

CITY OF JEFFERSON
REGULAR COUNCIL/EXECUTIVE SESSION
SEPTEMBER 28, 2017
6:30 PM

Council Present: Mike Myers, Dave Beyerl, Audrey Webster, David Watkins, Edna Campau,
Council Absent: Cyndie Hightower, Walt Perry
Staff Present: Greg Ellis, Deanna Donato, Jeff Buskirk

- I. **CALL TO ORDER/FLAG SALUTE:** Council President Myers opened the meeting at 6:30 pm followed by flag salute.
- II. **EXECUTIVE SESSION-COUNSULT WITH LEGAL COUNSEL UNDER ORS 192.660(2) (h):** Councilor Myers read the statement regarding the reason for the executive session and stated the ORS. Executive session started at 6:35. Return from executive session at 7:04. Regular meeting continued at 7:05 pm.

Before going on with the agenda as written, Councilor Myers asked that an item be added under New Business-- the Council Committee assignments. He also asked for Council consensus on another item and that was that as items were discussed, and AFTER Council had discussed the topic, if anyone from the audience had questions to feel free to ask or comment on that topic only. The Council consensus was they were in favor of this.

III. **OLD BUSINESS:**

3.1 Resolution 1022-Setting fees for Itinerant Merchant-JMC 4.08:

Councilor Beyerl: He has read the ordinance and believes this simplifies the prior resolution.

Councilor Webster: She believed it did simplify the fee scale, however, she stated it did not cover the reason why this resolution and ordinance was brought to Council in the first place. The main concern to begin with had to do with the vendor being required to leave for 30-60 days after their 120 days was up.

Greg stated that Councilor Webster was correct and that at the next Council meeting they would be receiving the ordinance that would update Ordinance 682.

Councilor Beyerl moved to adopt Resolution #1022 setting fees related to Itinerant Vendors, Peddlers, and Solicitors and Repealing Resolution #982. Councilor Webster seconded. All were in favor, resolution passed unanimously.

3.2 City Manager/Recorder: Greg updated Council to inform them that as of today five applications had been received.

IV. **NEW BUSINESS:**

4.1 Resolution 1023-Franchisee Change of Ownership:

Councilor Myers explained that this was a change of ownership from Wave Holdco, LLC to Radiate Holding, L.P. Basically Company A is now becoming Company B and they have to inform the City of the name change.

Councilor Beyerl added that the franchise agreement they currently have with the City will remain in effect also. Greg also added that this is common when companies change names they have to have permission from the

Council before the transfer of the franchise can go through. General discussion ensued regarding what services, if any, that Wave provided to the City.

Councilor Campau: Thought the Resolution was a boiler plate example as the language used “Community” instead of “City” and asked if Legal should see it. Greg said Legal already had seen it and had no issue with the language as written.

Councilor Beyerl moved to approve Resolution #1023 and Councilor Watkins seconded. Councilors Beyerl, Watkins, and Webster were in favor and Councilor Campau was opposed as she wanted to see the language cleaned up and put into the City’s format for Resolutions. Councilor Myers asked if Greg could work on setting it to City standards and Greg said he would.

4.2 Interim City Manager/Recorder Contract Addendum:

Councilor Myers explained that this is to discuss a change to the contract regarding Greg. The major points included extending the ending date to January 31, 2018; under Duties and Responsibilities a sentence was deleted that states “...shall not have authority to terminate City employee without receiving permission from the Council...”—this would change to allow Greg to hire and fire City employees.

Councilor Campau: The language regarding supervising all employees was previously written as supervising City Hall and Library staff. Wanted to know if that was the intent to include being in charge of Public Works and Greg stated no, the attorney wrote that and Greg thought it should go back the way it was. Council agreed.

Councilor Webster: She had some questions regarding minor word changes and wanted to know the reason for the changes. She stated she did have a problem with the removal of sentence allowing Greg to fire City employees. She is not in favor of a temporary employee having the authority to fire a City employee without the City Council approval. If there is a problem with staff, she feels executive session should be called by Greg to discuss the matter with Council first.

Councilor Beyerl: He had a slight problem with wording regarding firing.

Councilor Watkins: He would like to leave it open as an executive session date may take too long and letting things fester is not good.

Councilor Campau: Believed this should be a matter for Council.

Greg: If the concern is only the second part, maybe remove the sentence regarding firing of employee until some discussion on it has happened. Greg also wanted the final date to be open ended but the attorney wanted something final; Greg would be fine with a 1 week notice once position is filled.

Councilor Myers asked Council if he was correct in understanding that Council was fine with the January 2018 end date, the minor wording changes, and the original sentence regarding firing of City employees would not be removed and Council consensus was yes. Councilor Myers then called on some audience members who had questions/comments.

Nancy Hamby- 664 Alder Ct Jefferson, OR: She suggested using the language of “on or before January 31, 2018” for flexibility.

Sarah Cook- Albany Or: The language for termination was removed, but wanted to know if there was language that would allow Greg to discipline City employees as he is the day to day supervisor and should have some sort of authority to do so. Councilor Beyerl agreed with this suggestion.

