

SWEET HOME CITY COUNCIL
MEETING MINUTES

September 24, 2019

Mayor Mahler called the meeting to order at 6:30 p.m. in the Sweet Home City Hall. The Pledge of Allegiance was recited.

Staff Present: City Manager Ray Towry, City Attorney Robert Snyder, Public Works Director Greg Springman, Finance Director Brandon Neish, Police Chief Jeff Lynn, Community and Economic Development Director Blair Larsen, Library Services Director Rose Pead and Recording Secretary Julie Fisher.

Visitors Registered to Speak: Vince Adams, Carol Porter, Janet McInerney, Bob Dalton, Chris Bayne, William Whipple, Mr. Neilson.

Media: Scott Swanson, The New Era

Roll Call:	Councilor Coleman	P	Mayor Mahler	P
	Councilor Gerson	P	Councilor Nash	P
	Councilor Goble	P	Councilor Trask	P
	Councilor Gourley	P		

Consent Agenda: Motion was made to approve the Consent Agenda as submitted (Gerson/Trask) Motion passed with 7 Ayes, 0 Opposed, 0 Absent.

Items on the consent agenda are as follows:
Approval of Minutes: September 10, 2019 Council Minutes

Recognition of Visitors & Hearing of Petition:

Carol Porter Chris Dane	Carol Porter and Chris Dane with the Sweet Home Famers Market addressed Council with concerns in the area of the Farmer's Market. The events included harassment and theft and have impacted vendors and shoppers. Chief Lynn addressed the issue and stated additional presence in that area has deterred depraved behavior. Mayor Mahler stated the City will develop a plan before the next season for the market which begins on June 1 st .
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Vince Adams	Vince Adams spoke concerning the Exclusion Ordinance. He felt excluding an individual from the downtown commercial zone would push them to the surrounding residential neighborhoods.
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Old Business:

Public Hearing: Resolution No. 23 for 2019- A Resolution Adopting a Supplemental Budget for the Building Reserve Fund.	The Public Hearing was opened at 6:56pm. Mayor Mahler read the Public Hearing statement and explained the process. Mayor Mahler asked the Council if there were any bias, ex-parte, or conflict of interest regarding the matter; there were none.
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A Staff Report was presented by Finance Director Neish. FD

Neish reported he is requesting funds left over from the Building Reserve Fund after the completion of the New City Hall Project. The \$53,500 would be transferred and used for construction related purchases to include additional furniture required to furnish the building and a sign.

The floor was opened for public comment. There was none.

The Public Hearing was closed at 6:56pm.

Motion to approve Resolution No. 23 for 2019 – A Resolution Adopting a Supplemental Budget for the Building Reserve Fund (Gerson/Trask)

Roll Call Vote:

Councilor Trask	Aye
Councilor Coleman	Aye
Councilor Gerson	Aye
Councilor Goble	No
Councilor Gourley	Aye
Mayor Mahler	Aye
Councilor Nash	No

Motion passed with 5 Ayes, 2 Opposed (Goble, Nash) and 0 Absent.

Discussion Only – Livability Ordinance and Rental Registration

City Attorney Snyder reported on the rental registration program and how it works in other cities to obtain a certificate of occupancy. There was discussion about current inspections already taking place by some property management teams. Conversation continued regarding who would complete the inspections and how often, if the City was to create such a program. There were concerns from the public on how the City would fund the program or generate the revenue to continue.

Staff is working to compile a list of issues in the draft livability ordinance and see if current codes already in place would address those issues to find “gaps.” Staff will have the comparison before Council on the October 8th Agenda.

This item will return to Council for further discussion.

Discussion Only – Exclusion Ordinance

City Manager Towry referred to the draft ordinance known as the Exclusion Ordinance. City Manager Towry explained there were misconceptions regarding the ordinance, it is not an ordinance targeting the homeless population, but rather targets repeat offenders for crimes committed in the downtown corridor. City Manager Towry stated the ordinance will increase economic development making the downtown commercial zone viable, walkable and lead to a successful downtown.

Chief Lynn added the ordinance is an approach to change behavior. Chief Lynn explained what other nearby communities are experiencing with similar ordinances and the differences that might be appropriate for each community.

Members of the community spoke concerning the draft ordinance. While some were in support, there were concerns about pushing those excluded from the downtown commercial zone into the surrounding residential zone, increasing crimes in those neighborhoods. Additional comments were related to concerns of accessing services if excluded from the downtown area. Council will meet with staff individually with any suggestions to the draft ordinance and whether or not they want it to be on the Agenda for the next meeting.

Discussion Only – Utility Management

PWD Springman presented the Council with options for future management of the Water and Wastewater Treatment Plants. The three options included: Do nothing, management of the plants will continue under Jacobs; secure a new contract with another vendor for management of the plants; or manage both plants with City staff. Timelines and action plans were presented for all three scenarios with a July 1, 2020 end date. The item will come before Council as a Request for Council Action on the October 8, 2019 Agenda.

