

1 CITY COUNCIL MEETING

2
3 October 15, 2003

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6 Attended: Lance Delgado, Mayor
7 Karen Jacobs, Councilor
8 Roger McKinley, Councilor
9 Marvin Casebeer, Councilor
10 Anna Bass, Councilor
11 Jim Hamsher, Councilor
12 Diane Clingman, City Recorder
13 Dave Welch, Chief of Police
14 Bob Titus, Public Works
15 Scott Nebeker
16 Mike Springer
17 Dennis Voigt
18 Stan Horrell
19 Bob Armstrong
20 Joe Hitz
21

22 Mayor Delgado called the meeting to order at 6:05 p.m. The roll was called, all members
23 being present.

24
25 The Council recognized Mike Springer who was in attendance to show his interest in the
26 open council position.

27
28 Linda Rockhill was not present to address the Senior Grad Night request for a donation
29 so Diane Clingman made the request. It was noted that the Council had budgeted to
30 donate \$20 per student to the program each year. Clingman didn't know the exact head
31 count of the senior class but estimated it to be between 15 and 20. **MSP: To donate \$20**
32 **per student to the Senior Grad Night Party, Jim Hamsher/Marvin Casebeer.**
33

34 The Council recognized Scott Nebeker of Anderson Perry and Associates. Nebeker
35 addressed them regarding wastewater project closeout issues and sewer pump
36 manufacturer claims. He noted that the City has experienced pump failures 3 times and
37 that the manufacturer has claimed it is due to an inadequate grinding system. Nebeker
38 assured the Council that this is not the case and that the pumps were designed, intended
39 and marketed to handle raw/unscreened sewage. He also noted that the pumps do not
40 have to be sent back east for repairs but can be repaired in Clackamas Oregon. He noted
41 that the warranty allows that the City pays for shipping costs, although there is a valid
42 case with 3 failures in such a short period of time. He noted that the warranty is
43 indefinite when the equipment is non-functional. He suggested that the City could either
44 take a "wait and see if it's fixed now" or an "enough is enough" attitude. He said they
45 would have to look at the contractual language and work through the contractor (Mike

1 Becker) for replacement. He also said that Anderson Perry would fully support the effort.
2 Discussion followed supporting the idea of looking into the manufacturers claims and
3 taking legal action. Nebeker suggested a letter could be written asking the manufacturer
4 for an extended 5-year warranty plus shipping costs if the pumps were to fail again. It
5 was decided the letter should come from the City and contain a 15-day to respond clause.
6 Nebeker said he would draft the letter and fax a copy to the City for approval.

7
8 6:45 p.m. Nebeker addressed the DEQ's wastewater closeout process and outlined the
9 two parts of the report the City must provide. The first is a Performance Letter stating
10 whether or not the system (improvements) are working or not. The second is a
11 certification form (negative or affirmative.) He cautioned against turning in a negative
12 certification since it would require an action plan, re-testing, reporting and checking.
13 Rather, he recommended qualifying the affirmative certification by reporting that the
14 system is working as intended when the pumps are functioning and that the City is
15 working with the manufacturer to solve the problem. Bob Titus said he would perform
16 the necessary tests as soon as the pumps have been installed.

17
18 The Council recognized Bob Armstrong of Oster Professional Group who presented the
19 yearly audit. He stated that it is in the same format as in the past and noted one violation.
20 In reference to the management letter, he pointed out that the City has not maintained
21 historical values for buildings and other real property and therefore continues to receive a
22 qualified opinion. With regard to fixed asset reporting and GASB34, the Recorder said
23 the program has been installed to facilitate the reporting requirements but an asset
24 valuation still needs to be done. Armstrong also pointed out that a physical inventory of
25 water and sewer supplies should be completed annually on or near June 30 and that no
26 physical inventory has been taken for the past 2 years. Bob Titus was reminded that the
27 inventory needs to be done annually.

28
29 Armstrong reported that there were no new issues and that Lyn and Diane continue to do
30 a good job. He also said next year's audit will look different due to GASB34 reporting
31 requirements and that the Council will need to be more involved. He said the additional
32 financial statements will add to the audit cost and that estimates will be included in the
33 engagement letter.