David Kellogg- 724 Salamander Rd Jefferson, Or: He stated it is pretty common practice in retail for a manager to place an employee on administrative leave while the situation can be investigated and decision made on the employees future employment with the company; It also allows time for final check to be made if necessary. Greg also commented that those options are currently in the personnel handbook.

Councilor Myers: He asked that Greg incorporate the language stating disciplinary options from the personnel handbook into the contract addendum and Greg said he would. Councilors were in favor of this change as it gave Greg some disciplinary authority and if termination were needed it would allow for Council to discuss.

Councilor Beyerl moved to accept the employment agreement addendum as per changes discussed tonight and Councilor Campau seconded. All were in favor and passed unanimously.

4.3 Committee Assignments:

Councilor Myers explained that there are currently many committee assignments that are currently vacant and need to be updated. Councilor Campau asked why they still have building committee as did Councilor Beyerl. They both believed that it should be disband as the Library is almost completed and there is no use for this committee anymore. Councilor Myers asked that paperwork be brought forward to disband the committee at the next meeting. Councilor Campau agreed to take the Library Board as she currently attends the meetings. Councilor Webster agreed to take the Landmarks Advisory Committee. Councilor Watkins agreed to take the Planning Commission. Discussion on Fire Board and School Board liaisons took place; Council decided to delete these liaison positions as minutes and agendas can be shared both ways and if anything comes up then someone could attend to get more information if needed.

V. DISCUSSION AND INFORMATION:

5.1 Water Conservation Incentives:

Councilor Myers stated that a memo had been received from Public Works Director, Jeff Buskirk. He then asked Jeff if he would like to add anything more to the memo and Jeff said no as the memo covered all the information he had available at this time. Councilor Myers asked how the information on this was going to be advertised so the community would be aware of this program. Jeff stated they would start with having it on the back of the water bills and on the City website. Deanna also stated that if Public Works were to make a flyer of some sort she could add it into the Welcome to Jefferson Packets as well and it could be placed on the Xpress bill pay message line if needed.

Councilor Myers asked if this incentive program was because they were getting a loan for the upcoming water plant and Jeff said no; all cities have to

do some sort of a water conservation incentive program as it is being mandated.

Councilor Myers: The memo states this incentive will be a credit on the customer's account and he asked Jeff to elaborate on that a little more.

Jeff: If the customer buys a qualified water saving appliance, once it is approved, the customer would then receive a one-time credit to their account which public works would just consider the credit to be a loss of revenue for the month. The City has to have their own program per the mandate, not one that is managed by an agency like Energy Trust or one of the other conservation groups. At this time Public Works has identified three particular appliances that would qualify—clothes washing machine, dishwasher, and the 1.28 flush toilets.

Councilor Watkins: asked if public works had looked into what Energy Trust can do, as they will often offer rebates on water heaters and toilets for customers as well. Jeff replied that the State mandate is that we have our own program; anything Energy Trust offers would be in addition to what the City is doing.

Councilor Webster: Likes the idea as it is good for the environment as well, but she is concerned about loss of revenue and thinks they should consider a cap on the refund amount.

Jeff: He would need to verify the device before the credit and it would be a one-time only credit; homeowner can't replace a water miser appliance with another water miser appliance.

Councilor Myers: According to the information in the memo the amount of refund is \$50-\$100 depending on the appliance and it is at Council discretion to set the amount of the refund? **Jeff:** Council could set it at \$10 if they choose to; it is up to Council to set the amount of the credit. Councilor Myers asked if Jeff was aware of any other City that has implemented this and Jeff stated that the City of Dayton has started this process. Councilor Myers asked that Jeff talk to City of Dayton and see how they have their program laid out and then bring something back for Council to adopt; he asked what the time frame for this was and Jeff said it needs to be in place by 2018.

Councilor Myers then recognized a member of the audience.

Wendy Samples- 1261 Hazel St, Jefferson OR: She just wanted to add that the Jefferson newsletter would be another place to advertise if needed.

5.2 Bike Rodeo/High School Liaison:

Greg introduced Anna Keifer, the elementary school principal, who spoke on the bike rodeo coming up on October 14. Mrs. Keifer stated kids would get helmets and they would have several events regarding safety and pedestrian safety as well. She handed out a flyer advertising the event as well.

Greg then announced that Paul Terjeson had approached him with an idea for having a high school liaison on the Council. Greg asked Council to look at the info in front of them regarding how other cities do this. One of the benefits is getting students to come to the meetings and get involved and hopefully stay involved after they graduate. Greg then introduced Paul Terjeson and Riley Davis, a student who would be interested in becoming the liaison.

Paul Terjeson: He explained what the school was looking at for this idea. He then introduced Riley Davis who gave some background on himself and asked if Council would be willing to allow him be the one to help get the program started and work out the kinks and get an application process going.

Councilor Myers: Asked for Council consensus on this all were in favor.

Councilor Beyerl: He added that he would like to see the students involved—not necessarily as voting member- as he sees this as more educational rather than political.

