

CITY OF SUTHERLIN
Regular City Council Meeting
Sutherlin Civic Auditorium
Monday, September 12, 2016 – 7:00pm

COUNCIL MEMBERS:

MAYOR: Wes Anderson, Wayne Luzier, Forrest Stone, Frank Egbert, Tom Boggs, Karen Meier,
Todd McKnight

CITY STAFF: City Manager, Jerry Gillham
City Recorder, Debbie Hamilton
Deputy City Recorder, Diane Harris
Finance Director, Dan Wilson
Public Works Superintendent, Aaron Swan
Community Development Specialist, Kristi Gilbert
Police Chief, Kirk Sanfilippo
Fire Chief, Charles Perdomo
City Attorney, Chad Jacobs (via Skype)

Audience: Joe Groussman, J. Lindeen Brown, Terry Prestianni, Bertha Egbert, Beth & Jim Houseman, Seth Vincent, Andrew and Ryan Vincent, Travis Tomlinson, Tami Trowbridge, Pam & Denny Cameron, Bert & Pat Bales, Pamela Semas, Bobbie Caylor

Meeting called to order by Mayor McKnight at 7:00pm.

Flag Salute:

Roll Call: All present

Introduction of Media: None present

PUBLIC COMMENT (agenda items only)

- None

PRESENTATIONS

- **Sutherlin School District**

Superintendent, Terry Prestianni, thanked Council for allowing him to speak tonight and would like to continue presenting updates once every couple of months.

- Great start to the school year, have hired some great staff members.
- The Sutherlin Valley Online Academy Alternative School has opened. It is located at Neighborhood Church of Christ's previous site on Hawthorne Street. Prestianni explained the name "Online" is somewhat deceptive. The curriculum is online; however, there is an onsite teacher, half-time Counselor and Instructional Assistant present. Homeschooled students will also have the option of using some online curriculum. Currently 31 students are enrolled.
- Several community members have been asking about the new Turf Field and track. Gates accessing the grounds are currently locked due to the various projects going on. In the future all gates to the field will be locked having one entry; a camera will be present to potentially avoid vandalism. Various organizations will have access through the locked gates for their activities.

Councilor Stone – How do you keep the alternative school kids safe, is security in place? *Prestianni – Currently allowing access through one door to enter and leave from, however do not have a security system in place, but do have a plan available and set up for a "lock-down".*

CONSENT AGENDA

- **August 22, 2016 Minutes – Regular Meeting**

MOTION made by Councilor Boggs to approve Consent Agenda; second by Councilor Luzier.

In Favor: Councilors Stone, Egbert, Boggs, Meier, Anderson, Luzier, and Mayor McKnight

Opposed: None

Motion carried unanimously.

PUBLIC HEARING

- Supplemental Budget

Mayor McKnight opened the Supplemental Budget Public Hearing at 7:00pm.

Staff Report – Finance Director, Dan Wilson – Public Hearing is to allow those interested in speaking about the proposed Supplemental Budget Action Item on tonight’s agenda.

Mayor McKnight called for public comment. None

Public Hearing closed at 7:11pm.

ACTION ITEMS/GENERAL BUSINESS

- **SDDI (Sutherlin Downtown Development, Inc.) Funding Request**

Staff Report – City Manager, Jerry Gillham, summarized documents included in the packet for Council review. SDDI President, J. Lindeen Brown, is present to answer any questions Council may have.

MOTION made by Councilor Boggs to release funds totaling \$13,228 to SDDI as presented; second by Councilor Luzier.

Discussion: Councilor Meier provided handouts to Councilors showing how SDDI’s fund came in to being. She has no problem if requesting money for a grant match; however this is a special fund and very restricted. Feels if the money requested is not for a grant match, cannot vote for it.

