
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**

December 11, 2023

The Council of the City of Milton-Freewater met in regular session on December 11, 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 Brad Humbert, Steve Irving, Jose Garcia, Damien Reino, Wes Koklich and John Lyon.

Staff members present were: City Manager Linda Hall, Assistant City Manager/City Recorder Leanne Steadman, Police Chief Joe Shurtz and City Planner Laurel Sweeney.

Guests and citizens present were: Rick Haveriney, Kay West, Emily Holden, Donna Sheridan, Heather Oleson, Mardi Hagerman, Patty Key, Ryan Westman, Paul Seaquist, Tammy Seaquist, Rick Rambo, Tracey Rambo, Kenneth Jenkins, Emily Martin, Emily Halseth, Heather Nygaard, Kelly Hahn, Carolyn Hahn, Angie Leonetti, Mike Beeson, Gail Beeson, Randy Reese, Frank Millar, Marelu Greco, Tim Sanchez, Robin Sanchez, Jacque Barthel-Fox, Dean Hilliard, Judy Hilliard, Carly York, Mike Watkins, Laurie Bubar and Tracy Martinez.

Representing the news media were: Sherrie Widmer of the Valley Herald and Sheila Hagar of the East Oregonian.

CONSENT CALENDAR ITEMS:

The consent calendar items consisted of:

- Council minutes from November 13, 2023
- Council Executive Session minutes from November 13, 2023
- Accounts Payable November 4, 2023 – November 21, 2023
- Accounts Payable November 22, 2023 – December 1, 2023
- Liquor license application from Ignacio and Leticia Negrete for Neighborhood Grocery

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

BUSINESS ITEMS:**REQUEST – KIWANIS CLUB OF MILTON-FREEWATER REPRESENTATIVE ASKING FOR AN EXEMPTION TO CITY CODE 8-2-19 TO ALLOW ALCOHOL IN YANTIS PARK FOR THEIR FUNDRAISING EVENT IN MAY 2024**

Kiwanis President Ryan Westman requested an exemption to City Code 8-2-19 to allow alcohol in Yantis Park for their 3rd annual Kiwanis Summer Kickoff Beer & Wine Festival. He stated their previous two years were a success, which raised \$25,000 for the benefit of the youth in the community. The event is scheduled for May 18, 2024 from 1:00-10:00 p.m. at Yantis Park and they were once again striving for a family friendly event.

Councilor Reino motioned to approve the Milton-Freewater Kiwanis Club request for an exemption to City Code 8-2-19, allowing them to lawfully sell and consume alcohol in Yantis Park for their fundraising event. Councilor Irving seconded the motion which passed unanimously.

APPOINTMENT/RE-APPOINTMENT TO THE M-F AREA FOUNDATION

Councilor Steve Irving stated he has served on the M-F Area Foundation for the past 10 years and his current term is set to expire December 31, 2023. He expressed his desire to be re-appointed to serve another term of four years.

Councilor Humbert motioned to re-appoint Steve Irving to the M-F Area Foundation Board for another term. Councilor Reino seconded the motion which passed with Councilor Irving abstaining from the vote.

RESOLUTION NO. 2531, AUTHORIZING THE TRANSFER OF BUSES AND BUS SHELTERS TO CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION

City Planner Laurel Sweeney stated as of December 31, 2023, the city will no longer be providing fixed route bus service. The city has been contracting with CTUIR (Confederated Tribes of the Umatilla Indian Reservation) for bus driving services over the last two years. CTUIR has indicated that they would like to continue providing the fixed route bus service in Milton-Freewater. For this to occur, two buses and three bus shelters will be transferred to CTUIR. The buses were purchased with FTA (Federal Transit Administration) and ODOT (Oregon Department of Transportation) grant funds and the city has received written approval from both agencies that the assets can be transferred.

A brief discussion ensued regarding transportation funding and the fact that the City of Milton-Freewater is no longer part of the MPO (Metropolitan Planning Organization).

Councilor Irving motion to adopt Resolution No. 2531, Resolution Authorizing the transfer of two fixed route buses and three bus shelters to CTUIR, upon written approval from FTA and ODOT. Councilor Humbert seconded the motion which passed unanimously.

