



Mayor Corey Adams

Council Members:

Ila Skyberg, Council President
Rita Baller
Allan Bramall
Gary Hill
Jeri St Onge
Laurie Toney
Mariah Woodward, Honorary City Councilor

City Staff:

City Recorder, *Sue C Hollis*
Library: *Melissa Hansen & Denise Willms*
Office Coordinator: *Debra Bernard*
Office Specialist: *Amber Deibel*
Public Works Director: *Jeff Brown*

WILLAMINA CITY COUNCIL REGULAR MEETING
Thursday, November 14, 2013
7:00 PM

Present:

Mayor Adams
Councilor Baller
Councilor Bramall
Councilor Hill
Councilor Skyberg
Councilor St Onge
Councilor Toney

Absent:

Honorary
Councilor
Woodward

City Staff Present:

Sue Hollis, City Recorder
Jeff Brown, Public Works
Director
Sergeant Russ
Vandewettering, YC
Sheriff's Office

Others Present:

Marguerite Alexander,
The Sun
Paul Daquilante,
News-Register
Planning Commissioner
Dennis Ulrich
Planning Commissioner
Justin Stritzke
Twila Hill

I. Flag Salute

Mayor Adams called the meeting to order at 7:00 pm. The Pledge of Allegiance was recited.

II. Roll Call

Sue Hollis, City Recorder, conducted the Roll Call. A quorum was present.

III. Approval of Minutes

1. Regular Meeting of October 10, 2013

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Councilor Hill **moved** to approve the minutes of the Regular Meeting of October 10, 2013, as written.

Councilor Toney **seconded**. Motion **carried** unanimously, with Councilors Baller, Bramall, Hill, Skyberg, St Onge, and Toney voting aye.
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2. **Special Meeting & Joint Work Session of October 24, 2013** (Deferred to 12/12/13)

Sue Hollis apologized that she was not able to transcribe these minutes in time for the agenda.

IV. **Public Input**

None.

V. **Old Business**

1. **Resolution #13.14-002, A Resolution Adopting the City of Willamina Emergency Operations Plan, as Amended**

Councilor Baller asked about the School District response to whether they have buses available for use in a disaster. Councilor Toney responded that she had talked with Gus Forster, Willamina School District Superintendent, and other District staff. There are at least 2 buses that would be available for use and they would be happy to serve as a shelter. She had also tried to contact First Student, the company providing the majority of the bus services, but has never received a response.

Sue Hollis asked Jeff Brown, Public Works Director, if he had received a response from the Fire District on their inclusion in the EOP. Brown responded that he has not heard from them, but they had indicated they just wished to review the plan. He noted that their activities outlined in the EOP are the same ones they always do in an emergency or disaster.

Councilor Skyberg **moved** to adopt Resolution #13.14-002, A Resolution Adopting the City of Willamina Emergency Operations Plan, as Amended.

Councilor Bramall **seconded**. Motion **carried** unanimously, with Councilors Baller, Bramall, Hill, Skyberg, St Onge, and Toney voting aye.

2. **Golf Carts on City Streets (Sergeant Vandewettering)**

Sergeant Vandewettering passed out copies of a handout used by the deputies to determine the rules related to various types of motorized and non-motorized vehicles (attached hereto and made a part hereof). The handout does not include golf carts. He reported that the only persons who are authorized to drive golf carts on City streets must have a license which is available at the Department of Motor Vehicles (DMV). They must be able to demonstrate a disability. They are also restricted to areas with a speed of 25 mph or less. He noted that the Sheriff's Office has never issued a citation for operating a golf cart on City streets in their jurisdiction.

3. **Appointment to the Library Board**

Sue Hollis called attention to the handout memo on this subject (attached hereto and made a part hereof) and briefly reviewed its contents. She noted that the Library Board has recommended appointment of Audry Snyder.

Councilor St Onge **moved** to appoint Audry S Snyder to the Library Board to fill the unexpired term of Linda Brown which will end in September 2016.

Councilor Toney **seconded**. Motion **carried** unanimously, with Councilors Baller, Bramall, Hill, Skyberg, St Onge, and Toney voting aye.