- *City Manager, Jerry Gillham – Their request states the money is specifically for that purpose. One of the top prerequisites is they must have a fund for matching grants, it can be used for a matching grant for local businesses such as the proposed Awning Program or can apply for grant dollars from all over.*
- Councilor Meier – When this fund was approved Council stipulated they would have to approve receipts of any grants. *City Manager – That is correct. Last year Council discussed the need to provide justification if grants were received and that they needed to be part of the Main Street Program (MSP). They were going to request \$4,300 per year from the fund until expended. Discussion amongst Council was they would rather give the entire fund to SDDI when they were part of the MSP. Do not agree with giving money to them for a grant program for the businesses. Disagree; believe it was meant to also be a match for incentives such as beautifying business storefronts and applying for grants.*
- Mayor McKnight asked Councilor Meier what she wants from this discussion.
- Councilor Meier – City needs more accountability from them, it is taxpayer money. This was money from Murphy in lieu of property taxes to be used for a specific purpose.
- *City Manager – Have discussed this with Murphy, this is what they intended the money for. Am confused, at the July 27, 2015 meeting you say “once they get into a position they need to be they can have it all, why drag it out at \$4,300 per year”. They are in that position now.*
- Councilor Meier did not agree with his interpretation. *The transcription is verbatim.*

Discussion continued concerning tracking the funds and requirement that Council approves the grants.

- Councilor Meier voiced concerns regarding SDDI being unresponsive until now.
- SDDI President, J. Lindeen Brown – Four years ago SDDI incorporated, the group consisted of people who were interested in beautifying downtown. Focus was to start downtown and grow the program and expand it along Central. Didn’t feel cash reporting to the City was necessary, not hiding anything. Have no problem providing minutes, felt there didn’t seem to be a purpose or reason for needed accountability. Brown shared the many fundraisers SDDI is involved with throughout the year. This is the first year SDDI has asked the Chamber for TRT (Transit Room Tax) Funds, therefore it is now time to provide minutes and budget reports. Sutherlin is way behind a lot of other Oregon cities who are full “Main Street” towns; we have been spinning our wheels because funds aren’t available for grant matches.
- Mayor McKnight asked how Council could help them succeed. *Brown – By being supportive, encouraging and helping them, it always comes down to money.*

- Councilor Meier shared her past affiliation with SDDI expressing concerns for the way the program has changed. Can what is being asked be done legally? Can City restrict SDDI's use of the funds for grant matches? **City Manager – That is what they have committed to do.** Not talking about the awning grant match, talking about multiplying the City's money aspect.
- **City Attorney, Chad Jacobs – At this point do not have enough information to make a decision. Do not have access to the document Councilor Meier passed out tonight. Not comfortable in giving a legal opinion right now; can look at the necessary information if Council would like.**

Discussion continued regarding the SDDI's plans to improve more than just the downtown core and the desire from businesses located away from that area wanting to be a part of the beautification. Brown explained the details involved with making the entire corridor more inviting.

- Councilor Boggs stated he would like to get a legal opinion before making a decision, if this complies then give them the funds they're requesting.
- Councilor Stone – Would like to see a report on what gets spent.
- **Brown – These projects are ours regardless of the money, we are moving forward, don't want Council to think these are tied into the funds.**
- Councilor Meier requested bringing something more specific back so Council is comfortable with what the funds will be spent on. We are accountable to the citizens and the taxpayers.
- **Brown – Would be happy to report about the grants, right now we are stuck. Would personally like to get a grant to replace the plum trees with new trees and grates like the ones put in this year.**
- Councilor Meier – If we give you the money and restrict it to a grant from MSP, could that be done, and multiply City's money to provide the most benefit? **Brown – That has been our understanding all along.**
- Councilor Anderson – It would be nice to get a quarterly update, as well.
- **City Manager suggested a motion stating Council will approve this upon the City Attorney's review, making sure the law is being followed. Memorandum of Understanding (MOU) would be created and that City will receive quarterly reports on the fund's activities.**
- Councilor Meier – We gave them the proceeds from the sale of a vehicle for \$3,500. **Wilson – Proceeds didn't go to SDDI, but went into the State Gas Tax Fund for City's downtown tree replacement.**

AMENDED MOTION made by Councilor Boggs to approve distribution of SDDI funds in the amount of \$13,228, pending legal opinion regarding the fund's intended purpose, meets legal intent of its creation, create an MOU, receive quarterly statements from SDDI and specify it is for grant matches; second by Councilor Luzier.

