



Mayor Ila Skyberg

Council Members:

*Rita Baller, Council President
Gary Hill
Katie Vinson
Heather Stritzke
Allan Bramall
Theresa McKnight*

City Staff:

*City Recorder: Debbie Bernard
Accountant: Marilyn Coates temp
Office Coordinator: Rania Conover
Office Specialist: Karen Justen
Library: Melissa Hansen & Amber Deibel
Public Works Director: Jeff Brown
Code Enforcement: John Kowolik*

**City Of Willamina City Council
Minutes of the Second Thursday Meeting of the City Council
October 8, 2015
7:00 PM**

Location of Meeting:

City Hall
411 NE
Willamina, Oregon 97132

Present at Meeting:

Councilor President Rita Baller
Councilor Gary Hill
Councilor Allan Bramall
Councilor Theresa McKnight
Councilor Katie Vinson

Absent:

Councilor Heather Stritzke
Mayor Ila Skyberg

Staff Present:

City Recorder Debbie Bernard
Public Works Director Jeff Brown
City Attorney David Doughman

Others present:

Paul Daquilante, News register
Carl Klym
Sherry Dawkins Mud Drags
Craig Johnson Public Works Committee Member

The regular meeting of the City Council of City of Willamina City Council was delayed for a call to order at 7:00 PM on October 8, 2015 at City Hall by Council President Rita Baller until 7:35pm awaiting quorum.

I. Approval of Agenda

The agenda for the meeting was distributed and unanimously approved.

II. Review of Previous Minutes

The minutes of the previous meeting were reviewed and unanimously approved.

III. Consideration of Open Issues

1. Shaky Ground Pamphlet

Council President Rita Baller

Rita opened with "let's talk about things we do not have to vote on". The meeting was delayed awaiting an additional councilor to arrive for a quorum. As we all were waiting Rita then spoke to the pamphlet that was put out by the Oregon Emergency Management which she felt was very interesting and a good read for anyone. Rita gave a personal account of her experience and said that in reading the pamphlet she was reminded to keep a pair of gloves and a flashlight by her bedside. Rita referred everyone one to pick up a copy up at the front counter in City Hall.

Councilor Baller then asked the citizens present if anyone would like to discuss any items that would not require a vote.

Sherry Dawkins was present to ask permission for a change to the annual Willamina Mud Drags. She said instead of the mud drags, the 4th of July committee would like do a Swap Meet and Flea Market. The date for the event is July 23, 2016. Sherry stated the reason that the request was early was she wanted to prepare and enter an advertising pamphlet. Rita asked if Sherry had insurance and permits all in line. Sherry responded no as it was too early. Sherry noted that the swamp meet and flea market insurance would be a lot less. Rita then stated that as soon as we had a quorum we could then vote.

Council President Baller then asked Mr. Klym if he would like to speak. He said his concern was the water billing. Rita asked Mr. Klym to state his name for the record. Carl said he does not see any improvement around the town and he is concerned. He said the population sign has not changed since he was a kid. He said he had to go online to figure what the population was; He said there are about 698 homes; suburban statistics.org. He went on to explain the average cost is for a household is \$97.00; that is \$68,000 dollars of revenue. He said he wonders where the revenue is going. Carl went on to say he had many problems with the City like not enough law enforcement.

Rita acknowledged Carl concerns and said that the Mayor is working with Jeff to get the population sign updated.

Rita then said the revenue that the city brings in from water has to stay in the water fund. In addition, that the amount of revenue brought in does not cover the cost to create and deliver the water. Rita then shared that the city did a water rate study recently because the city needed to know how to cover the cost of the aging infrastructure. She shared her past experience of governing and stated that there is a reason to listen to the professionals that have advised the city that they do not charge enough to qualify for loans and grants. Carl said that in the recent 3 months his water did not go down the way the City claimed it would. Theresa noted that the sewer also went up in that period. Carl went on to say that he asked for the last ten years of rates information but was only given 5 years. Councilor Baller said there had to be a reasonable explanation from staff for that and then thanked Carl for bringing his concerns to Council. Debbie explained that the old Springbrook software was no longer working and that the last 5 years data came out of the current software. ^{Carol} also commented that code enforcement was not doing a good job. Carl noted that the code enforcer should not park where the police park. Carl also said that when he asked staff about what a cubic foot they did know. He asked when new staff started. Rita asked Jeff if staff replaced the meter. Jeff responded yes. Debbie then stated that she asked at least 10 days to establish a reading. Debbie also shared that public works responded that there was no explanation on our side for the high consumption. Debbie also explained that she talked to Mrs. Kym the owner regarding the high consumption and possible adjustment.

