

## MONROE CITY COUNCIL MINUTES January 22, 2018 6PM CITY HALL

1. **CALL TO ORDER:** Mayor Canter called the Council meeting to order at 6:00PM.

Pledge of Allegiance: Mayor Canter asked Council President Myers to lead the council and audience in the Pledge.

Roll Call: Mayor Canter, Council President Myers, Councilors Billings, Howard, Cuthbertson, Thayer, Canter and Student Councilor Rebekah Ballard were present. Staff present included Rick Hohnbaum, Dave Claborn and RJ Theofield. Also present was Planning Commission Chair Smith, Vice-Chair Sheets and Monroe Rural Fire Protection District Board Chair and Planning Commissioner Eastridge. Citizens present included Emma Crane, Ryann Lloyd, Mr. Eastridge, Erma Alexander, Richard Alexander, Amy Nystrom, Todd Nystrom, William Bullock, Eliza Mason, Rick Kontor, Chris Kontor, Teresa Kontor, Connie Treloar and William Treloar.

2. **PUBLIC INPUT AND COMMENTS:** None

3. **STAFF REPORTS AND UPDATES:**

- a. Police Report: Chief Morris shared his monthly report with the council including the updating of their incident reporting system and additional software. Chief Morris shared the public meeting they offered to the City of Monroe, an upcoming event to address the impact of human trafficking and his approach to a state agency to acquire a radar speed device which could be posted within the City. Councilor Billings stated that the police vehicle presence does slow down traffic within the community.
- b. Rebekah Ballard: Student Councilor: Ms. Ballard provided some updates of school activities and plans including the Junior Class fundraising involving old Christmas trees and the Senior Class who are proposing a project

involving safe drinking water. Councilor Ballard also stated that planning was in progress for the annual winter formal event at the high school.

- c. Mr. Claborn reviewed his written staff report including public works service figures and projects that public works had performed during the month of December. He showed some pictures of the water leak at the winery on 5<sup>th</sup> and shared the quote and the situation with the large tree at the city park that needs to be cut down. Councilor Billings inquired of the two street lights that the council has requested and CA Hohnbaum stated that they both have been ordered. Council did not approve the expenditure of funds for the tree removal and suggested that additional quotes for this project was in order.
- d. RJ Theofield presented a briefing on his recent work including the vision document and Comp Plan updates highlighting recent Monroe Main Street events. RJ shared the number of survey results and the diversity of them. RJ announced the upcoming planning commission meeting which the school board has been invited to discuss the long-term vision and the offer from the Oregon by Design group on river district workshop in April.
- e. CA Hohnbaum presented his staff report. CA Hohnbaum inquired as to the authorization for him to administer the set policy approved by council for utility bill forgiveness or rather the council wanted to review each and every case. CP Myers moved to grant CA Hohnbaum the authorization to handle the water mitigation process on a case by case basis with the expectation to keep the council informed of request and decisions made regarding their adopted policy. Councilor Thayer seconded the motion. Ayes: All. CA Hohnbaum reminded the council of the work session being held the next day at the library. Councilor Billings shared the water well report from the school board meeting.

4. **CONSENT AGENDA**: Councilor Billings moved to approve the consent agenda as presented. CP Myers seconded the motion. Ayes: All. Council commented on the two propone deliveries made within the last month and CA Hohnbaum shared the staff report based upon the inquiry he had previously made regarding this cost and service. It was noted that the cost for heating at the Legion Hall was greater than the cost for the heating at the library.

## 5. **PUBLIC HEARINGS**

### **5.1 Ordinance 2018-100 -An Ordinance amending the City of Monroe Nuisances Code limiting the number of livestock within the City of Monroe**

Mayor Canter announced the opening of the public hearing for the first reading of Ordinance 2018-100 at 6:37pm. CA Hohnbaum stated that the notice of the public hearing has been posted and advertised. Mayor Canter invited any persons wanting to speak in regards to the proposed ordinance. Irma Alexander rose to speak stating

that they are getting rid of a number of animals to decrease the animal population and requested more time to reach the minimum number as proposed by the ordinance. Mayor Canter asked if there was anyone else wishing to speak. Hearing none, Mayor Canter closed the public hearing and called for discussion from the council at 6:39pm. Councilor Billings stated that he has seen and heard complaints regarding the number of animals and livestock in the community. Councilor Thayer suggested that the request for additional time is not unreasonable. Councilor Howard moved to approve the first reading of the ordinance with an effective date to be in 180 days. Councilor Canter seconded the motion. CP Myers inquired as to when the 180 days would start and the council clarification was 180 days effective the date of passage. Ayes: All