VI. **New Business**

1. **Resolution #13.14-003, A Resolution Adopting a Section 3 Plan to Comply with 24 CFR, Part 135 of the United States Department of Housing and Urban Development Section 3 and Adopting a Limited English Proficiency Plan**

Sue Hollis noted that Council had a replacement copy in front of them (attached hereto and made a part hereof) because the agenda copy did not include Exhibit B. This resolution is required by the funding agency for the Water Master Plan Update.

Councilor St Onge **moved** to adopt Resolution #13.14-003.

Councilor Toney **seconded**. Motion **carried** unanimously, with Councilors Baller, Bramall, Hill, Skyberg, St Onge, and Toney voting aye.

2. **Resolution #13.14-004, A Resolution Delegating Authority to Acknowledge and Sign OLCC Special Event Winery/Special Event Grower Applications**

Sue Hollis reported that this is something we are seeing a lot more because of events at the West Valley Community Campus. It is sometimes difficult to track down authorized signers. Councilor St Onge asked if this was the form that law enforcement usually signs. Hollis responded that it was not. This one is a Special License and it has a spot for City or County signature. The choices are to approve, acknowledge or deny the application. The resolution would authorize only acknowledgement of the application.

Councilor Toney **moved** to adopt Resolution #13.14-004.

Councilor Baller **seconded**. Motion **carried** unanimously, with Councilors Baller, Bramall, Hill, Skyberg, St Onge, and Toney voting aye.

3. **Medical Marijuana Dispensaries (Discussion)**

Mayor Adams opened the floor for discussion about medical marijuana dispensaries. Sue Hollis called attention to a handout containing additional information that was received a few days ago (attached hereto and made a part hereof). Mayor Adams noted that the City is limited in its options related to these dispensaries. Councilor St Onge responded that we can limit where they are permitted within the City. Councilor Hill noted that the City cannot prohibit them outright according to the attorney. Councilor Baller's primary concern was that they not be located within 1,000 feet of a City park. She felt it was similar to being within 1,000 feet of a school.

Discussion followed about what the law prohibits. The information provided by the Council of Governments was developed by the League of Oregon Cities. They included a prohibition within 1,000 feet of a residential zone. Councilor St Onge noted that she had read the law and it does not contain that prohibition. Sue Hollis agreed, noting that the League's attorneys and our attorney do not agree on this particular issue.

Mayor Adams stated that is was also his understanding that we couldn't rely on federal law either. Councilor St Onge responded that you could, but they have already said that they would not get in the way of medical marijuana dispensaries if states approved them. The federal government does prohibit its dispensing by pharmacies. Discussion followed about including language in the business licensing that requires compliance with federal law. The City Attorney has indicated that this is an option, but it will likely be challenged in court and the City needs to determine if they wish to be a part of a lawsuit.

Councilor Baller **moved** that the City adopt an ordinance prohibiting medical marijuana dispensaries within 1,000 feet of a park, subject to approval of the City Attorney.

Councilor Skyberg **seconded for purposes of discussion**.

Sue Hollis noted that the City Attorney has said that you can't simply adopt an ordinance restricting these, you need to modify the Development Code. City Council can direct the Planning Commission to develop this language.

Councilor Baller withdrew her previous motion.

Councilor Baller **moved** to refer this matter to the Planning Commission for a Legislative Change to the Development Code to prohibit medical marijuana dispensaries within 1,000 feet of a park in the appropriate sections of the Code.

Councilor Skyberg **seconded**. Motion **carried** unanimously, with Councilors Baller, Bramall, Hill, Skyberg, St Onge, and Toney voting aye.

Mayor Adams questioned use of marijuana in these dispensaries and where production can take place. He asked if grow operations can be done on any vacant lot. Larry Risteen, a member of the audience from Grand Ronde, said that this was all outlined in the law. That type of grow operation could not happen. Councilor St Onge suggested that interested persons check out the Oregon Health Authority website to get a better understanding of what the law does and does not permit. She noted that the licensing process is not an easy one. Discussion followed. Larry Risteen noted that there is no using of the product on site. Councilor St Onge stated that it is also prohibited on public property such as sidewalks. Mr Risteen noted that he was interested in opening a dispensary here at the former Shirley's Hair salon. His is very interested in working with the City Council and law enforcement on this issue. He asked if there would be a hearing on this. Sue Hollis responded that the Planning Commission would have a public hearing on any proposed changes. The public can appear at any Planning Commission meeting even if a hearing is not scheduled. Discussion followed about the timeline.