34
35 Mayor Delgado asked if Armstrong had talked with the City Attorney regarding the
36 potential purchase of the Texaco property but he said he did not. Delgado recapped that
37 he and the owner had agreed upon a price of \$70,000. He said the City has \$40,000 and
38 is looking for input on how to purchase the property and where to find the additional
39 \$30,000. Although the Rural Fire Department has indicated they would contribute
40 toward the purchase, they have not been able to make any commitment as of yet. Mayor
41 Delgado said another idea would be to do a land swap of the industrial site if possible. It
42 was noted that the City cannot enter into an agreement to purchase the property unless
43 they know exactly where the balance is coming from. Delgado asked about using money
44 from the road fund. Armstrong warned that the City is restricted to their budget and can't
45 just take the money from anywhere. He said a supplemental budget would be required in
46 order to make any changes and that it would have to be justified to take money from any

1 fund. He said a loan can be made from one of the funds to be paid back within the same
2 budget year or the next. He also said the City must be able to justify the purchase and use
3 of the property. Discussion followed and it was noted that it has not been decided what
4 (exactly) the building is to be used for. Mayor Delgado said some of the ideas being
5 considered are to move the Public Works office into it, provide a space for GPCCA and a
6 visitors center and to provide additional space for the fire department. Delgado said the
7 property is appraised and assessed at \$68,950 and noted that the owner said he'd give the
8 City a couple more weeks. Anna Bass expressed concern that the Council has not
9 formally discussed the purchase and proposed use of the property and Armstrong advised
10 that a plan should be in place before making any offers. Mayor Delgado offered to
11 appoint a committee to develop a written plan and asked Jim Hamsher and Bob Titus if
12 they would become involved. He asked for other volunteers and the City Recorder
13 agreed to help. It was agreed that members from the community association would also
14 be consulted and asked to participate. Mayor Delgado asked the Council if he could
15 present the land swap idea to the owner and they generally agreed that he could.

16

17 **MSP: To accept the June 30, 2003 audit, Anna Bass/Roger McKinley.**

18

19 Planning: Stan Horrell said he was considering holding a planning workshop on
20 Monday, October 20 if members of the Council were interested in attending. There was
21 brief discussion of whether anyone is still looking into a communications tower.

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23 Public Safety: Dave Welch reported that the Fire Department is going to help with the
24 Christmas Basket Program this year. He also reported that he had purchased the radar
25 trailer and put it into use. There was some discussion as to whether or not it would be
26 available for other agencies and what insurance requirements might be needed.

27

28 Abatement: The Council referred to correspondence from the City Attorney, Dorothy
29 Schatz and Honey Schatz. Anna Bass made a statement for the record referring to a
30 statement in the Dorothy Schatz letter mentioning an alleged conversation between Bass
31 and Honey Schatz. Bass said she has never had a conversation with honey Schatz and
32 believes Dorothy Schatz has her mixed up with someone else. Per the attorney's
33 instruction, the council addressed the issue using the provided language (see letter from
34 attorney dated October 15, 2003.) Regarding the questions of conflict of interest and
35 challenge of the council's jurisdiction to address the matter, there were none. The
36 Council addressed the protest and discussion followed regarding the current condition of
37 the property. It was noted that (in her protest letter) the occupant referred to advice given
38 to her by Bob Titus of the Public Works Department. The Mayor said he had talked with
39 Titus and that he was assured the City has not been delivering any fill material to the site.
40 He said Titus indicated that a contractor was doing the work. There was some discussion
41 of the liability of getting involved in placing material on private property, especially
42 potential wetlands. It was questioned whether or not some of the problem lies on city
43 property and if the placement of the culvert is also to blame. Discussion then led to
44 progress that has been made on the property. It was noted that some of the animals have
45 been removed and that the property appears to have been cleaned up some. The
46 possibility of granting an extension of time to the owner/occupant was suggested since

1 they seem to be trying to comply and it was agreed that the Council should contact the
2 attorney to check out the process. It was also agreed that an inspection of the property
3 should be made to note the actual condition and progress to determine if a nuisance still
4 exists. Mayor Delgado and Councilor Hamsher said they would meet at the property at
5 7:30 a.m. the following day to make the inspection and then report their findings to the
6 attorney. It was noted that neither the owner or occupants were present to give testimony
7 on the matter.

