. All agree.

III. NEW BUSINESS:

3.1 Councilor Resignation Letters:

Greg states there are resignation letters from Brad Cheney and Stan Neal. Councilor Beyerl moved to accept and Councilor Perry seconded. All were in favor.

IV. DISCUSSION/INFORMATION:

Mayor announced the City got the award for the 1% loan for water treatment plant.

4.1 Conser House Adaptive Reuse-Staff Report:

Greg stated staff report is just an FYI. Mary Bosch will be here on Sept 14 and it should be discussed then.

4.2 Marion County Elections Office-Recall Attempt Timeline:

Mayors stated the ballots would be mailed out Friday August 25, 2017 and are due by Sept. 19, 2017.

4.3 County/City Insurance Services Loss Run Report:

Greg: This is something he thought Council should know; Jefferson has had 0 accidents.

V. CONSENT AGENDA:

Councilor Myers moved to approve consent agenda and Councilor Beyerl seconded. Mayor asked if there was any discussion. Councilor Campau: She finds it difficult to approve when we don't know the bank balance and audit isn't done. Hearing no other discussion, she called for vote. All in favor and passed unanimously.

VI. COMMITTEE/DEPARTMENT UPDATES:

LIBRARY BOARD: no meeting

PLANNING COMMISSION: Councilor Beyerl: There was a public hearing on consideration of development code updates. They discussed it and will be sent forward to legal before coming to Council. They discussed the West Linn ordinance that will be coming Sept 28 to Council.

CHAMBER: no meeting

BUILDING COMMITTEE: no meeting

LANDMARKS ADVISORY: Linda Baker gave report. They finished up the Concerts at Conser and are planning on having this event next year. They had a discussion on some adaptive reuses for the Conser House once the Library has moved, and some discussion on grants Lissa is working on.

MPO: Councilor Beyerl: There was a lengthy update on what Corvallis is doing. ODOT rep let them know the Legislature passed the transportation bill. Gas tax money will be increasing to the City. Transportation money may be expanding.

FIRE BOARD: no meeting

SCHOOL BOARD: Mayor Hightower: Tomorrow the school is asking for volunteers to help move furniture into elementary school.

FOL: Councilor Myers: Construction is on schedule; Colors of siding will be in harmony with City Hall; Fundraising continues; Discussion on window system; Building will be super energy efficient.

PARKS & REC: Councilor Myers: Parks and Rec Director Position will be closing 9/21; it is a half time position. They are looking to hire effective in February for job shadowing.

MWACT: Councilor Perry: a lot of the discussion mirrored what Councilor Beyerl said but with a different view of somethings. They are currently working on the projects for 2018-2020. Millersburg is a point of interest also a site by Tangent for a giant transfer station for all types of transportation. Turnpike is a term that has come up in the Yamhill and Polk County areas as they are looking at making toll roads to help keep up with the cost of the new roads/hi-ways being built.

VI. VISITOR COMMENTS:

Michelle Nunes: 506 Wild Rose Jefferson OR: Asked Mayor Hightower if during 2012-2014 she had a facebook page. Mayor Hightower stated she did.

Dennis Person: PO Box 1088 Jefferson OR: He had a comment to Councilor Myers about the City Manager position; He would like them to re-look at the position as an investment. He also stated that now that the Council has passed the annexation, he hopes they will look at the ordinance passed previously regarding parks as at that time there were inadequate parks and he hopes that a 1-2 acre park will be put in on this annexed property.

Nancy Hamby: 664 Alder Ct Jefferson OR: She asked if Mayor Hightower would consider re-doing the sign in sheet topic, as things come up during the meeting and no chance to clarify questions. For example, she wanted some clarification about start of next meeting being at 5:30 or 6:30. Mayor stated she would consider leaving the sign in sheet out longer during the next meeting and meeting time was clarified for her.

VIII. Bill Stam: Jefferson OR: Updated Council on K-9. Eclipse weekend at the Memorial was a success.
COUNCIL COMMENTS:

Councilor Myers: Comment is for Staff: He understands the workload; however, he does not see any code enforcement being done. It does not take long in this town for it to get out of hand and it is abundantly clear that code enforcement has been lacking. He wants to see more done.

Councilor Perry: He concurs with Councilor Myers about code enforcement as things are getting hazy and we can't afford to fall into a lackadaisical mode. He also asked Sgt. Parise about traffic team coming into town to help slow down some of the speeding drivers with the start of school coming up.

IX. CALENDAR CHANGES: None

X. ADJOURNMENT:

Councilor Beyerl moved to adjourn and Councilor Myers seconded. All were in favor and meeting closed at 8:04 pm.

MINUTES APPROVED this 28th day of September 2017.

Michael D. Myers, Council President

ATTEST:

Greg Ellis, Interim City Manager/Recorder