4. **Proposed Vacant Property Registration Ordinance**

Sue Hollis noted that Council has briefly discussed this topic at an earlier meeting. The Code Enforcement Officer has recommended adoption of language to allow him to deal more effectively with vacant properties. She noted that he had provided a report to Council which had been placed in their mailboxes. One of the properties in the report is a vacant property. It took 12 months to get it resolved. Staff is asking Council to approve development of an ordinance to require vacant property registration.

Councilor Hill **moved** to direct staff to prepare a Vacant Property Registration Ordinance for Council consideration.

Councilor Skyberg **seconded**. Motion **carried** unanimously, with Councilors Baller, Bramall, Hill, Skyberg, St Onge, and Toney voting aye.

5. **Resignation Letter from County Emergency Manager Doug McGillivray**
(information only)

No discussion.

VII. **Mayor's Report**

Mayor Adams reported that he was this year's winner of "Win, Lose, or Mayor" on the Ed Forman show. He competed against the Mayors of Rainier and Vancouver.

He will be representing Willamina at the Portland Raceway this Sunday.

An indoor skate park is under construction inside the Tina Miller Center. They hope to be open by Christmas. Everyone will be invited to the opening party.

Mayor Adams called attention to Drug Free Pledges provided by the students of Willamina.

VIII. **Council Liaison Reports**

1. **Chamber Liaison (Councilor Hill)**

Councilor Hill notified Council that he would not be able to represent Council on the Chamber for the present because he is not in town on Wednesdays. He suggested that someone else be assigned to that duty.

Councilor St Onge reported that the Chamber wished Council to know that they do not support medical marijuana dispensaries in the City of Willamina. The Light Parade is scheduled for December 7th with hot chocolate and cookies afterward at the West Valley Community Center. The Chamber is providing each business on Main Street \$25 for window displays that they hope to have in place by the night of the Light Parade. Later in the month, judging will take place on houses decorated for the holidays.

2. **School Board Liaison (Councilor Toney)**

Councilor Toney reported that the School Board was really disappointed about the defeat of the bond levy. They plan to try again in May 2014. Councilor St Onge asked if the Board had any insight into why it did not pass. Councilor Toney responded that they did not. It was felt that the PAC had done a great job of getting the word out.

Sue Hollis noted that they had heard comments at City Hall that people were concerned about more taxes because they got their tax bills just before the election and there was a 3% increase as allowed by law.

Twila Hill, a member of the audience, felt that there was just too much piled on the election. It was frightening to think about the increased costs.

Councilor St Onge reported that what she had heard was an objection to spending on sports related construction. These people would rather see an emphasis on the educational portion such as books, lockers, and adequate buildings. Councilor Toney noted that this year, the School District will have to start paying rent on the football and softball fields on Washington Street.

3. YCOM Board (Councilor Baller)

Councilor Baller reported that she had attended a meeting where the future of the organization was discussed. The Board had established an Advisory Committee to look at the future of the organization. Their radio system is outdated and needs to be replaced within 3-4 years. It is not failing at this point. There are other issues, such as consolidation with another center, or retaining our own within the County. It is felt that we have a good system and do not wish to consolidate. They have developed a huge amount of information for review by the Board. She will continue to update the Council as these issues are discussed.

4. Strategic Planning Focus Group (No Meeting in October)

No discussion.

IX. Council Committee Reports

1. Finance Committee

a. Minutes of Meeting of November 5, 2013

Councilor Toney **moved** to approve the minutes of the Finance Committee meeting of November 5, 2103, as written.

Councilor Hill **seconded**. Motion **carried** unanimously, with Councilors Baller, Bramall, Hill, Skyberg, St Onge, and Toney voting aye.

b. Approval to Replace Copier at Library

Sue Hollis noted that the copier at the Library had been having problems primarily because it is a "green" copier that uses a crayon type of toner that is actually designed for a higher usage than it receives at the Library. Without the higher use, the toner does not stay warm enough to work properly so the machine must go through a process to warm them up before they are used. The replacement model suggested will save the City about \$40 a month and uses the traditional toner.

