
CITY OF MILTON-FREEWATER GOVERNING BODY

Verl Pressnall At Large, Position 1
Steve Irving At Large, Position 2
Edwin E. Chesnut At Large, Position 3

Lewis S. Key Mayor
Orrin Lyon (CL President) Ward 1
Bradley J. Humbert Ward 2
Jose Garcia Ward 3

**CITY OF MILTON-FREEWATER
CITY COUNCIL MINUTES****July 9, 2018**

The Council of the City of Milton-Freewater met Monday, July 9, 2018 at 7:00 p.m. in the Albee Room of the Library, 8 SW 8th Avenue, Milton-Freewater, Oregon.

OATH OF OFFICE

Mayor Lewis Key called the meeting to order and the first item of business was the swearing in of Jose Garcia to the City Council Ward 3 position by Municipal Judge Sam Tucker. Jose Garcia was appointed to the position at the June 11, 2018 Council meeting.

The following City Council members were present: Mayor Lewis Key, Councilors Ed Chesnut, Orrin Lyon, Steve Irving and Jose Garcia.

Members absent were: Councilors Brad Humbert and Verl Pressnall.

Staff members present were: City Manager Linda Hall, City Recorder Leanne Steadman, Finance Director Dave Richmond, Police Chief Doug Boedigheimer and Public Works Superintendent Brian Steadman.

Citizens and Guests present were: Mike Onstot, Bill Albee, Judith Garcia, Christine Boedigheimer, Kandy Pressnall, Ben Currin, Suni Danforth, Charles Danforth and Municipal Judge Sam Tucker.

Representing the news media were Sherrie Widmer of the Valley Herald and Forrest Holt of the Walla Walla Union Bulletin.

CONSENT CALENDAR ITEMS:

The consent calendar items consisted of:

- Council Minutes from June 11, 2018
- Executive Session Minutes from June 11, 2018
- Accounts payables from June 6, 2018 through June 19, 2018
- Accounts payables from June 20, 2018 through July 3, 2018

Councilor Chesnut motioned to adopt the consent calendar items. Councilor Irving seconded the motion which passed unanimously.

PRESENTATION ITEM:**POLICE DEPARTMENT – GRANT FUNDED LIDAR RADAR GUNS**

Police Chief Doug Boedigheimer gave some police department updates. He stated the new puncture vine program started today and that the Code Enforcement Officer has already seen some interest with the program. The police department is currently fully staffed with the latest officer, Dylan Garcia, going solo as an officer. Just of recent yet another crime was solved with two people each receiving five years of prison time for being involved in a drive by shooting. He said there has been three hundred (300) cumulative years of prison time for people being sentenced for crimes they have committed in Milton-Freewater. This has been over a relatively short amount of

time due to the police department and detective's work on cases. Chief Boedigheimer talked about the Lidar radar guns that the department recently received. He credited Sergeant Joe Shurtz for applying for and receiving a grant for two of them which are valued at five thousand dollars each (\$5,000). The grant requirement is for each police officer to use them for five (5) hours per month. He presented some of the functions and statistical data it can produce.

Councilor Irving asked if there was still a City of Milton-Freewater representative on the Blue Mountain Enforcement Narcotics Team (BENT).

Chief Boedigheimer stated yes there was, Officer Jesse Myer. He said he has been very pleased with the amount of progress BENT has made and specifically in the Milton-Freewater area.

BUSINESS ITEMS:

ADOPTION OF THE MAYOR AND COUNCIL COMMUNICATION AGREEMENT

Manager Hall stated the Mayor and Council Communication agreement was an idea brought back from a previous League of Oregon Cities conference by Councilor Chesnut. The agreement was updated to include the new member on the council.

Councilor Chesnut motioned to adopt the Mayor and Council Communication Agreement. Councilor Irving seconded the motion which passed unanimously.

RESOLUTION NO. 2375, AMENDING LOCAL GOVERNMENT INVESTMENT POOL AND FIDELITY INVESTMENT ACCOUNT

Finance Director Dave Richmond stated there has been a change in the payroll clerk therefore requiring a need to update which employees can transfer funds on behalf of the City from the Local Government Investment Pool to cover payroll. Added to the Pool Account will be Stephanie Prochaska and Laurie Bubar will remain as well as the backup payroll clerk. Accounting Supervisor, LuErna Billings will be added to the Fidelity Investment account. Also remaining on that account will be City Manager Linda Hall and Finance Director Dave Richmond.