Councilor Baller then asked David Doughman Attorney to give us an update. He said a lot is going on at the legislature that is keeping him busy however, everything else is good.

Citizen Craig Johnson asked about what happen at the Public Works committee meeting. Rita responded that the committee talked about felling trees, repair skate ramp, taking cedar block to straight out a sign and several other things. Rita added that the committee walked over and could see the damage and need for the skate ramp repair.

2. City Council Meeting was called to order at 7:35pm

Council President Rita Baller

Councilor Baller asked the City Recorder Debbie Bernard to take roll call. Roll call was taken and the city recorder stated a quorum was present. Councilor Vinson did arrive at 7:35pm and Councilor Stritzke was absent. Addition, Mayor Skyberg was also absent.

Councilor Baller asked for a motion regarding the minutes from September 10, 2015.

MOTION: Councilor Hill moved to approved minutes of September 10, 2015 Regular City Council Meeting. Councilor Bramall seconded. Motion carried unanimously, with Councilors Hill, Bramall, McKnight, and Vinson voting aye. Councilor Stritzke was absent.

Councilor Baller noted the September 17, 2015 minutes were tabled as they were not ready.

MOTION: Councilor Hill motioned to approve the swap meet and flea market on July 23, 2016. Councilor McKnight Seconded. Motion carried unanimously, with Councilors Hill, Bramall, McKnight, and Vinson voting aye. Councilor Stritzke was absent.

Councilor Baller brought Katie up to speed and noted that we had already talked about the required insurance. Rita thanked Sherry for all the work she does and her community service.

Councilor Baller asked for a motion to approve June 25th Mud Drags.

MOTION: Councilor Hill motioned to approve the June 25, 2016 Mud Drags. Councilor Bramall seconded. Motion carried unanimously, with Councilors Hill, Bramall, McKnight, and Vinson voting aye. Councilor Stritzke was absent.

Old Business - Councilor Baller asked the City Recorder to Read the Proclamation.

She read the Proclamation aloud from the office of Mayor

MOTION: Councilor Hill motioned to approve the Proclamation with the added signature of the Mayor. Councilor Bramall seconded. Motion carried unanimously, with Councilors Hill, Bramall, McKnight, and Vinson voting aye. Councilor Stritzke was absent.

3. New Marijuana Laws

City Attorney David Doughman

David started by stated that there are new laws that have passed in the recent legislative session. David noted his law firm represents local governments exclusively.

David started by stating to take a step back he wanted to share how the topic evolved.

It started out with the Medical Marijuana program but there really was no easy way for folks to acquire it. Next the legislature decided to bring that into the light and allow dispensaries. Next the legislative created regulations to allow cities to prohibit dispensaries for 1 year; however, still not clear if it was legal. A number of communities put a ban on it.

David noted that this substance is a schedule one drug and the federal government puts it on the level of a serious and elicit substance. Trying to figure what trumps what. Federal law is supreme. Fast forward to 2014. Most importantly there was passage of measure 91. In the last legislature the state tried to rap their arms around medical marijuana and recreational marijuana. The Oregon liquor control will have a licensing program for

recreational marijuana sales soon. The legislature did not combine the 2 programs. The Oregon health authority oversees the medical marijuana.

In response to the legislative changes that happened in 2015, cities have more flexibility as to what they can and cannot do of both the medical and recreational variety said David. He went on to describe a major distinction between cities east of the cascades west of the mountains.

Eastern Oregon legislative bodies were convinced to allow local municipalities to ban. Everyone west of the cascades have the right to pass an ordinance to prohibit medical or recreation dispensaries or recreational grow processes; a list of 6 types of facilities and or all you can ban.

The caveat is that you have to take it to the voters on the November 2016 ballot; voters have the right to accept or reject the ordinance.

