
CITY OF MILTON-FREEWATER GOVERNING BODY

Damien Reino At Large, Position 1
Steve Irving - Council President At Large, Position 2
Wes Koklich At Large, Position 3

Lewis S. Key Mayor
John Lyon Ward 1
Bradley J. Humbert Ward 2
Jose Garcia Ward 3

**CITY OF MILTON-FREEWATER
CITY COUNCIL MINUTES****November 13, 2023**

The Council of the City of Milton-Freewater met in regular session on November 13, 2023 in the Albee Room of the City Library, 8 SW 8th Avenue at 7:00 p.m.

The following members were present: Mayor Lewis Key, Councilors Damien Reino, Wes Koklich, John Lyon, Steve Irving and Jose Garcia.

Member absent was Councilor Brad Humbert.

Staff members present were: City Manager Linda Hall, City Recorder Leanne Steadman, Police Chief Joe Shurtz, Public Works Superintendent Brian Steadman and Public Works Technician Steven Patten.

Guests and citizens present were: Ann Jolly, Suni Danforth, Arlen Calley, Paul Seaquist, Tammy Seaquist, Ryan Westman, Laurie Bubar, Jason Schaffner, Tracy Martinez and Greg Bunker. Tina Kain arrived at 7:26 p.m.

Representing the news media was: Sherrie Widmer of the Valley Herald.

CONSENT CALENDAR ITEMS:

The consent calendar items consisted of:

- Council minutes from October 9, 2023
- Council Special Session minutes from October 20, 2023
- Accounts Payable October 5, 2023 – October 16, 2023
- Accounts Payable October 17, 2023 – November 3, 2023

Councilor Irving motioned to approve all items on the Consent Calendar. Councilor Reino seconded the motion which passed unanimously.

BUSINESS ITEMS:**RESOLUTION NO. 2529, AUTHORIZING SIGNATURE TO A LOCAL GOVERNMENT
GRANT FOR FREEWATER PARK IMPROVEMENTS WITH STATE OF OREGON
THROUGH ITS PARKS AND RECREATION DEPARTMENT**

Public Works Technician Steven Patten reported that he had applied for a rehabilitation grant with the State of Oregon through its Parks and Recreation Department and the grant application was successful. The grant agreement is for the amount of \$111,276. The city has committed to provide \$74,184 in match funding either through cash contributions or in-kind work, which makes the total project cost \$185,460. The grant agreement includes rehabilitation activities at Freewater Park that include a multi-use court, walking path and curb ramps, benches along the walking path, natural play area and bathroom upgrades.

Manager Hall stated there was over \$10 million dollars of grant money in the current budget and this was one of the grants. Staff leverages grant money with local option tax funds to make the funds go farther for projects.

Councilor Lyon stated he noticed the ADA ramps seem to overlap in a couple projects.

Mr. Patten stated they are hoping there will be enough funds left in the HB2017 funds but if not, it will be picked up with the grant funds as updated ADA ramps are a requirement of the project.

Councilor Irving motioned to adopt Resolution No. 2529, Resolution Authorizing Signature to a Local Government Grant Program Agreement No. LG23-008 – Freewater Park Improvements with Oregon Parks and Recreation Department. Councilor Lyon seconded the motion which passed unanimously.

RESOLUTION NO. 2530, AUTHORIZING SIGNATURE TO AMENDMENT NO. 1 WITH ANDERSON PERRY & ASSOCIATES FOR ROBBINS STREET IMPROVEMENTS

Public Works Superintendent Brian Steadman presented Amendment No. 1 to an agreement with Anderson Perry & Associates for House Bill 2017 (HB2017) funding. The initial agreement with Anderson Perry & Associates was for \$30,000 for preliminary design and cost estimates which included surveying Robbins Street from N. Main to NE 10th Avenue. Preliminary estimates show enough funding for improvements from N. Main to NE 6th Avenue for the first phase of this project due to limited HB2017 funding. The amendment will provide overall project management and coordination, design of street and utility work, project plans, contract documents and cost estimates for the project for an additional cost of \$30,000. Improvements to the sewer and water infrastructure will also be part of this project and will be funded with current budget funds.

Councilor Lyon motioned to adopt Resolution No. 2530, Resolution Authorizing Signature to Amendment No. 1 of an agreement with Anderson Perry & Associates, Inc. Job No. 201-60, Robbins Street Improvements, in the amount on a not-to-exceed basis of \$60,000 total. Councilor Irving seconded the motion which passed unanimously.