Councilor Chesnut motioned to adopt Resolution No. 2375, Resolution Authorizing Certain Employees to Make Transfers in the Local Government Investment Pool and Fidelity Investment Account. Councilor Irving seconded the motion which passed unanimously.

BID AWARD – CONTRACT 280 – SW 12TH AVENUE SIDEWALK CONSTRUCTION

Public Works Superintendent Brian Steadman stated this bid award was for construction of a new sidewalk from South Main Street on the north side of SW 12th Avenue to Jacquelyn Street. Currently there are no sidewalks to accommodate pedestrians from South Main Street up the hill. The new sidewalk will accommodate children walking to and from the new Gib Olinger Elementary School currently being built and local residents of the west hill area. The project was engineered and designed by Anderson-Perry and Associates for the city. Staff advertised and accepted sealed bids with eight (8) bid packets being given out and one sealed bid being received. The bid received was in line with the engineer's estimate of the project. Staff's recommendation was to award unit prices as bid to Moreno & Nelson Construction of Walla Walla.

Mayor Key asked if there were any complaints about the project.

Mr. Steadman stated there were a few property owners not completely thrilled with the project. He stated the sidewalk will be constructed in the city right-of-way and that there will be some trees that will be lost due to the construction.

Councilor Chesnut asked what was “Truncated Domes on New Surface” was on the bid sheet.

Mr. Steadman stated it was the American with Disabilities Act (ADA) ramp required for sidewalks at intersections.

Manager Hall explained the history of the ADA ramp requirements.

A discussion ensued.

Manager Hall stated this project will qualify as a cash match from the city for the Safe Route to School program.

Councilor Chesnut motioned to award unit prices as bid for the SW 12th Avenue Sidewalk Construction, Contract 280 to Moreno & Nelson Construction of Walla Walla, Washington, as they were the apparent low bidder. Councilor Irving seconded the motion which passed unanimously.

OPPORTUNITIES FOR CITIZENS TO APPROACH THE COUNCIL WITH ISSUES NOT ON THE AGENDA

Suni Danforth – 225 Maple Avenue, congratulated Jose Garcia on his appointment to City Council. She asked the council if they acted independently of each other or as a group when they request the City Manager to represent the city.

Mayor Key stated individually they were only that, in a meeting they can only act as a body.

Councilor Chesnut stated the council could take action to have the City Manager be their representative at various meetings. For example she is the assigned representative on the regional transportation board (Metropolitan Planning Organization). This was a specific action.

Ms. Danforth stated she attended a meeting last month where the Umatilla County Charter Review Board was holding a meeting in the Albee Room and Ms. Hall gave a presentation representing the city and Ed Chesnut accompanied her and she asked if the city council body knew about this meeting ahead of time. She stated she had nothing against the councilors or manager but just wanted to know.

Councilor Irving stated he didn't know about the meeting in advance and he was informed that the meeting took place. He stated he asked and was informed that Ms. Hall was asked to speak by Umatilla County Counsel Doug Olsen.

Manager Hall stated many times she is asked by various groups, civic groups and citizens to speak at their meetings. She stated she believed that just went with her job description. She said about a month prior to the meeting that Ms. Danforth was referring to she was contacted by Doug Olsen who is Umatilla County's attorney, who asked her to speak at the Umatilla County Charter Review Committee's meeting since they were at the point where they were exploring different forms of government. Mr. Olsen requested that she go to the meeting and speak to the group, from her perspective as a manager working for a Council/Manager form of government. Ms. Hall stated that the Council/Manager form of government has been her sole experience. She stated that when she was initially asked she relayed to Mr. Olsen that she really was not that comfortable with speaking about that because that can be construed as a politically charged subject. Ms. Hall stated that Mr. Olsen assured her that the committee would understand that she would just be sharing her perspective of working under that form of government. She stated that she would have to go back and look to whether she told the council about the meeting before or afterwards.

The meeting was held in the Albee Room of the library and it was a public meeting. She clarified that Councilor Chesnut did not accompany her at the meeting but rather just happened to attend the same meeting.

Councilor Chesnut said he believed the council was informed about the meeting and that is why he attended the meeting.

