



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*
Office Coordinator: *Rania Conover*
Office Specialist: *Karen Justen*
Library: *Melissa Hansen & Amber Deibel*
Public Works Director: *Jeff Brown*
Code Enforcement: *vacant*

City of Willamina
Minutes of the 2nd Thursday Meeting of the City Council
December 10, 2015
7:00 PM corrected 1/11/16

Location of Meeting:

City of Willamina City Hall
411 NE "C" St
Willamina, Oregon 97396

Present at Meeting:

Mayor Ila Skyberg
Councilor President Rita Baller
Councilor Allan Bramall
Councilor Theresa McKnight
Councilor Heather Stritzke
Councilor Katie Vinson

Absent:

Councilor Gary Hill

Other Attendees: City Recorder, Debbie Bernard, Public Works Superintendent Jeff Brown, Planning Commissioner Dennis Ulrich, City Engineer Peter Olson, and New Register Reporter Paul Daquilante, Bob Burr President of the EID, and Genevieve Wymore Treasurer of the EID were also in attendance.

The regular meeting of the City Council of City of Willamina was called to order at 7:00 PM on December 10, 2015 at City of Willamina City Hall by Mayor Ila Skyberg. The City Recorder called roll call and a quorum was present.

I. Approval of Agenda

The agenda for the meeting was distributed and unanimously approved.

II. Review of Previous Minutes

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

III. Consideration of Open Issues

1. Public Hearing - Renewing Economic Improvement District
Mayor Skyberg
Mayor Skyberg opened the public hearing:

PUBLIC HEARING SCRIPT

ECONOMIC IMPROVEMENT DISTRICT RENEWAL

Good Evening ☐“

This is the time and place scheduled for a public hearing for the purpose of obtaining public comment on the proposed renewal of the City Economic Improvement District for an additional 5 years. The EID was originally established in 1991 and has been renewed every 5 years since that time. Its purpose is to promote economic improvements within the District by planning and managing development or improvement activities; landscaping or other maintenance of public areas; promotion of commercial activity or public areas; activities in support of business recruitment and development; improvements in parking systems or parking enforcement; and any other economic improvement activity for which an assessment may be made on property specifically benefitted thereby.

TESTIMONY FROM PROPONENTS “Now is the time for any persons in support of the renewal to speak.

Mr. Bob Burr spoke and gave a history and background of the EID. He described what the money can be used for and gave these examples: Landscaping, and Promotion of public events like the art tour.

He said it has been 25 years since they passed the EID. He added that it takes 66 % needed for passage and 34% can vote it down.

In addition he said that there have been a few changes over the years. The maximum a business has to pay is not more than \$500.00 and no business pays less than \$50.00.

Some of the \$500.00 payers are, Skyberg’s, Ralph Jenne from PEP, the Burrs and Sheldon Oil is a few that pay \$500.00 to the EID.

Bob then added, for the past 25 years the EID has taken in around \$6000 a year and put a total of \$125,000 back into the community with these specific projects:

- Painted the City Clock
- The 2 three log signs
- The Christmas lights
- Rusty the Logger

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- The Galloping Goose
- The support of the Mud Drags
- The support of the flower baskets

The EID meets once a month at 8:00 am at Coyote Joes. There are 5 people on the EID committee and those 5 determine what projects will be supported. Bob said “if you look at Willamina without the EID it would look pretty different.”

Katie asked if there were money for businesses to borrow money. Bob responded yes and it is the Downtown Loan Fund which is at less than 1% of prime and still viable, however, no one has applied for it. The loan has to be used for outside beautification. Mayor Skyberg publicly thanked Bob Burr and Genevieve Wymore, secretary and treasurer of the EID for their public service.

TESTIMONY FROM OPPONENTS “ Now is the time for any persons in opposition of the renewal to speak.

None.

GENERAL TESTIMONY “ Now is the time for any general comments from any persons in the audience regarding the EID Renewal.

CLOSE THE PUBLIC HEARING.

OPEN COUNCIL DELIBERATIONS ON HOW TO PROCEED. IF THERE ARE NO WRITTEN OBJECTIONS TO THE RENEWAL, OR IF THOSE WRITTEN OBJECTIONS REPRESENT LESS THAN 33% OF THE TOTAL ASSESSMENTS TO BE LEVIED, THE RENEWAL CAN PROCEED. IF MORE THAN 33%, IT CANNOT.