DISCUSSION ITEM:

TIME, PLACE & MANNER – CAMPING ON PUBLIC PLACES

Manager Hall reported that the time, place and manner – camping on public places was first discussed approximately a year ago when staff learned of legislation being considered in regards to homelessness. Legislatures did past two bills that in essence say that homelessness could not be treated as a crime. The law states that cities and counties must adopt an ordinance that address this issue. She stated the more staff studies this issue, it's not simple. Manager Hall explained in detail what a "State Created Danger" meant and that it has been the source of lawsuits filed against public entities. Manager Hall stated that the City of Portland's "Time, Place and Manner – Camping in Public Places" ordinance was to go into effect November 13th and days before, a lawsuit was filed against it. Manager Hall believed that any such ordinance could be litigious and she recommended holding off on passing any such city ordinance until the results are known of this recent lawsuit. She said the City Attorney is currently reviewing all city codes to be sure there is no biased or discriminating language against homelessness and he is also working on a draft ordinance. She assured that the police department and code enforcement officer will continue to do all they can to make sure they are striking the balance between respecting the civil liberties rights for everyone but also protecting public spaces from being taken over and commandeered.

Councilor Koklich stated he believed homelessness was a result of life choices. He encouraged people to contact their state legislatures and representatives to enact change and direction with these issues and that it wasn't just a city problem but a state problem.

OPPORTUNITY FOR CITIZENS TO APPROACH THE COUNCIL WITH ITEMS NOT ON THE AGENDA

Ann Jolly, 225 Maple Avenue – congratulated the boys soccer team on winning the state championship and thanked Jose Garcia for his coaching. She said she was able to watch the game on MFHS which costs \$13.00 per month for the subscription. She thanked who ever was responsible for putting the information in the Valley Herald of how to be able to watch the game.

Suni Danforth, 225 Maple Avenue – thanked Manager Hall for her years of service. She said she attended one the information gathering meetings for the next city manager that was offered to citizens which she felt turned into a complaint session. She suggested that the council hold a session for citizens to speak without the city manager there. (Point of clarification, the city manager did not attend either of the community sessions that Ms. Danforth referred to). She said the City Charter did not have a date and she believed it needed to be reviewed and suggested putting a committee together.

MANAGERS REPORT – UPDATE ON NEW POLICE STATION

Manager Hall gave an update on the police station and stated that the original completion date of the project was October 18, 2023, then an extension was granted to November 17, 2023. This project, as many other projects, has fallen victim to supply chain issues and there has been a recent disclosure that the main electric panel for the building is estimated to ship February 13, 2024. This will obviously put a substantial delay in the completion date. After the panel is received, its estimated to take another 6-8 weeks before the building will be substantially complete. She said all other avenues have been sought to work around this piece of equipment but with it being the main panel, at this point, there is no other option as the panel is made specifically for this building.

Manager Hall gave an updated on the City Manager recruitment stating that there were one and a half days of interviews and meetings with the Prothman representative Cliff Moore. There were two sessions held, one session in the morning and one session in the evening for citizens to have a chance to weigh in on the attributes they would like for the next city manager. It was reported that both citizen input meetings strayed from the purpose and intent of the meetings. She stated the City Charter did not have an expiration date. From her knowledge the Charter has had two reviews. She stated she worked as a secretary for the 1996 Charter Review Committee which changed the bonding requirements for the city manager and changed the council wards from five wards to three wards, three at large positions and keeping the mayor position at large. She said Mr. Moore did take a lot of notes and suggested changing the city manager job description to mention a minimum of a bachelor's degree and preference of being bilingual.

Ann Jolly stated she was in attendance at one of the citizen input meetings and she understood it to be suggested as a requirement of being bilingual.

Manager Hall stated it was up to the council on their preference.

Council consensus was to change the city manager job description to require a minimum of a bachelor's degree and preferred bilingual but not required.

COUNCIL ANNOUNCEMENTS

Mayor Key thanked Manager Hall and City Recorder Leanne Steadman for their work on the city manager recruitment and preparing the council to make the decision on the next city manager that will be a good fit for the City of Milton-Freewater. He expressed his sincere appreciation.

Councilor Irving stated he was very impressed with Cliff Moore of Prothman and felt he was doing a very good job of gathering information for the recruitment of the next city manager.

The council adjourned to executive session at 7:35 p.m. pursuant to 192.660 (2) (h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

The council returned to open session at 8:20 p.m.

Manager Hall requested that she be allowed to stay past her retirement date, on a temporary basis, to oversee the completion of the new police department building.

Councilor Reino motioned for Linda Hall to stay on as Project Manager to oversee the completion of the new police station building after her retirement date of February 1, 2024. Councilor Lyon seconded the motion which passed unanimously.

Councilor Reino motioned that Leanne Steadman be appointed to, by the current City Manager, a six month probationary term as the Assistant City Manager effective December 1, 2023 and reviewed for permanent placement at the May 2024 city council meeting. Councilor Garcia seconded the motion which passed with Councilor Koklich voting, "present", stating he needed more time to think about it.

Councilor Lyon asked if there was already a salary scale established.

Manager Hall stated there was one already in place.

There being no further business the meeting was adjourned at 8:30 p.m.

Lewis S. Key, Mayor