David summarized that City has passed an ordinance in respect to medical marijuana which is regulated to the industrial zone. David stated he did not come with any policy advice. He said his job is to present a plate of options. He added Debbie gave him what the City of Willamina has already done. He said Willamina has passed a set of land use regulations. The City basically allows a medical marijuana facility in the industrial zone. So if anyone is interested to sell medical marijuana they would have to apply for a conditional use.

David noted the City could do the same for Recreational marijuana with the same regulation. If the council wants to go that route it would be very easy. He recommends amending the ordinance we already have to include recreational dispensaries. David noted if the city wants to do a ban, or wants to even ban one for example recreational that would eliminate the Cities right to any state shared tax revenue. Any sort of prohibition causes the cities to lose any state shared revenue.

In addition, David added that the last legislature session addressed taxes. David said the cities have 10% tax to address recreational marijuana sales. He noted that measure 91 would cause that tax to be void. He said the new legislation allows cities to adopt a tax up to 3%; however, it has to be presented to the voters. He said the way to think about the tax issue is the cities can pass a tax up to 3% and still get state shared revenue.

Katie's clarified is there any dispensaries that are medical and recreational? David responded it harkens back to is it legal but you have no way to get it. There is a gap when it was legal and when you can get it. They only place you can legally buy it is in legal dispensaries. Communities right now can sell limited amounts of medical marijuana. it is anticipated that when OLCC regulates some of the medical will be allowed to sell recreational. David said in the end he thinks some of the Medical will become

exclusively recreational.

Councilor Bramall added the amount you can now purchase is 1/4 ounce. Kathie noted basically everyone in Eastern Oregon will not be able to share in the state shared revenue due to their regulations. David agreed yes.

David added that HB3400 has 70 pages of new legislation and he would forward the link for all to review which talks about the upcoming legislative changes.

Rita asked councilors what do they want to do. David noted there is time up to the next 6 months. Gary asked to table it so the Mayor could be here. Rita said what about putting it on the November work session.

Gary said he did not see a need to have a work session. Katie's responded that she would like to review the codes.

Councilor Hill asked what if a company 100 yards outside our cities limits wants to grow and also wants to sell on the same property is there anything that stops them. David said yes and no. The cities have no authority to stop it. It would fall to the county. He went on to say his recollection is both uses can not occur on the same parcel. Gary clarified it would not be on the same parcel. Gary said he has heard that some one is interested and wanted to do that outside the city limits.

MOTION: Councilor Baller noted there is a motion on the floor to table the topic for the Mayors return. Councilor Mcknight seconded. .

Motion carried unanimously, with Councilors Hill, Bramall, McKnight, Bramall, and Vinson voting aye. Councilor Stritzke was absent.

4. New Business - Job Descriptions For Office Specialist And City Manager

Council President Rita Baller

Councilor Baller asked to move it to a work session.

MOTION: Councilor Hill moved to take the job descriptions to a work session. Councilor McKnight seconded. Motion carried unanimously, with Councilors Hill, Bramall, McKnight, Bramall, and Vinson voting aye. Councilor Stritzke was absent.

City Recorder responded that would work until the next work sessions.

5. City Budget

City Recorder Debbie Bernard

Debbie stated that in working on whether or to do a supplemental budget, and speaking to Kathy Taylor regarding monies to cover the street improvement on lamson and 4th it was discovered that Kathy had given us the incorrect pages on the budget. There was an error in the budget packet. Debbie stated that was alarming and she got a hold of the Council immediately. Basically the appropriations are all correct the LB50 LB1 is all correct. She stated, she wanted to insert the correct pages and bring that to their attention. Debbie asked does that sound logical. Feedback was yes. Debbie also stated that the accountant reviewed and doubled check all the pages.

MOTION: Councilor Hill made a motion to allow the City Recorder to place the replacement pages in the budget document. Councilor McKnight seconded. Motion

carried unanimously, with Councilors Hill, Bramall, McKnight, Bramall, and Vinson voting aye. Councilor Stritzke was absent.

6. YCOM Board

Councilor Baller

Councilor Baller stated their meeting was postponed.

7. Public Works Committee Minutes.

September 30, 2015 Public works Committee meeting. Rita asked is there anything we needed to vote on.

Debbie stated that we need a motion to fix the dormer at a cost of \$3295. Jeff also stated that is to fix the dormer.