Discussion: Councilor Meier – Can restrict to MSP grants. **City Manager – Don't think they should be restricted to just that, there are many other grants out there to apply for.**

In Favor: Councilors Stone, Egbert, Boggs, Meier, Anderson, Luzier, and Mayor McKnight

Opposed: None

Motion carried unanimously.

• **Ordinance No. 1054 – Amending SMC Section 2.08.040 – City Officials – Violation/Penalty (second reading & adoption)**

Deputy City Recorder, Diane Harris, provided the second reading of Ordinance No. 1055 by title only. "An ordinance of the City of Sutherlin amending Section 2.08.040 of the Sutherlin Municipal Code related to penalties for City officials".

Staff Report – City Attorney, Chad Jacobs, summarized the three ordinances are code cleanups and second reading and adoptions.

MOTION made by Councilor Luzier to approve second reading and adoption of Ordinance No. 1054 amending Section 2.08.040 of the Sutherlin Municipal Code – Officials Generally – Violation Penalty; second by Councilor Stone.

Discussion: None

In Favor: Councilors Stone, Egbert, Boggs, Meier, Anderson, Luzier, and Mayor McKnight

Opposed: None

Motion carried unanimously.

- **Ordinance No. 1055 – Amending SMC Section 9.12.030 – Delivery of Goods to Confined Persons (second reading and adoption)**

Harris provided the second reading of Ordinance No. 1055 by title only. “An ordinance of the City of Sutherlin amending Section 9.12.030 of the Sutherlin Municipal Code regarding Delivery of Goods to Persons Confined in City Holding Cell”.

MOTION made by Councilor Stone to approve second reading and adoption of Ordinance No. 1055 amending SMC Section 9.12.030 of the Sutherlin Municipal Code – Delivery of Goods; second by Councilor Boggs.

Discussion: None

In Favor: Councilors Stone, Egbert, Boggs, Meier, Anderson, Luzier, and Mayor McKnight

Opposed: None

Motion carried unanimously.

- **Ordinance No. 1056 – Amending SMC Section 9.12.080(A) – Authority to Restrict Access (second reading and adoption)**

Harris provided the second reading of Ordinance No. 1056 by title only. “An ordinance of the City of Sutherlin Amending Section 9.12.080(A) of the Sutherlin Municipal Code to update positions with authority to Restrict Access to Certain Areas in emergency situations”.

MOTION made by Councilor Luzier to approve second reading and adoption of Ordinance No. 1056 amending Section 9.12.080(A) of the Sutherlin Municipal Code – Authority to Restrict Access; second by Councilor Stone.

Discussion: None

In Favor: Councilors Stone, Egbert, Boggs, Meier, Anderson, Luzier, and Mayor McKnight

Opposed: None

Motion carried unanimously.

- **Resolution No. 2016.17 Supplemental Budget Adjustment**

Staff Report – Finance Director, Dan Wilson – Details are included in the Staff Report and are based on Council approval on August 8th and 22nd. Adjustments are needed to keep in compliance of State Law.

MOTION made by Councilor Luzier to approve Resolution 2016.17 Supplemental Budget adjustments as presented; second by Councilor Anderson.

Discussion: Councilor Stone asked for clarification regarding the adjustments. *Wilson explained there were 4 funds that needed adjustments and provided a summary from the Staff Report regarding those adjustments.*

In Favor: Councilors Stone, Boggs, Meier, Anderson, Luzier, and Mayor McKnight

Opposed: Councilor Egbert

Motion carried.

- **Resolution No. 2016.18 Interfund Loan – Purchase of Central Park Playground Equipment**

Staff Report – Wilson – This is the formal approval of the interfund loan discussed at last meeting. \$100,000 will be transferred from the Water Reserve Fund to the Tourism – Motel Tax Fund and will then go to the Parks Construction Fund.

MOTION made by Councilor Luzier to approve Resolution 2016.18 Interfund Loan for Central Park Playground Equipment as presented; second by Councilor Stone.