Councilor Toney recalled that we had just purchased this copier recently. Hollis responded that we are in the 3rd year of a 5 year lease. The new copier will be leased as well.

Councilor Hill **moved** to approve replacing the copier in the Library as proposed.

Councilor St Onge **seconded**. Motion **carried** unanimously, with Councilors Baller, Bramall, Hill, Skyberg, St Onge, and Toney voting aye.

Councilor St Onge asked if the City could make the copy machine available to persons in the community to make their own copies. Hollis responded that the City Council could authorize that and establish a fee for the service. She will research our costs and report back at a future meeting.

c. **Report of Bills Paid – October 1-31, 2013**

Councilor Toney **moved** approve the Report of Bills Paid from October 1-31, 2013.

Councilor Hill **seconded**. Motion **carried** unanimously, with Councilors Baller, Bramall, Hill, St Onge, and Toney voting aye; Councilor Skyberg abstaining noting that the City does business with their family hardware store.

2. **Public Works Committee**

a. **Minutes of Meeting of October 30, 2013**

Councilor Toney **moved** to approve the minutes of the meeting of October 30, 2013, as written.

Councilor Bramall **seconded**. Motion **carried** unanimously, with Councilors Baller, Bramall, Hill, Skyberg, St Onge, and Toney voting aye.

b. **Parking on Churchman Street**

Mayor Adams called attention to the agenda memo and briefly reviewed its contents. Parking would be restricted to the west side only on Churchman Street between 4th and Willamina Drive effective January 1, 2014.

Councilor Bramall **moved** to restrict parking to the west side only on Churchman Street between 4th and Willamina Drive effective January 1, 2014.

Councilor St Onge **seconded**. Motion **carried** unanimously, with Councilors Baller, Bramall, Hill, Skyberg, St Onge, and Toney voting aye.

3. **Planning Commission Report**

Commissioners Dennis Ulrich and Justin Stritzke gave a brief report. Ulrich called attention to the handout Gantt Chart showing the timeline. They have discovered that the language is more convoluted than originally anticipated and it is taking them a bit longer. Stritzke is working on developing a great definitions section. He noted that their original schedule was really aggressive so we are not really that far behind. They are moving right along. Discussion followed about the chart and the meaning of the various colors. The green shows the ongoing work; blue marks meetings to report to Council; red marks joint meetings; and yellow is the review and approval process. Commissioner Ulrich noted that the City Planner, Marjorie Mattson, has been invaluable to them in this process.

X. **Reports of City Officers**

1. **City Recorder (Verbal)**

City County Dinner Reservations

Sue Hollis asked that Councilors planning to go to this dinner let her know by noon on Wednesday, November 27. Mayor Adams and wife will attend; Councilors Baller, Skyberg, and St Onge will attend; as will Councilor Bramall and wife.

City Hall Closure

Hollis reminded Council that November 28 and 29 are City holidays and offices will be closed.

2. **Public Works**

a. **Monthly Report**

Jeff Brown called attention to the agenda report and briefly reviewed its contents. The sidewalk project is expected to get underway next week. The City has completed installation of the check valve at the West Valley Community Campus so there should not be an issue with any sewer backups during a pump failure.

Brown reported on damage in Hampton Park made by a teen taking their truck into the grass area. The person was identified and contact made by the deputies. Hollis noted that the young man had come to City Hall to apologize and offer to repair the damage.

Councilor Skyberg thanked Brown for taking down the flowers and for all his work at the Tina Miller Park.

Councilor Skyberg went on to express her concern about using chemicals to control weeds at Huddleston Pond. She suggested having a cooperative agreement with others in the community to raise funds to cut the weeds. Councilor St Onge reported that the Public Works Committee had an extensive discussion about that same issue.