## **5.2 Red Hills Subdivision- A land use action subdivision for 55 residential lots on Orchard Street review of Planning Commission Decision and project**

Mayor Canter read the Monroe Land Use Quasi-Judicial Public Hearing Script at 6:45pm. Mayor Canter called for any exparte contact and Councilor Billings stated for the record that he did attend the Planning Commission Hearing on this proposal and testified by providing input relating to the location of storm water lines. Councilor Billings stated that he could participate in the council decision making without prejudice and bias. There was no other exparte contacts, conflicts of interests expressed by any member of the City Council. There was no challenge from the audience for any of the sitting councilors. CA Hohnbaum reminded the council that once they close the public hearing they are only allowed to communicate with staff so any questions, especially for the applicant that they may have, would need to be addressed prior to the closing of the public hearing.

Mayor Canter called for the staff report. CP Hohnbaum presented the staff report and shared the public notice process which exceeded required standards and practices due to the significance of this project. CP Hohnbaum presented the general plan, the history of the project and that the City Council was dealing with a new application and fresh start for a project which there has been considerable discussion; the options relating to Orchard Street Improvements based upon a memo from the City Engineer and all of his recommended findings and conditions of approvals. CP Hohnbaum stated that there were a lot of conditions of approval for the tentative plan because even if the City Council approved the tentative plan, there was still a lot of requirements placed upon the applicant to perform and provide in order to meet municipal, state and federal regulations. CP Hohnbaum highlighted the elements of the Planning Commission decision as it relates to the proposed project which are based on the criteria of the city ordinances and standards. CA Hohnbaum encouraged the City Council to take their time in deliberating and that a final decision is not required tonight. He reviewed the options that the council have after they hear all the evidence before them. For the record, CP Hohnbaum shared the input received from other jurisdictions and agencies including Benton County, the Monroe Rural Fire Protection District and the Oregon Department of State Lands. Mayor Canter inquired of the Council, if

they had any questions for the City Staff. Council inquired of staff regarding the proposed walkway along Orchard Street and the definition of “hard surface”.

The applicant, Bill Lulay from North Santiam Paving rose to speak on behalf of the applicant and presented their request and desire for creating a new subdivision within the City of Monroe. Mr. Lulay stated that the City’s criteria have been met and that the owner could move forward with approval of the Department of State Lands (DSL) upon City’s approval. Mr. Lulay expressed regards to the staff on working on this project and that the applicant agrees with all of the conditions of approval. Mr. Lulay stated they went with 30-foot streets to make them wider and safer street and offered sidewalks on curb or with planter strip at the city’s choice. Mr. Lulay stated that they were willing to work with the city as to the location of the path on Orchard Street but for safety they are in agreement with the staff for the existing sidewalk to be separated from the edge of Orchard Street. Mr. Lulay shared his concerns about being required to have more access points to the property to the west since it was outside of the city limits and Urban Growth Boundary.

Mayor/Chair Canter called for anyone else wishing to speak in favor of the proposed land use action. No person rose to speak.

Mayor/Chair Canter called for anyone wishing to speak who was neutral, no preference either way or had questions for the proposed land use action. No person rose to speak.

Mayor/Chair Canter called for anyone wishing to speak in opposition of the proposed land use action. Mr. Victor Stone inquired as to whether or not the city needed 55 more houses and expressed concerns about kids playing in a wetland. He stated that the approval in 2008 included a fence around the development because of the neighboring property. He stated that without a fence people could come over and ruin their property. Mr. Stone stated that there doesn’t seem to be enough in Monroe to bring 110 adults including, no gas station or real grocery store. Mr. Stone stated that there are three empty houses in town now and perhaps the city should be looking at that before more houses are approved. Mr. Stone stated that he didn’t see anything good happening with this property. Mr. Stone inquired as to where all the water would go for the storm drainage and shared that it will ruin people’s property and houses and that it didn’t make sense to build that many houses.

William Treloar rose to provide some personal testimony. He spoke of Decision Criteria 7 and that there would be an impact and read a prepared testimony on behalf of his brother in law Mr. Soderquist. He stated that the resident would lose visual impact on two sides of his residence. Mr. Treloar shared information relating to Decision Criteria 8 regarding drainage and concerns for flooding and lowering his property value due to the new proposed development. Mr. Treloar requested for a continuance and record be held open for this project.

Mr. Treloar shared highlights relating to the written testimony provided by Zack Mittge regarding the capacity of the existing city sewer system. Mr. Treloar stated that there were issues per the wastewater master plan. Mr. Treloar urged the council to have a continuance.

Mayor/Chair Canter asked if anyone else wished to speak in opposition. No one rose to speak.