RECOMMEND ANY ADJUSTMENTS TO THE EID FOR PROPERTIES THAT ARE NO LONGER ZONED COMMERCIAL OR INDUSTRIAL.

DIRECT STAFF TO PREPARE THE APPROPRIATE ORDINANCE FOR FIRST READING JANUARY, SECOND READING & ADOPTION IN FEBRUARY 2015.

2. Approval of Agenda and Approval of Minutes

Mayor Skyberg

Mayor Skyberg asked for approval of the minutes of November 12, 2015 Regular Meeting and if there were any questions. Councilor Baller had a couple of comments and referred to page 2 bottom paragraph and asked for clarification. The City recorder responded that the Dennis was present and could explain the statement that “he was forging ahead with absolute minutia.”

Planning Commissioner Dennis Ulrich stood and clarified that it was absolutely correct and it meant drag out boring. Rita also referred to page 3 on the Mayor's report which states attended instead of attending and on page 4 correct spelling of public works. Rita also questioned a motion on vacation. It states one year and she felt it should state one year "only". The City recorded noted the requested corrections.

MOTION: Councilor Baller motion to accept the minutes with corrections. Councilor Stritzke seconded. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, McKnight and Vinson voting aye. Councilor Hill was absent.

MOTION: Councilor Baller motion to accept the minutes of November 23, 2015 Finance Committee as written. Councilor Stritzke seconded. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, McKnight and Vinson voting aye. Councilor Hill was absent.

MOTION: Councilor Baller motion to accept the minutes of November 30, 2015 Special City Council Meeting as written. Councilor Stritzke seconded. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, McKnight and Vinson voting aye. Councilor Hill was absent.

3. Public Input Marlena Bertram, Executive Director Your Community Mediators Of Yamhill County

Marlena Bertram, Executive Director

Marlena gave a Holiday Greeting to Council and said it was the time of year she visits Councils to give them an update on activities the organization is doing for the Cities.

She described an 11-month update and the number and type of cases the mediators have addressed in 2014 as compared to 2013. She described a total of 4 and 5 cases during the last two years for Willamina where it came to the mediation table. Marlene added that she believed those cases were very successful and hopes everyone involved learned new skills.

Rita asked Marlene if the mediators have received support from the schools. Marlene responded no not at the present time.

Marlene explained that when the schools see supporting or partnering for mediation services she could see that working, however, it takes funding and staff. She shared that she is the only full time staff member with the Mediators, therefore it would take more trained mediators and staff to address those services. Also, it would take support from people in the communities and support in the schools for the program.

4. Old Business Keller Associates Street Projects

Peter Olson

Peter asked Debbie to start. She responded Peter was present tonight to ask Council to pay for overages. The Sidewalk Grant Project went over budget. Debbie said the sidewalk project was completed and she witnessed it as she drove into town each day and saw the compacting of the gravel. It was the compacting that caused the overages.

Debbie then said she would let Peter explain further why the overage happened and what his recommendation is for a solution.

Peter told the Council that the reason for his visit is not pleasant.

Peter said the project is complete with the exception of 2 punch list items. Rita asked what those are. Peter responded striping and 2 panels that have cracks. The overages are due to excessive rock; 3/4-inch gravel. When they do a contract they put in a certain number for gravel. The cost of over excavation to put in better material is the reason for the 3/4 inch gravel. At the beginning of the project his understanding of the specification of units of quantity needed to be higher. So that clarification could have been handled better.

The amount the contractor is asking to be paid is a lot higher. Peter said that he has tried negotiation with the contractor and they have reduced the unit price a little bit. Not as much as he would like. At the end of the day, we find ourselves at a request in excess of the line item for construction.

The construction overage would take it over \$19,000 over what has been awarded by ODOT. Peter said the grant amount is \$208,000. Debbie responded it is actually \$209,000 stated in the contract documents. Peter said we had discussion with Sheila from ODOT. He noted that Debbie was not in that conversation but Ila was.

Ila then stated that there was phone conference with ODOT yesterday and she was surprised that the city attorney was not in on that conference. She said she was also surprised that a contractor was awarded the bid with 1/2-inch gravel then changed to 3/4 inch.

Dennis asked who approved the overage. Ila said no one.