RESOLUTION NO. 2532, AUTHORIZING SIGNATURE TO GRANT AGREEMENT WITH OREGON DEPARTMENT OF TRANSPORTATION FOR A SAFETY GRANT

Police Chief Joe Shurtz presented a Safety Grant from ODOT (Oregon Department of Transportation). The grant through ODOT is for \$30,817 which will pay for the project hardware, plus a one-year subscription for the e-citation software. The E-citation software will enable officers, by using their existing laptops in the patrol vehicles, to be able to issue printed citations replacing the handwritten process. He stated the new program will allow for immediate data to be uploaded into the police department's current records system (LERMS), as well as integration with the city's software and records. This will eliminate any delays in updating existing records and criminal arrests. The software will facilitate the electronic submission of citations to the city municipal court clerk and Pendleton Circuit Court, resulting in time savings for dispatchers and the court clerk.

Councilor Lyon asked what the software subscription would cost the second year.

Chief Shurtz stated it was approximately \$5800.

Councilor Humbert motioned to adopt Resolution No. 2532, Resolution Authorizing Signature to an Oregon Department of Transportation Safety Office Grant Agreement in the amount of \$30,817. Councilor Reino seconded the motion which passed unanimously.

AWARD TO TYLER TECHNOLOGIES FOR BRAZOS E-CITATION SOFTWARE

Chief Shurtz stated he recommended awarding Tyler Technologies the bid for the Brazos E-citation software in the amount of \$30,817. This agenda item was directly related to the earlier agenda item and acceptance of the ODOT Safety Grant for hardware and software for the E-citation program for the police department. This program will allow for the police officers to issue printed citations, replacing the hand written process.

Councilor Humbert motioned to award Tyler Technologies for Brazos E-citation software for a fixed price of \$30,817. Councilor Irving seconded the motion which passed unanimously.

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

Kay West, 720 College Street - stated she spoke to City Recorder Leanne Steadman in regards to the cut-off date for citizens to give input on the qualifications and recommendations on the next city manager. She said that Ms. Steadman recommended the information be sent directly to Prothman Representative Cliff Moore. Ms. West stated she sent on her request and Mr. Moore responded that the items on her list were very much like the comments made during the citizen and council interview meetings when he was in Milton-Freewater. Ms. West then handed out to the council the list that she submitted on behalf of the Milton-Freewater Citizens.

Emily Holden, 1325 College - thanked the council for their service. She gave some background on herself including that she was a local business owner of a clothing store. She stated she was speaking at the meeting on behalf of fellow citizens. She voiced concerns of the lack of transparency from the city government and referred to Oregon Revised Statute (ORS) 192.640 Public Notice Requirements. She then summarized her interpretation of the statute. She stated the public notice for the November 13, 2023 city council agenda did not include any notice of the hiring of an Assistant City Manager or the extension of the current City Manager's contract noting that after an executive session, where citizens were asked to leave the room, these items were voted on. She stated the decisions did not promote transparency or trust leaving citizens frustrated and concerned. She received employee salary scales through a paid public records request as this was not posted on the city website noting she appreciated the quick response to the request. She suggested, although not required by law, that important information be communicated via social media as like leaf pickup, refuse changes, bus schedules, etc. She referenced the community meetings held with Prothman at the beginning of November and her comment was that these were not publicly posted notices on social media and most citizens did not know they were happening. She stated the hiring of this agency involves a significant investment of tax payer dollars in excess of \$40,000 dollars. The actions that have been taken by city hall and the council have led to a breakdown of trust. She suggested increasing social media posts involving meeting notices, making salary schedules, the chain of command and employment policies publicly available on-line. She thanked the council.

Jacque Barthel-Fox, 413 W. Broadway – gave some background on herself. She commended staff for the assistance lent to the warming shelter. She thanked Ms. Steadman for making it possible for folks to join the meeting via conference phone. She stated she was speaking on behalf of fellow citizens and not all her questions were directly from her. She asked what the council meant by promoting Leanne Steadman to Assistant City Manager as a temporary position.

Councilor Humbert stated it was his understanding that there needed to be someone in place during the transition because there was not going to be a new city manager in place in time before Linda Hall leaves. The position was created in the past, prior to past City Manager Delphine Palmer retiring the

Assistant City Manager (ACM) Position was created because Ms. Hall did so much in that department with Ms. Palmer the title of City Recorder was not quite right. The ACM position allowed for business to carry on in the absence of the City Manager without having to have the Mayor or Council President go into city hall to sign documents and keep business affairs going. He stated it was his understanding, because he was not at the November 2023 council meeting, that the council promoted Leanne Steadman to Assistant City Manager so those duties can be followed up on. He said that it was also his understanding that Ms. Steadman has disclosed that she is not interested in applying for the City Manager position.

Ms. Barthel-Fox moved on to her next question which was in reference to the salary schedule and she asked with a promotion of up to \$3,735 per month, what additional responsibilities of the City Recorder is she fulfilling as Assistant City Manager.