Mayor/Chair Canter requested the staff recommendation. CP Hohnbaum recommended to the Council that they keep the written record open for seven days to allow any additional written testimony and that they direct staff to prepare findings for either the approval or denial of the application and that they set a future meeting date for their review of the findings and their final decision.

Mayor/Chair Canter offered the applicant the final word.

Mr. Lulay offered additional information relating to the storm water drainage plan and that the additional storm water would be moved towards detention ponds. He also stated that it would be an amenity for the open tract to be granted to the city. Mr. Lulay stated that the impact would be half of what was originally approved during the 2008 process with nearly 100 lots and that the application was submitted and based upon criteria and that it would be a nice development for the community.

Mayor/Chair Canter closed the public hearing at 8:18pm. And called for deliberation by council and questions for staff. Councilor Thayer inquired as to the wastewater capacity concerns that were raised. CA Hohnbaum stated that he had never seen a wastewater master plan that did include camering the system and yet the amount of Inflow and Infiltration (I & I) is extremely high for the City of Monroe. Since the City has budgeted the funds to televise the entire system, any potential capacity issues are expected to be resolved by lowering the I & I.

Councilor Billings inquired of staff as to the building schedule that the applicant may have. Chair Canter inquired if there were any additional questions for staff.

Councilor Thayer moved that the city approve the application for the tentative plan subdivision to create 55 buildable lots based upon the staff report. CP Myers seconded the motion. Aye: Thayer. Nays: Canter, Myers, Billings, Howard and Cuthbertson. Motion failed.

Councilor Canter moved to adhere to the staff recommendation and to keep the written record open for seven days and for staff to submit additional findings based upon the testimony given and provided in written format to approve the application and for the council to review said findings for the making of the decision at the next regular council meeting on February 26, 2018. Councilor Billings seconded the

motion. Ayes: All. Council consensus was achieved that the next council meeting would be held at the Legion Hall.

**6. NEW BUSINESS:**

**a. City Administrator Annual Review and Compensation Package**

CP Myers stated that the Personnel and Finance Committee (PFC) had conducted the annual review of the City Administrator after seeking review and comments from staff and other volunteers who served the City. Glowing remarks had been shared and significant challenging work which have been beneficial to the City has been accomplished. CP Myers stated that the PFC recommendation was to increase the compensation of the City Administrator to \$72,000. Councilor Canter moved to approve the recommendation of the PFC and Councilor Thayer seconded the motion. Ayes: Canter, Howard, Thayer, Cuthbertson and Myers. Nay: Billings. Approved 5-1.

**b. Recommendation from Personnel and Finance Committee and City Administrator on Finance Officer Position Job Description and Compensation**

CA Hohnbaum presented the recommendation from the PFC regarding the finance officer position stating that the employee hired has been performing the work at a much higher level than the City had originally expected or advertised for. The upgrading of the finance software and increase of customer service and expanding role in the organization merits this change which he presented to the PFC and they are recommending to the City Council to reestablish the Finance Officer Job Description and promote the existing finance/utility staff member to the position. Councilor Thayer moved to accept the recommendation with an annual performance-based review. CP Myers seconded the motion. Council discussed the steps and the timing of them based upon performance-based review. Ayes: All

**c. Appointment of Budget Officer**

CA Hohnbaum shared Oregon Public Budget Law, the governing body is required to appoint a designated budget officer stating that traditionally it is the City Administrator. Councilor Canter moved to appoint Rick Hohnbaum, City Administrator as the City of Monroe Budget Officer for 2018-2019 fiscal year budget. Councilor Thayer seconded the motion. Ayes: All.

**d. Appointments to Budget Committee Positions**

CA Hohnbaum stated that Oregon Budget Law require that the citizen members of the budget committee serve three-year terms on a rotating class system and that this past year, three budget committee members are rotating off their term. However, two of them have agreed to be re-appointed and would like to continue to serve so even if the council did reappoint the two, there was still a vacancy to be filled. Councilor Canter moved to reappoint Kathy Smith and Fred Cuthbertson to the City of Monroe Budget Committee for a three-year term. Councilor Thayer seconded the motion. Ayes: All.

**e. Adoption of 2018-2019 Budget Calendar**

CA Hohnbaum stated that while the City is not required to adopt a Budget Calendar, the Oregon Department of Revenue recommends that the City does and he is requesting that the City Council adopt a Budget Calendar. CA Hohnbaum stated that it assists the public awareness and transparency during the budget process as well as supports the public involvement aspects of creating, approving and adopting the annual City Budget. Councilor Thayer moved to adopt the proposed Budget Calendar as presented. Councilor Canter seconded the motion. Ayes: All.