Ila asks Debbie if we have \$6000 available in the budget. Debbie responded yes and that she had been in communication with the city attorney and received advice in regard to spending sidewalk funds.

Debbie had asked Peter to put in writing what happen, why it happened and what is the resolution for the City Attorney Paul Elsner to review. Debbie shared that Paul's opinion

was that the City was not at fault and an error occurred that was not the cities fault; Paul also advised that the City should not share the total burden and others should step up. The others would be ODOT to adjust the grant amount or the burden would fall onto Keller Associates. All in all, Paul Elsner asked the City to get a communication in writing that the City would not be effected negatively for future grants.

Paul also gave the example if the Council looks at it as if we were notified appropriately would they have approved a change order given the opportunity to approve it.

The City Attorney communicated to Debbie that he does not feel the city should carry the total burden of the loss and asked Keller Associates to step up on their end to solve the problem.

Ila said well we are not ready to decide as there has been nothing presented in black in white. Heather ask so what is the total overage. Peter responded \$19,000. Peter said the contractor has given a deadline of Monday.

Katie said isn't it correct that the bids presented could be more accurate in the beginning.

Peter responded yes. Peter responded the contractor has given a deadline of this Monday or it may go to mediation. Peter said Sheila's asked Keller to talk to the Council and see what they will do and return to a conference the morning after Council and prior to ODOT saying what they will do. Jeff added one of Sheila's concerns is if we go to arbitration the cost to the city would go up. Peter said there are monies that have not been spent for example monies into the engineering budget that can be applied. Heather asked if Council should schedule a meeting for the Monday deadline just in case.

Heather asked when did the contractor submit the initial invoice. Peter said it has been several weeks. Debbie asked so what did Keller Associates discuss in having to participate. Peter said in talking to his boss they lose their fees and at the end of the day the city has the product. So if the city is asking Keller associates to contribute they could cut down their November invoice. Dennis Ulrich Planning Commissioner who was in the audience said he had to break in; they bid the project at \$209,000 and they were the low bid; so they have to accept it. Peter responded it is not as simple as that. Dennis said this is called a scam. Peter responded they were directed to do certain work. So the contractor went with the direction they were given. Dennis asked Peter who gave the directions. Peters responded Keller's Engineer. Dennis then stated it sound like you bought it.

Mayor Skyberg ask the Council what is your favor? Katie responded the City does not have money sitting around; she said it is a beautiful sidewalk, however, if it were bid correctly there wouldn't be a problem and the city does not have monies to put toward it.

Ila said the long and short of it is we do not have the money to put toward it. Ila asked Debbie do we have \$6000 in streets. Debbie responded yes and that the Attorney did not want to see the street line item depleted as it is early in the year.

Rita noted so should we see what ODOT will do and wait for the results of the conference call.

Heather asked that the City Recorder post a meeting for Monday in case the Council needs to come back to the table. Rita then said she feels it is important that the City get information from ODOT in writing that the city will be held harmless as it is not something the City did. It was decided there would be a 9:00am Special Meeting if needed. Jeff added hopefully the meeting with Sheila will make up the difference. Peter surmised so due to uncertainty with the budget the City is unable to participate. Ila told Peter that the City appreciates all his work for the City.

5. Peter Olsen introduced Robert Kippe their new Engineer who was assigned to the Oaken Hills project of the Oaken Hills turn lane. Roberts stated that it is feasible and the City would have to assign no parking for the entire block up to 3rd. Robert added he looked at standard practices and it looks like the residences have other options for parking on other streets and in garages. Heather asked has the school taken financial responsibility for the project. Debbie responded no not yet. She asked Jeff who was present what part were they participating. Ila added that in the beginning Mr. Bazinski a staff member from the high school offered to pay for it all. Jeff acknowledged, yes that right. Debbie noted there is a draft resolution and a staff report that will come back in January.
6. Next is the Mayor Report.
Ila stated she attended a CIS grant writing class at the City of Newport on November 3rd and learned a lot about grant writing. She added there is a lot of grants out there however, the City has to be caught up on their audits to apply for grants.
On Tuesday December 1st, Jenny Mercer and Commissioner Springer presented the City with a grant check for \$1700. The monies are to be used for the old department store roof.
On Thursday December 3rd Ila said she and other Councilors attended the City County Dinner at the Grand Ronde Confederated Tribe.
On December 4th there was a special meeting at her home. In attendance were City Recorder Debbie Bernard, Rita Baller, Katie Vinson and Theresa McKnight for a meeting with Ross Schultz; a candidate for City Administrator.
On December 10th there was a meeting at the old department store. A structural engineer was doing an on-site inspection and will soon provide the Council with a report.
7. Jeff asked if there had to be a motion on the EID.