Councilor Humbert replied that it was his understanding that the position is an interim position and Ms. Steadman will be taking on duties of the City Manager when Manager Hall leaves and he believed that a pay increase for those extra duties is justified. He said that Ms. Steadman will be taking on a much larger role because Manager Hall will not be here.

Ms. Barthel-Fox said that it was agreed that she should be compensated but she said the question was \$3,735 per month.

Councilor Humbert stated he did not know where that number came from.

Ms. Barthel-Fox asked if Councilor Humbert was opposed to the citizens inquiring about that.

Councilor Humbert replied, absolutely not.

Ms. Barthel-Fox asked what existing responsibilities of the City Recorder were being delegated elsewhere that will allow her to fulfill the new duties and if those employees were being compensated.

Manager Hall stated Ms. Steadman will be doing both the City Recorder duties as well as the ACM duties like she did when she was ACM.

Ms. Barthel-Fox asked if the ACM job description and salary scale can be requested by walking in or did it have to be requested through a paid request.

Manager Hall shared it can be requested by walking in.

Ms. Barthel-Fox asked for additional clarification of the contract extension authorized by council at the November 2023 meeting for Manager Hall for the purpose of the construction of the new police building.

Councilor Lyon said the extension was for the oversight of the new police station construction.

Manager Hall stated it would not be at her full salary and salary has not been discussed and her contract has not been extended. She said it will be at the council's discretion if they want her to complete that project.

Ms. Barthel-Fox asked what the expected duration of the extended contract would be.

Manager Hall shared that the main switch gear and electric panel are projected to ship in mid to late February then there will be 4-6 weeks of work that follow the arrival of the equipment.

Councilor Humbert shared his experience as a construction worker and the challenges since COVID of the delays in receiving goods and materials. He stated the construction of the police department and oversight has been well managed including bringing down the cost of the project. The purpose of keeping Manager Hall on the project is because she started the project and she has all the knowledge of the project from the beginning which is important in construction.

Ms. Barthel-Fox asked about the contract extension with FFA Architecture & Interiors for an additional \$30,000 which would go through the end of December 2023. She asked if there would be additional extensions in addition to the extension of the city manager position and promotion of the city recorder to the assistant city manager position. She noted that the citizens were interested in the extension and potential challenges. She said the citizens were trying to find their voice and trust that the council would hear them.

Councilor Humbert again shared his experience with construction and as a project estimator. He expressed the importance of keeping the architect who designed a project on until the very end to see the project through.

Ms. Barthel-Fox thanked the council for their time and thanked Manager Hall and Assistant City Manager/City Recorder for their service and thoroughness.

Tim Sanchez, 102 S. Main Street – said the Police Chief spoke about starting a citizens watch and in the past couple of months the graffiti has gotten worse and asked if the council was addressing it.

Manager Hall explained that there is a current graffiti ordinance, which says that the property owner will be cited if the graffiti is not cleaned off within 72 hours. Police officers are doing extra patrols and there have been some arrests. The arrests have been juveniles which are taken to circuit court in Pendleton where it is there that it's decided if they get prosecuted or not and out of the MF police departments control since they are juveniles. She said by citing the property owner it's like victimizing the victim but it can be effective. In addition, there has been some city funding allocated to reimburse private citizens and civic groups that can go on site, unlike the city without getting a warrant to eradicate graffiti on private property. The city has worked with the Kiwanis Club, MFCDA (Milton-Freewater Community Development Association) and private citizens Paul and Tammy Seaquist to name a few. Manager Hall confirmed that Police Chief Shurtz did host a couple Neighborhood Watch meetings that were sparsely attended and there was a lack of volunteers to set up for the watches.

Mr. Sanchez stated he put his email address on the list when Chief Shurtz gave his presentation but did not receive notice.

Chief Shurtz stated he sent out a group email with all the email addresses that were on the list but there were a few email addresses that were kicked back from the group email.

Mr. Sanchez stated that there were a lot of citizens who are active in promoting Milton-Freewater with activities in Yantis Park and on Main Street etc. He said by putting a band aide on the problem, it wasn't solving the problem. He shared he has been in Milton-Freewater for three years and it seems to be getting worse. He said he wanted to help but that they are just citizens. He suggested literature promoting citizens to turn them in and offering a reward in regards to graffiti. He shared he and his

wife visit other towns and they are doing something for their towns. He said he doesn't see many council members at town activities and noted that other towns have mayors and councils that are pioneers for the city. He then inquired about how the city council ward system is made up.