Commissioner Stritzke reported on broken teeter-totters at Lamson Park. He felt some of the broken parts remaining could be a hazard. Brown will follow up. Dennis Ulrich offered help from the Kiwanis if they wished to get a new one. Brief discussion followed.

b. City Engineer Response to Willamina School District Proposal

Mayor Adams called attention to the agenda memo. Sue Hollis noted that the engineer did not feel the City had a legal responsibility to provide a certain water pressure above state health requirements. He recommends that the City take no action until such time as the Water Master Plan is updated.

Discussion followed about the costs and who would pay. Hollis responded that the School District would be the responsible party. She went on to note that any costs provided by the water utility would be paid by rate payers and would not come out of taxes. Jeff Brown noted that the District has a much larger tax base than the City.

Hollis noted that agreeing to something now would be like taking a shot in the dark. We don't know enough about our own system to make an informed decision about this proposal. Discussion followed about the various options and the pressure needed for fire suppression. Brown noted that the issue is actually volume, not pressure. The State Fire Marshall has requested volume of 1500 gpm.

In response to a question, Brown did not see the land noted in the District letter developing for a long time. We already have two subdivisions approved that haven't been built.

Councilor St Onge asked how long it would be until we received a draft to review. Brown responded that it will likely be in late January or early February.

Councilor St Onge **moved** to direct staff to prepare a response to Mr Forster's letter of October 9, 2013, for the Mayor's signature.

Councilor Baller **seconded**. Motion **carried** unanimously, with Councilors Baller, Bramall, Hill, Skyberg, St Onge, and Toney voting aye.

3. Library

- a. Library Board Minutes – October 15, 2013
- b. Reports & Library Statistics
- c. Library Board Response to Suggested Additional Uses for the Library

No discussion.

Councilor St Onge asked for clarification on why the Library is closed on Monday, but the Librarian works that day. She asked for Council discussion on this issue. She felt that there are 16 hours a week that the Library is not open to the public but there is staff present. Hollis noted that staff does need and deserve to have some quiet time to plan or complete work such as ordering books which is done on-line. Justin Stritzke noted that the Library is fairly heavily used for its size. Discussion followed. Hollis noted that she did not object to being open more hours, but felt that Library staff should know that this was an agenda item. If they had concerns, they could appear and provide additional information.

- d. Youth Services Librarian Report (Verbal)

None. Sue Hollis noted that Denise Willms was ill tonight.

4. Sheriff's Office

- a. Code Enforcement Report - October 2013 (Handout)

Sue Hollis called attention to the handout report (attached hereto and made a part hereof). She responded to a question from the last meeting about what the "+" meant on the report. This actually was a typo and should have read "Warnings."

b. Crime Summary – October 2013 (Handout)

Sue Hollis called attention to the handout report (attached hereto and made a part hereof).

Sergeant Vandewettering reported on the vandalism at Huddleston Pond and that the City would receive a Victim Impact Statement. They can then make a decision about what they would like to see from the offender in terms of restitution and community service. The Sergeant expressed special thanks to the citizen who observed the vandalism and reported it. Deputies need the eyes and ears of the community to assist them.

Vandewettering then reported on a party at which a number of area teens received citations for minor in possession of alcohol. Adults also received citations. He went on to note that a drug bust had also been made in the City.

Vandewettering suggested that the Council schedule a presentation from Sergeant Chris Ray with the Yamhill County Interagency Narcotics Team. It was decided to tentatively schedule the presentation for the January Work Session date which is the 4th Thursday.

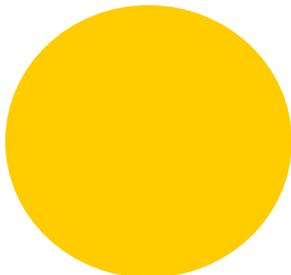
Councilor St Onge reported that she is connecting with a man who runs a horticultural program at the Federal Correctional Institution. They offer help to area cities to plant and weed. She will report back to Council at a later meeting.

XI. Adjourn

Councilor Toney **moved** to adjourn

Councilor Hill **seconded**. Motion **carried** unanimously, with Councilors Baller, Bramall, Hill, Skyberg, St Onge and Toney voting aye.

Meeting adjourned at 8:33 pm.



Corey Adams, Mayor

Attest:

Sue Hollis, City Recorder