Return of the discussion Debbie summarized that there does have to be a 3-part approval.

MOTION: Councilor Vinson motion to approve the EID budget proposal. Councilor McKnight seconded. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, McKnight and Vinson voting aye. Councilor Hill was absent.

MOTION: Councilor Baller motion to accept the election of EID offers. Councilor Stritzke seconded. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, McKnight and Vinson voting aye. Councilor Hill was absent.

MOTION: Councilor Stritzke motion to approve the EID organization. Councilor Baller seconded. Motion carried unanimously, with Councilors, Stritzke, Baller, Bramall, McKnight and Vinson voting aye. Councilor Hill was absent.

Debbie thanked Jeff.

8. Library Board

Councilor Stritzke

Heather reported that the library board had not heard back on any approval on a volunteer application for a man name Ken Covington and wanted a copy of all applications. Also Heather said there was a miscommunication on the girl that is working with Amber which Melissa was not made aware of her application. In addition, Heather added the library had a wonderful puppet show during the month. There was a book returned to the library that was checked out in 1944. They also wanted to know the status of the grant monies for the façade and if there were any concrete plans.

Also, the Board wanted to start fund raising. Ila responded to Heather they are not a 501C3 and cannot just start fund raising. Ila added that the grant monies are still whole and waiting to be used for the façade.

Heather responded that she is not sure as to what happened with the Friends of the Library, however, they did not maintain the proper notification with the state and no longer have a nonprofit standing. So basically they have to start the whole process over again. Dennis Ulrich stated "come talk to Kiwanis" they can use our 501C3.

9. YCOM Board

Councilor Rita Baller

Rita reported that their director Janice retired. The new director name is Patty Sires. Janice is helping the new director however only coming in when needed.

10. Check Registers

Katie asked Debbie how many porta-potties are there? Debbie responded that she would have to get back to her on that. Jeff responded that public works added one for Lamson Park.

11. Planning Commissioner Report

Dennis said just more of the same.

12. City Recorder Report

Caselle Conversion

Debbie reported that she is working on the Court conversion which is the last module needing to be converted. Debbie also reported that staff trained on the backflow module last week; she added that the cities are testing a little over 200 backflow units.

Debbie also reported that she would be bringing Ross Schultz's resume and recommendation to Council in a Special Meeting giving them the opportunity to review his background and qualification.

13. Code Enforcement Report

Mayor Skyberg asked Debbie if there was any response to the request for him to come to council. Debbie said John did respond and said he felt he took care of that with the luncheon he had with Councilor Baller and the Mayor. There was also a pizza party for John on his last day.

In addition, Debbie added that Sargent Whitlow was not present as he was receiving a special award as Supervisor of the Year in Bend.

14. Public Works

Jeff Brown

Jeff reported that public works needs to repair and replace blowers and would bring them to Council in January. He contacted DEQ because water entered the wells. He also reported that Public works reached a panic level on not being able to make water; however, they put in a new pump and that helped out and they overcame that problem. Jeff added that the staff would be manning the plant on 8 hours shifts. Katie asked Jeff is there any possibility to use rain water when there is a shortage of water. He responded it had been discussed over the years.

In addition, Jeff noted that there has been talk about emergency preparedness and he had set up a meeting on December 19th with the High School, Fire Department, and Sue Lamb for a preliminary meeting with a core group to start the ball rolling on emergency preparedness.

15. Councilor Baller asked about the Budget Calendar. Debbie responded she and the accountant are schedule for budget training in January.
16. Mayor said motion to adjourn. Everyone responded yes.

V. Agenda and Time of Next Meeting

The next meeting will be held at 7:00 PM on January 14, 2016 at:
City Of Willamina
411 NE "C" Street
Willamina, Oregon 97396

The meeting was adjourned at 9:30PM by Mayor Ila Skyberg.

Minutes submitted by: City Recorder, Debbie Bernard
_____.

Minutes approved by: Mayor Ila, Skyberg _____.