Manager Hall stated there were three wards in which there is a councilor elected within that respective ward and there are three at-large plus the mayor position that are elected from the town at large. There is a ward map online for reference and if you are a registered voter, it will tell you which ward/precinct you are in on your registration card.

Mr. Sanchez asked what ward was NE 2nd Avenue in as he inquired at a previous meeting about all the trash at this location. He also asked how he could find out what property the town owns and asked if the town owned any of the properties on NE 2nd Avenue.

Manager Hall stated the city has right-of-way property and an undedicated alley in this area.

Councilor Humbert explained to Mr. Sanchez how to go about looking up property ownership by utilizing the Umatilla County website.

Mr. Sanchez described NE 2nd Avenue as having abandoned vehicles, piles of bicycles, carts and metal that seem to be getting bigger. He asked if the city was addressing this.

Manager Hall replied that the city has spent approximately \$10,000 cleaning that property up and then lien the property of which there are several property owners involved. The property owner was paying but has now stopped paying. They have been cited several times. She said she, the police chief, code enforcement officer, public works superintendent, city planner and the housing code officer have all been out to the property several times trying to work with the people that are on the property. A major clean-up was done in October of 2021 after several citations were given to the property owners.

Mr. Sanchez stated in the past two years it has just grown again.

Manager Hall agreed with Mr. Sanchez.

A brief discussion ensued regarding how many property owners are in that area.

Manager Hall stated it may seem very easy and straightforward from the outside, but working within the confines of protecting peoples' civil liberties and obeying the law there are limitations. They can be continually cited but that doesn't mean they will pay or clean up the property.

Mr. Sanchez suggested changing the language on the law.

Manager Hall stated that would be above the local government's level and it would be needed to change at the state level. She said she was open to suggestions for a resolution.

Mardi Hagerman suggested Mr. Sanchez get in touch with the city councilor that is representing that location and have a discussion on how he could help with that situation.

Councilor Lyon stated he represented the NE 2nd area which is Ward 1. He agreed that the city had limitations and property owners have rights.

Ms. Hagerman (was speaking to Mr. Sanchez) and she suggested to him for the neighbors in that area to get together, and including these people, to come up with a solution and that maybe Mr. Sanchez could help with that.

Mr. Sanchez stated he has spoken to the people in that area including the ones that had a fire recently about all their metal.

Manager Hall asked if Mr. Sanchez was aware that they are there illegally and there is an order against them.

Mr. Sanchez stated he was aware but it still needs to be cleaned up.

Manager Hall agreed.

Mr. Sanchez asked if he were to go in and clean up the scrap metal and burnt debris would he be in violation of the trespassing order. He stated he had their permission to be on the property.

Councilor Humbert suggested to Mr. Sanchez that he get that in writing.

Manager Hall said one private citizen helping another private citizen is acceptable with mutual consent. The city has tried to cooperate with the people at this location by taking garbage bins down for them to clean up but that didn't help. She said if Mr. Sanchez is able to get the people willing to clean up then to let her know how the city can help. The city is more than happy to partner with that.

Ms. West asked if the city could cut Mr. Sanchez a break to where he doesn't have to pay to dispose of the garbage.

Manager Hall stated the city has tried working with the people and supplied a garbage receptacle for eight months and no clean-up happened instead it got worse so the city had to pull back the free garbage service because it was of no benefit.

Mr. Sanchez referred back to the issue of graffiti and asked if the council had a vision board of what they see for the city for the next seven years.

Councilor Humbert stated there are council goals with one of them being built, which is the police station.

Mr. Sanchez said a new police station wasn't going to cut down on crime and fix the problem. He said again that there are just band aids being put on. He said he wanted to see more of the council being the ones attracting people from outside the community come in. Businesses will come in if activities are provided for people to come to, which he has tried to do. He stated that he is one of seven people who are trying, but that they have other jobs too. In closing he said they needed councils' help.

Councilor Koklich stated this was a problem not only for Milton-Freewater but it's all over the state and other towns have problems with graffiti and homelessness. The city can only react on what the law allows. 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. The more people who write or call their representatives the more likely something will get changed. Encourage change to the law that would make people more accountable for their actions.

Mr. Sanchez said they were in the town of Caldwell, Idaho and the mayor turned boarded up buildings, dilapidated buildings and graffiti around in seven years. The crime rate has gone down, there is no more graffiti and no more gangs in that city all due to a vision and not so much of arresting more people but the draw of inviting more people to the town. He said if it were not for the MFCDA then Milton-Freewater would be like it was three years ago.