Rita asked for a motion

MOTION: Councilor Hill moved to approve the proposal from Chris Shelton Construction to tear off the dormer at \$3295. Councilor Bramall Seconded. Motion carried unanimously, with Councilors Hill, Bramall, McKnight, Bramall, and Vinson voting aye. Councilor Stritzke was absent.

8. Left Turn Lane On Oaken Hills

Jeff Brown

Jeff stated that he did get a hold of odot. He stated it is a City street so the Council needs to approve a change to the street. Jeff said the high school is taking care of the cost. Jeff asked the council to approve the change at that intersection.

MOTION: Councilor Hill moved to allow work on Oaken Hills Turn Lane with the High School taking care of the cost. Councilor Bramall seconded. Motion carried unanimously, with Councilors Hill, Bramall, McKnight, and Vinson voting aye. Councilor Stritzke was absent.

Jeff continued to say the Council will need to regulate or pass no parking on both sides of the street so that the deputies can enforce the no parking as a violation.

Rita asked do we need to ask Debbie to write up an ordinance to address no parking on Oaken Hills. Rita asked for consensus.

MOTION: Councilor Hill moved to approve the minutes of Public Works of September 30, 2015. Councilor Vinson seconded. Motion carried unanimously, with Councilors Hill, Bramall, McKnight, and Vinson voting aye. Councilor Stritzke was absent.

9. Caselle Migration

Debbie Bernard

Debbie reported that the conversion has been very intense.

She said that AP is now migrated. She said that they are working on loading the budget.

Debbie reported she is working also loading the utility billing accounts and hopes to go

live for the next billing.

Also, Debbie added that she is at the cross roads of decided on a statement vs. the post cards and bringing that to Council. It was proposed to the City by the post office to change from the post cards as some of them get damaged by the handling in Salem. So it proposes the idea to move to an 8 1/2 by 11 statement. Debbie shared that if we move to a new statement it can become a communication tool. Debbie noted is is \$395 dollars now to \$517 a month to mail the bills. Cost per bill is .53 cents to .69 cents. Debbie stated it is definitely an increase in cost.

Katie asked should we make a decision so they can move forward. Gary said he has no problem with it. Rita asked for a motion.

MOTION: Councilor Vinson moved to motion to accept the new water bill statements as discussed by the recorder. Councilor Hill seconded.

Motion carried unanimously, with Councilors Hill, Bramall, McKnight and Vinson voting aye. Councilor Stritzke was absent.

10. Ban the Box

City Recorder Debbie Bernard

Debbie noted that employers soon will have to "Ban the Box" on the cities employment application which if it were there could discriminate or keep folks from the interview if it were discovered prior to an interview criminal background. She said it takes the question off the application or "ban the box". However, the background check can be done later in the process. It goes into effect January 2016.

Rita asked Jeff to report on Public Works. Jeff apologized for not having a written report as he has been very busy. He said Public Works is working on water leaks. He added the sidewalk project should start at the end of October. Katie talked to Jeff about volunteers form the Delphi School. Jeff responded he has worked with those volunteers in the past and did not have success.

Councilor Baller then addresses Sergeant Whitlow. He responded that it had been a pretty good month. He said that the Sherriff arrested Willamina's most wanted and is now in jail.

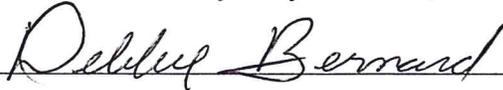
MOTION: Councilor Bramall moved to adjourn. Councilors seconded.. Motion carried unanimously, with Councilors Hill, Bramall, McKnight, and Vinson voting aye. Councilor Stritzke was absent.

Agenda and Time of Next Meeting

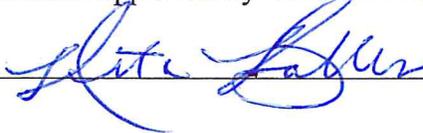
The next meeting will be held at 7:00 PM on November 12, 2015 at:
City Hall
411 NE "C" Street
Willamina, Oregon 97396

The meeting was adjourned at 8:15PM by Council President Rita Baller.

Minutes submitted by: City Recorder, Debbie Bernard



Minutes approved by: Council President, Rita Baller


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