Request for Council Action – Title VI Plan Updates – Resolution No. 27 for 2019 – A Resolution to Adopt the Revised Limited English Proficiency (LEP) Plan

City Manager Towry introduced the Title VI Plan which was approved by the Council in January and submitted to ODOT Civil Rights Division. Feedback was received from ODOT requesting minor revisions to the plan for compliance. Those edits were made as well as updates to the new City Hall address. The LEP is part of the Title VI Plan and was adopted by Resolution. Minor changes to the LEP requires an updated Resolution. Council had no concerns or questions regarding the updates to the Title VI plan or the LEP.

Motion to approve Resolution No. 27 for 2019 – A Resolution to Adopt the Revised Limited English Proficiency (LEP) Plan (Coleman/Goble) Motion passed with 7 Ayes, 0 Opposed and 0 Absent.

New Business:

Request for Council Action - Resolution No. 28 for 2019 – A Resolution Authorizing City Ownership of Art in the Right-of-Way at Main Street and Holley Road and an ODOT Intergovernmental Agreement

City Engineer Joe Graybill presented an IGA to Council between the City and ODOT. The IGA is necessary for the wooden statue in the ODOT ROW. City ownership and maintenance of the sculpture is required for the art to be placed in the ROW.

Motion to approve Resolution No. 28 for 2019 – A Resolution Authorizing City Ownership of Art in the Right-of-Way at Main Street and Holley Road and an ODOT Intergovernmental Agreement (Trask/Coleman) Motion passed with 7 Ayes, 0 Opposed and 0 Absent.

Request for Council Action – Revisions to the OCWCOG IGA for Technological Services Rate Changes

City Manager Towry introduced the revisions to the Oregon Cascade West Council of Governments (OCWCOG) contract for technological services for updated rates. The contract is merely a retainer for services if the City should ever need assistance for IT.

Motion to approve the revisions to the OCWCOG IGA for Technological Services Rate Changes (Trask/Coleman)

Motion passed with 7 Ayes, 0 Opposed and 0 Absent.

Request for Council Action – LBCC
SBDC IGA for Business Advising
and Training Services

Community and Economic Development Director Blair Larsen introduced the request for an IGA between the City and the Small Business Development Center (SBDC) and Linn Benton Community College (LBCC). The agreement aids Council's goal for Economic Development. The City would provide \$2500 per year in exchange for deliverables reported quarterly.

Motion to approve the IGA for Business Advising and Training Services thru the Small Business Development Center at Linn Benton Community College (Gerson/Trask)

Roll Call Vote:

Councilor Coleman	Aye
Councilor Gerson	Aye
Councilor Goble	No
Councilor Gourley	Aye
Mayor Mahler	Aye
Councilor Nash	No
Councilor Trask	Aye

Motion passed with 5 Ayes, 2 Opposed (Goble, Nash) and 0 Absent.

**Request for Council Action and
First Reading of Ordinance Bills:**

Public Hearing: An Ordinance
Amending Title 16 and Title 17 of the
Sweet Home Municipal Code and
Declaring a Need for an Expediency
Clause.

The Public Hearing was opened at 8:31pm. Mayor Mahler read the Public Hearing statement and explained the process. Mayor Mahler asked the Council if there were any bias, ex-parte, or conflict of interest regarding the matter; there were none.

A Staff Report was presented by Community and Economic Development Director Blair Larsen. CEDD Larsen explained the SHMC is outdated and the updates are housekeeping updates that will make the code easier to apply and understand.

The floor was opened for public comment. There was none.

The Public Hearing was closed at 8:38pm.

Motion to move Ordinance No. 4 for 2019 – An Ordinance Amending Title 16 and Title 17 of the Sweet Home Municipal Code and Declaring a Need for an Expediency Clause to First Reading (Goble/Gerson). Motion passed with 7 Ayes, 0 Opposed and 0 Absent.

Community and Economic Development Director Larsen read in its entirety Ordinance No. 4 for 2019 – An Ordinance Amending Title 16 and Title 17 of the Sweet Home Municipal Code and Declaring a Need for an Expediency Clause.

Motion to move Ordinance No. 4 for 2019 – An Ordinance Amending Title 16 and Title 17 of the Sweet Home Municipal

Code and Declaring a Need for an Expediency Clause to Second Reading (Gourley/Nash). Motion passed with 7 Ayes, 0 Opposed and 0 Absent.

City Attorney Snyder read by Title Only Ordinance No. 4 for 2019 – An Ordinance Amending Title 16 and Title 17 of the Sweet Home Municipal Code and Declaring a Need for an Expediency Clause.

Motion to move Ordinance No. 4 for 2019 – An Ordinance Amending Title 16 and Title 17 of the Sweet Home Municipal Code and Declaring a Need for an Expediency Clause to Third and Final Reading (Gerson/Coleman). Motion passed with 7 Ayes, 0 Opposed and 0 Absent.

Request for Council Action – An Ordinance Amending the Unnecessary Noise Section of the Sweet Home Municipal Code.

City Manager Towry introduced the draft noise ordinance for consideration. The Council asked Chief Lynn if the ordinance would help. He stated he believed it would.