**f. Closing Kelly Street for Construction and Safety**

CA Hohnbaum shared that he expects that there will times during the next six months that half street closures will be occurring on Kelly between 5<sup>th</sup> and 6<sup>th</sup> Street. CA Hohnbaum shared that there are some safety concerns and that it might be appropriate that when work is being done in the street, closing the entire block could be the safest measure. He stated that he was not expecting long closures and limit it to a week but was seeking council direction to be authorized to close the street when he determined that it was in the best interest of safety for the community. CA Hohnbaum stated that he had approached the possibility with the fire district, school bus service provider and ODOT. CA Hohnbaum was reminded to notify the post office. Councilor Billings moved to authorize the City Staff to close this section of Kelly Street when it is determined to be in the best interest of the City and safety by either the Superintendent of Public Works or the City Administrator. Councilor Thayer seconded the motion. Ayes: All.

**7. OLD BUSINESS**

**7.1 Street Sweeper attachment additional cost authorization**

CA Hohnbaum stated the council had authorized the acquisition of the street sweeper arm for the existing City equipment but that there was an additional cost involved and asked David Claborn, Public Works Supt. to provide the additional details to the council. PWS Claborn described the events in acquiring and seeking council authorization and requested additional funds for the attachment part being required. CP Myers suggested that the city should proceed with the acquisition and that the expected construction within the City will increase the need for this operational ability to sweep the streets. Councilor Billings stated that he was in favor of the idea because the proposed system allows for the recovery of the rocks that that sweeper sweeps up. While Councilor Billings did not like to spend the additional funds, he expressed that it might be a good improvement for the City to have. CP Myers moved to approve the additional funds for the street sweeper attachment. Councilor Billings seconded the motion. Ayes: Billings, Howard, Cuthbertson, Myers. Nays: Canter, Thayer. Approved 4-2.

**7.2 City's Appointment to the Cascade West Area Commission on Transportation**

CA Hohnbaum stated that this action was tabled at the last council meeting and placed on the agenda at their request. Mayor Canter opened the floor for discussion. Councilor Howard was asked but stated that he had a timing issue due to his employment location and the location of the meeting though he would like to do it. CA Hohnbaum stated he was happy to serve as the alternate if the council desired. Council discussed options for various councilors to serve. CP Myers moved to appoint Frank Thayer as primary and Hohnbaum as alternate and Cuthbertson as second alternate. Ayes: all.

7.2 Appointment to Vacant Planning Commission Position

CA Hohnbaum stated that no letters of interest had been received. A letter is expected for the next council meeting.

7.3 Planning Staff Intergovernmental Agreement

CA Hohnbaum stated that currently the city has an Intergovernmental with Oregon Cascade West Council of Governments (COG) for planning support not to exceed \$1,000 per month. However, the COG has no city planners on staff. The administrators of Philomath, Adair Village and Monroe see a value in being connected and being in a working relationship with Benton County Community Development. CA Hohnbaum shared a recent event where a planning process involving Benton County did not occur. The question before the council is one of expense and value as well as a two-year commitment for the proposed new position. CA Hohnbaum stated that while he is able to provide the planning services for the City, there are some aspects including wetlands, riparian and other technical issues that would greatly benefit the City if this position was approved including technical support for the Comp Plan project. The council discussed the financial impact and the services. Councilor Billings stated that there could be a significant cost for outside planning support for technical aspects. Councilor Billings moved to approve the proposed Intergovernmental Agreement and Councilor Thayer seconded the motion. CP Myers inquired as to who was doing the hiring. Ayes: Thayer, Billings, Cuthbertson, Howard, Myers. Nay: Canter. Approved 5-1

7.4 Adoption of Monroe Vision Statement

CA Hohnbaum requested that this item be tabled to the February council meeting to allow for additional research and time for council discussion on the matter. Council consensus was to table this item until February 26<sup>th</sup> regular council meeting.

**8. OTHER BUSINESS:**

8.1 Councilor Comments and Committee Reports:


Councilor Billings commented on attending the school board meeting and was tracking the elementary school well option for the City water source project.

8.2 Mayor's Comments: Mayor Canter shared that he and the Parks Committee Chair would be meeting an engineer for the park restroom project on Friday.

**9. ADJOURN:** Mayor Canter, hearing no other request for business, adjourned the meeting at 9:22pm.

Respectfully Submitted; Rick Hohnbaum City Administrator/City Recorder

Approved by Council adoption February 26, 2018.

Attest:   
Rick Hohnbaum, City Recorder

  
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Mayor Paul Canter