Councilor Webster: She thought student should be given packet and then have them shadow a Councilor to see how each of them prepare for meetings.

Councilor Myers: He would like Councilor Beyerl and Greg to work out the language of the program and application process.

5.3 Money Market Account: Greg: Stated the City has a money market account at the bank and he has some question about it. Currently, the City makes a whopping 10 cents on it but it costs the City \$10 a month. Greg asked for direction from Council on closing the account and asked Sarah Cook if the City had to have it and she said no. Council agreed that it should be closed and directed Greg to do so.

VI. CONSENT AGENDA:

Councilor Beyerl moved to approve and Councilor Campau seconded. Councilor Myers asked for any discussion.

Councilor Webster: The minutes from August 24 had the word calendar spelled wrong and under visitor comments Nancy Hamby had asked Mayor Hightower a question and the Mayor's response was not included and she would like to see that added to the minutes.

Councilor Myers: Just wanted to put on the record that the Librarian's presentation last meeting was outstanding and feels the City is very fortunate to have her. Under the accounts payable, after approval there will be another \$9588 legal fee payment which will put the City at over \$20,000 this fiscal year and only three months into the year with a total of \$40,000 budgeted for legal for the year.

Councilor Campau: On accounts payable—she has an issue with the “Let's Chat” reimbursement to Councilor Perry for coffee. She did not think this was policy as Council had not mandated this in the past. General discussion ensued regarding this subject and general consensus of the Council was to not allow this payment as they did not want to set a precedent.

Hearing no other discussion, Council approved consent agenda with the changes noted above. All were in favor.

VII. COMMITTEE DEPARTMENT UPDATES:

LIBRARY COMMITTEE: none

PLANNING COMMISSION: none

CHAMBER: none

BUILDING COMMITTEE: none

LANDMARKS ADVISORY: none

MPO: cancelled

FOL: Tupperware fundraiser goes until October 4th. Street revitalization grants coming back in 2018. Amazon Smile is another fundraiser for the library; make

your purchases and you can designate donation to library. Shoe drive has come back also.

PARKS & REC: meeting next week to review director position and interviews will be in November. Councilor Myers disclosed that he had applied for the position.

MWACT: none

VIII. VISITORS:

Michelle Nunes- PO Box 583 Jefferson OR: Thanked Greg Ellis for doing some research for her as she is attempting to get the Chamber revitalized. She took it upon herself to hit up a few people to do this. Greg has given her some contact info and she would like to connect with Councilor Perry and get some conversation going. Also Greg was helping her with another issue—measure 98 passed and if a new program is passed the schools could get up to \$800 per kid. Greg mentioned possibility of Ford Foundation helping if schools can't do it. Councilor Beyerl also noted that schools should contact the Bi-Mart Country Music Festival as they have donated a lot of money to schools. Lisa Buskirk stated she also spoke with Mr. Fritz about this and has a plan to get schools involved. Councilor Myers stated he took the information sheet regarding the music festival to Karen Wusstig at school district office to pass around to other school officials; Friends of Library has also jumped on this.

Jordan Reed- Adaptive Broadband representative: Wanted to introduce himself to the Council and gave a little information about the company. They are not typical internet providers as they do not use City ROW. He asked if Council had any questions for him. Councilor Webster: She has seen his comments on FB regarding wi-fiber and asked that he describe what it is. Jordan: It works a lot like a cell phone; it uses what is called a free frequency. Councilor Webster: So this is not fiber as there is nothing in the ground? Jordan: It's a hybrid and they have talked to a company about dropping some actual fiber eventually. Councilor Webster: Asked how frequently they update their technology and the impact to the customers regarding price. Jordan: Stated they have never actually raised their prices in last four years and have towers are upgraded every 3-5 years.

Councilor Myers: Asked if he was aware of the City ordinances regarding what can be mounted. Jordan: Assured Council they are in compliance.

XI. COUNCIL COMMENTS:

Councilor Myers noted Councilor Watkins has a memo on some things he would like to see once the Council is full and would like it put on the agenda.

Councilor Watkins: He would also like to see the Welcome to Jefferson signs be redone and suggested that sign be done in a material that is cleanable.

Councilor Webster: Noted that Laura Brown had brought up at last meeting about City clean up. Some citizens have organized a small scale cleanup from 10:00 am-12:00 pm on October 14th. They will be meeting at the elementary school parking lot. They have businesses donating garbage cans to spread the burden around.

Councilor Campau: A couple of meetings ago she wanted to discuss reimbursement for Deanna for the additional duties. She stated that she and Councilor Webster have been working on this and it will be coming back at the end of October.

Councilor Myers: Commented on the new Deputy in town and the work he has done in his short time has been very positive. He hopes the community notices the difference Deputy Olson has made.

X. CALENDAR CHANGES:

XI. ADJOURNMENT:

Councilor Beyerl moved to adjourn and Councilor Campau seconded. Meeting adjourned at 8:45 pm.

MINUTES APPROVED this 26th day of October 2017.

Michael D. Myers, Mayor

ATTEST:

Greg Ellis, Interim City Manager/Recorder