Tammy Seaquist, 684 College Street – shared that she drove through the City of College Place and it was beautiful. She said the community was being run by 15–16-year-old kids and it was not only the city council’s responsibility but all of the citizens responsibility to help. She shared property owners thanking her and Paul for painting over the graffiti on their buildings. She said she wished she had an answer suggesting neighborhoods getting together to help conquer the issue. She ended with a thank you for everything you do.

Emily Martin, 211 SW 12th – thanked the council for their service. She said when the council was asked what ward they represented there was no answer.

Mayor Key said they were trying to identify the ward in which the specific location of NE 2nd was in.

Ms. Martin then asked each councilor what ward they represented and their address. She said that when questions were asked only Councilor Humbert answered and that was a concern of hers as well it should be of the community. She ended with thanking them for their service and she stated that she would like to run for council someday but right now was not the right time for her due to family and career commitments.

Councilor Humbert stated he needed to defend his fellow councilors in that he is outspoken and they are not. He said each of them bring their own unique perspective to the council and that they don’t always agree but that they are able to converse and make the best educated decisions possible. He said they don’t agree with the graffiti, homelessness or the trespassing going on down on the river. He shared that he also serves on the Milton-Freewater Water Control District and how much of his time that takes keeping up with easements, property rights, right-of-way, etc. He also shared the challenges of being on the board in regards to trespassers on the river. He referred to Zora Pena who cleaned up the rivers edge, along with some other volunteers, and then a little over two months after that it was right back to where it was. He said the drugs are out of control and until there is change in Salem it will only continue. He encouraged people to contact their state representatives to invoke change.

COUNCIL ANNOUNCEMENTS

Councilor Reino stated he wanted to address the citizens on the transparency issue and that fell to him. He apologized, stating he drafted what he wanted to say between the night of his meeting the evening of November 8th with Prothman Representative Cliff Moore and the council meeting on November 13th. He said during his meeting, Mr. Moore kept repeating that he was going to contact Manager Hall clear into dates in March and April after Manager Hall would be retired. He said there needed to be something in place while the recruitment was going on and Prothman’s timeframe showed as far out into April/May and with Manager Hall leaving at the end of January that left at least three months un-represented. He said he caught the rest of the council off guard too. He brought it up and it was voted on at the end of the meeting in open session. He then read what he wrote and what he read at the meeting of November 13th. In summary, his concern was for the months from when Manager Hall was set to retire and a new city manager being in place. The issue of not having representation for those months in between. He recommended promoting City Recorder Leanne

Steadman to Assistant City Manager (ACM). As the ACM it would include duties as the interim until such time. He said he felt it was important for the city to have someone to go to during this time. He was not wanting to keep secrets. With the transition he is seeing a potential problem that may need to get resolved sooner rather than later. As we are all aware Ms. Hall is leaving the position in February. This leaves the city without official leadership for approximately two months. He felt it was important to appoint for the term of this position or even better promote someone to the position of ACM who can fill the role of interim city manager per the job description and this should be done immediately. There may be instances where the new city manager takes extended leave or worst-case scenario the new manager may not work out and the recruitment may need to start over. This position is far too important not to fill the next day in case of an emergency. He said he thought Leanne Steadman should be appointed ACM not later than December 1, 2023. Leanne Steadman understands the function of our city government, Leanne is a capable leader, ethical and will be easily trained. He states he doubted that anyone would argue that Leanne hasn't already been serving in this role anyway as City Recorder and this will ensure someone is trained in a timely manner before Linda retires and has the knowledge to effectively train the incoming city manager. He apologized and said he didn't intend to be the person that was keeping secrets from the city. He said he should mess up more because look at how many people showed up to the meeting. Please consider that, as he caught the council off guard just as much as the citizens.

Councilor Lyon stated that Ward 1 starts at the North Main stop light and goes east from there.

Manager Hall explained the purpose of the city council wards was for equal representation. There is one person elected for a specific portion of the city. Those elected to the wards still vote on all the issues within the city. Citizens can speak to any city councilor about any city issue, not just their specific councilor elected to their ward, and the council acts as a whole equally to blame or equally to get credit for issues within the city.

Ms. West stated the sheet she submitted represented 21 people who did not feel comfortable submitting their comments and felt there was a disconnect and she said it would be nice to open that up so people feel more comfortable with it.

Councilor Irving announced that the council has not made a decision on the next city manager. The decision was made for an Assistant City Manager in good faith to have coverage in the transition to a new city manager and she will also be their right-hand and be very helpful with her knowledge of this city for the next city manager.

There being no further business the meeting was adjourned at 8:26 p.m.

Lewis S. Key, Mayor