Motion to move Ordinance No. 5 for 2019 –An Ordinance Amending the Unnecessary Noise Section of the Sweet Home Municipal Code to first reading (Gerson/Coleman). Motion passed with 6 Ayes, 1 Opposed (Nash) and 0 Absent.

City Attorney Snyder read in its entirety, Ordinance No. 5 for 2019 – An Ordinance Amending the Unnecessary Noise Section of the Sweet Home Municipal Code.

Motion to move Ordinance No. 5 for 2019 –An Ordinance Amending the Unnecessary Noise Section of the Sweet Home Municipal Code to second reading (Coleman/Nash). Motion passed with 7 Ayes, 0 Opposed and 0 Absent.

Request for Council Action – Urinating or Defecating Ordinance.

City Manager Towry introduced the draft Ordinance relating to urination or defecating in Public Places.

Motion to move Ordinance No. 6 for 2019 – An Ordinance Relating to Urinating or Defecating in Public Places to first reading (Coleman/Trask) Motion passed with 7 Ayes, 0 Opposed and 0 Absent.

City Attorney Snyder read in its entirety Ordinance No. 6 for 2019 – An Ordinance Relating to Urinating or Defecating in Public Places.

Motion to move Ordinance No. 6 for 2019 – An Ordinance Relating to Urinating or Defecating in Public Places to second reading (Coleman/Nash) Motion passed with 7 Ayes, 0 Opposed and 0 Absent.

Second Reading:

Request for Council Action – Ordinance No. 2 for 2019 - Sweet Home Ordinance Pertaining to Authorizing the Operation of Class IV All- Terrain Vehicles on Streets Located within the City of Sweet

City Attorney Snyder read by title only Ordinance No. 2 for 2019 - Sweet Home Ordinance Pertaining to Authorizing the Operation of Class IV All- Terrain Vehicles on Streets Located within the City of Sweet Home, Oregon, but Subject to the Provision of ORS 821.200(1), and Providing a Penalty for the Violation Thereof.

Home, Oregon, but Subject to the Provision of ORS 821.200(1), and Providing a Penalty for the Violation Thereof

Motion to move Ordinance No. 2 for 2019 – Sweet Home Ordinance Pertaining to Authorizing the Operation of Class IV All- Terrain Vehicles on Streets Located within the City of Sweet Home, Oregon, but Subject to the Provision of ORS 821.200(1), and Providing a Penalty for the Violation Thereof, to third and final reading (Coleman/Nash) Motion passed with 6 Ayes, 1 Opposed (Goble) and 0 Absent.

Request for Council Action – Ordinance No. 3 for 2019 – An Ordinance Relating to the Unlawful Transfer on Vehicular Portion of the Right-of-Way.

City Attorney Snyder read by title only Ordinance No. 3 for 2019 - An Ordinance Relating to the Unlawful Transfer on Vehicular Portion of the Right-of-Way.

Motion to move Ordinance No. 3 for 2019 – An Ordinance Relating to the Unlawful Transfer on Vehicular Portion of the Right-of-Way, to third and final reading (Gerson/Trask) Motion passed with 7 Ayes, 0 Opposed and 0 Absent.

Third and Final Reading of Ordinance Bills:

None

Reports of Committees:

Administration & Finance/
Property Committee

No Report

Park & Tree Commission

Councilor Trask reported the City was the recipient of a grant from Gametime for playground equipment in the amount of \$101,000.00. The City also received the Grant from the State of Oregon, Parks and Recreation Department for a total of \$342,809 for Sankey Park rehabilitation.

Youth Advisory Council

No Report

Chamber of Commerce

Councilor Gerson reported the Chamber will move to two meetings per month, one business meeting and one study group.

Council of Governments (COG)

Councilor Gerson gave a written report from the COG regarding their housing study.

Area Commission on Transportation

No Report

Solid Waste Advisory Council
(SWAC)

No Report

Ad Hoc Committee on Health

Councilor Gourley reported Samaritan Health may have grant funds to supply the City with outdoor Sharps containers. This should help with the reckless discard of needles.

Legislative Committee

Councilor Coleman announced SB1013 goes into effect this week.

Reports of City officials

Mayor's Report

Mayor Mahler announced the Harvest Festival on Oct. 5th.

City Manager's Report

The League of Oregon Cities Annual Conference is scheduled for 09/26 – 09/28. PWD Springman and City Manager Towry are presenting on Saturday. Councilor Coleman, Councilor Trask and Finance Director Neish are also attending the Conference. City Manager Towry will be out on Monday and Tuesday following the conference.

Department Directors Reports

Written reports were submitted by the following Departments: Finance and Police. There were no questions of the Council.

City Attorney

No Report.

Council Business for Good of the Order:

Councilor Trask announced the Fire District received a new ambulance after one was damaged in a MVA.

Adjournment:

With no further business the meeting adjourned at 9:07 pm.

The foregoing is a true copy of the proceedings of the City Council at the September 24, 2019 regular City Council Meeting.



10-8-19

Mayor

ATTEST:



10-08-19

City Manager – Ex Officio City Recorder