Discussion: Councilor Stone – Do we need to make a note this is from the 3% portion rather than the 5% portion of the Motel Tax? *Wilson – Yes, we can do that.*

AMENDED MOTION made by Councilor Luzier to approve Resolution 2016.18 Interfund Loan for purchase of Central Park Playground Equipment and to be taken out of the 3% [Tourism Product Development Funds] portion of the Tourism Tax Fund; second by Councilor Stone.

In Favor: Councilors Stone, Egbert, Boggs, Meier, Anderson, Luzier, and Mayor McKnight
Opposed: None
Motion carried unanimously.

CITY MANAGER UPDATE

- None

CITY COUNCIL COMMENTS

Councilor Anderson –

- Unable to attend September 26th Council meeting, he will be out of the state at that time.

Councilor Luzier –

- None

Councilor Stone –

- Has [Community Development Director], Brian Elliott contacted ODOT regarding street maintenance on the other end of town? ***Public Works Superintendent, Aaron Swan – Believe he did make contact; however he is out of town, not sure what their response was.***

Councilor Egbert –

- Weekly updates have just enough information to make you curious, would be nice to have more dialogue during the Council meeting on what is really happening within the City.

Some Councilors and Mayor suggested Councilor Egbert call City Hall or the Mayor if he has questions.

City Manager – Am happy to write more, do have a possible solution which will part of the discussion during tonight's Executive Session.

Councilor Boggs –

- None

Councilor Meier –

- Weekly report stated there is a \$100,000 grant; is it a grant or grant application with Ford Family Foundation? ***A grant application.***
- Trowbridge is doing a great job with the Chamber, however concerned with getting info just before meetings. Was presented their \$100,000 budget and a request for \$40,000 right before voting on it [Promotion Plan was included in the August 22nd packet], would like to have these requests in the packet like other departments. Would also like consideration in having separate checking accounts for those funds. ***City Manager – TRT and Chamber? Yes.***

Chamber President, Tami Trowbridge, shared the issues involved with having separate checking accounts. Would be happy to make sure Council has Chamber's budget sooner, did not realize. Have been doing a great job keeping the two funds separate on our own budget tracking. Currently working with CPA for a specific setup in QuickBooks, CPA doesn't want the budgets separate due to their processes.

- Can we also get the TRT check register? ***Trowbridge explained the issues involved i.e. the sharing of utilities between the two funds.*** Would like to have something more transparent to present to the public. ***Can provide a register for the \$39,000 requested at last Council meeting.***
- Recently had a "spill" into Sutherlin Creek just behind our house. Response from the City was tremendous. Would like to acknowledge Fire Chief, Charles Perdomo, who took total command of the situation. Everyone from Perdomo to Public Works was there. The amount of cooperation and speed in which it happened made me feel safe and that City is in control of these situations.

Mayor McKnight –

- Would like to acknowledge Dutch Daniels for the Annual 911 Ceremony, believe this year had the best turn out so far.
- Would like to also acknowledge the Sutherlin Lions Club for their flags during that time.
- Discussed concerns with City Manager's regarding the need for new flags at the Fire Station, was told he was already taking care of it. Fire Department will soon have new flags.

PUBLIC COMMENT –

- None

ADJOURNMENT –

With no further business meeting adjourned at 8:05pm.

Mayor McKnight announced a five-minute break before Council meets in Executive Session called under ORS #192.660(2) (d) – Labor Negotiator Consultations, to conduct deliberations with person(s) designated by the Council to carry on labor negotiations and ORS #192.660(2) (i) – Performance Evaluations of Public Officers and Employees, to review and evaluate the job performance of a Chief Executive Officer, other officers, employees, and staff.

Executive Session called to order at 8:11pm.

EXECUTIVE SESSION – ORS #192.660(2) (d) – Labor Negotiator Consultations and ORS #192.660(2) (i) – Performance Evaluations of Public Officers and Employees.

Executive Session adjourned at 9:14pm.

Approved: *Jerry Gillham*
Jerry Gillham, City Manager

Respectfully submitted by,

Diane Harris
Diane Harris, Deputy City Recorder

Todd McKnight
Todd McKnight, Mayor

APPROVED BY CITY COUNCIL SEPTEMBER 26, 2016