8
9 8:15 p.m. Landfill: Bob Titus turned in a written landfill report dated 10/14/03. It was
10 recommended that he look into utilizing inmate crews to pick up papers at the site.

11
12 Public Works: Bob Titus said he had put the J-box quote idea on hold until after the
13 sewer pumps are installed and that he isn't sure whether or not it needs to be done after
14 all. He also addressed the Council regarding a generator and tractor that could be sold as
15 surplus equipment. There was some discussion of using the generator as back-up power
16 for City Hall in the case of an emergency. It was agreed that a minimum bid price would
17 have to be determined if the property is declared surplus. The Recorder pointed out
18 Section 39 of the City Charter that refers to the sale of City property and it was noted that
19 the City cannot dispose of property exceeding the amount of \$2,000 unless approved by
20 the voters.

21
22 Accounts Payable: It was noted that a final bill from Iron Triangle in the amount of
23 \$47,818.17 for the 02/03 Street Project was also included for approval. **MSP: To pay**
24 **the bills, Roger McKinley/Karen Jacobs.**

25
26
27 8:45 p.m. Roger McKinley excused himself from the meeting. Mayor Delgado said the
28 executive session would be re-scheduled for another time because the employee
29 interviews have not yet been completed.

30
31 Resolutions/Ordinances: An amendment to the Personnel Policy to increase the travel
32 reimbursement allowances for mileage and meals was presented for approval. **MSP: To**
33 **approve the proposed amendment to the Personnel Policy, Marvin Casebeer/Anna**
34 **Bass.**

35
36 Other Business: Debbie Letosky addressed the Council regarding the museum
37 restoration grant and said that the County Court would call for final plans contingent
38 upon the City re-affirming their commitment to provide in-kind labor for the ADA
39 requirements. She said the work would include parking, paving signage and a ramp and
40 that Leonard Wolf had volunteered to supervise that portion of the project. Bob Titus
41 said the City doesn't do paving and didn't think concrete would be a good option either,
42 but it was suggested that the paving company be utilized when they are in town doing
43 another project. There was discussion of the possibility of using volunteers if public
44 works isn't able to do the work. Letosky said she just needed a commitment from the
45 City that they would organize or perform the work. **MSP: To contribute the in-kind**
46 **labor for the museum restoration ADA requirements, Anna Bass/Jim Hamsher.**

1 In other museum business, Letosky said the City will have to find a place to store the
2 contents during construction. It was noted that besides being secure the location could
3 not have an overhead sprinkler system. It was suggested that the Bates Building at the
4 school be explored as a possibility.

5
6 Mayor Delgado said he would like to appoint commissioners to the various departments
7 as provided in the City Charter and asked for volunteers. He stated that he would remain
8 the commissioner for the Police Department. It was determined that Anna Bass inherited
9 the Office Commission position and Karen Jacobs the Museum position. There were no
10 volunteers or appointments to Public Works or the Fire Department although it was noted
11 that Roger McKinley has always been the Streets Commissioner. Mayor Delgado asked
12 the Council to think over the idea.

13
14 Anna Bass said that Dennis Voigt has requested a letter of support from the City for the
15 sports complex project. **MSP: To write a letter of support, Jim Hamsher/Anna Bass.**
16

17 The Council was given a copy of a letter from City County Insurance stating the
18 requirements for fireworks displays. It will now be required that the pyro-technician be
19 licensed and carry his own insurance policy naming the City as an additional insured. It
20 was agreed that most likely the requirement could pose a problem because the pyro-
21 technician won't necessarily want to take on the responsibility. Mayor Delgado said he
22 would contact an associate in Madras who may be able to help.

23
24 Debbie Letosky said there would be a meeting the following evening at 6:00 pm at City
25 Hall to provide information on funding options for small business and renewable energy.
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27 9:23 p.m. It was moved and seconded to adjourn the meeting.
28

29 Respectfully submitted:
30

31 _____
32 Diane Clingman, City Recorder
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Approved this Date: _____

34 _____
35 Lance M. Delgado, Mayor