Manager Hall made it clear that no individual councilor asked her to attend the meeting. She stated that the meeting turned out to be different than what was relayed to her and on some level felt like she was being attacked for stating her opinion and knowledge. She said she mentioned to Mr. Olsen while locking up the meeting room afterwards that she didn't feel the meeting went very well and Mr. Olsen stated he felt it went fine.

Ms. Danforth stated that her impression off Ms. Hall's presentation was in doing so on behalf of the city and in the meeting it was said that one of her bosses was there, meaning Councilor Chesnut. Ms. Danforth said that she would not be bringing this up had Manager Hall stated that she was just a citizen and giving her opinion. Ms. Danforth said she saw Ms. Hall representing the city. She said although Manager Hall did a great presentation and that it helped her understand more of the hierarchy and layers of government, she didn't agree with the presentation but that it was very nicely done. Ms. Danforth said she realized that the city council probably didn't know that Manager Hall did that or the type of presentation that was given. She stated she put a call out to three of the city councilors to ask if they knew about the meeting. The answers she got were that two of them said they didn't know about the meeting and one said maybe but that they couldn't remember. Ms. Danforth stated Manager Hall was entitled to her opinion but she felt the presentation was representing the city and when representing the city she should be representing the views of what the city council has. Ms. Danforth apologized for not talking to Councilor Chesnut or Manager Hall but because of the holiday and her busy schedule she didn't get a chance to. She then referred to the previously adopted Mayor and Council Communication agreement. Ms. Danforth stated that the optics of the meeting appeared that Councilor Chesnut was at the meeting supporting Manager Hall's stance on the Council/Manager form of government. She said she didn't know if that was the stance of the entire council.

Manager Hall again clarified that Councilor Chesnut did not accompany her to the meeting and that it was true that she mentioned that there was a city councilor there and if the Charter Review Committee had any questions that he could share his experience as a city councilor and not staff under that form of government. She said the council had nothing to do with her presentation and that if Ms. Danforth was upset that she should be upset with her.

Ms. Danforth stated she was not upset.

Councilor Chesnut stated he had a different interpretation. He went to the meeting knowing that the council had not taken action assigning Manager Hall to attend the meeting and that he had knowledge that this was the Committee requesting input about how city government works and that she was an invited speaker. He said he could have possibly gone into the meeting with his interpretations covered but, what he saw met his interpretations. He said he takes Ms. Danforth's comment seriously in that in the future the council can consider doing something different because there is that potential for misinterpretation.

Manager Hall said she will give serious thought to what Ms. Danforth has brought forward. She said her first gut instinct was to not speak at that meeting and she should have listened to her gut. She stated she will be more careful in the future when asked to attend or speak at meetings that she is checking with the council first. She again stated that she gets asked to attend and speak at

meetings a lot and sometimes the timing of meetings and getting them approved is not always practical but that she also recognizes that attending a garden club meeting or talking about events at the city are different. She said she could circle back with the Umatilla County Charter Review Committee and make it clear that she was not speaking for the council. Although she said she did believe that the council were fans of the Council/Manager form of government because that is what the City has but that may not be their opinion of what the County's form of government should be. Manager Hall said she personally believes that the Council/Manager form of government is an efficient form of government.

Councilor Chesnut stated he went on record at that meeting stating that he was representing an individual councilor, a single councilor and specifically stated he was not representing the views of the council. He stated he liked the idea of the Council/Manager form of government.

Mayor Key stated he served on the Charter Review Committee about ten (10) years ago when they studied the same subject. He said he felt like the Council/Manager form of government would have been more appropriate because what they are doing is really awkward in his opinion.

Ms. Danforth then reported what she felt was a safety issue at the Community Building. She stated the black stove in the Community Building is a fire hazard and it doesn't work correctly. She stated she let the city staff know about this problem for two (2) years. Although she stated she did not inform the city manager because it was the responsibility of the city staff in charge of the building and not her. She stated she would like to donate the funds if the city doesn't have the funds to replace it. She said the community building gets used by a lot of the community and she wants to help make it better.

Mayor Key stated a lot of the equipment in the community building kitchen has been donated by various clubs.

Councilor Irving stated he serves on the Milton-Freewater Area Foundation and they received a request from a civic group who wanted to purchase a new stove. He said there wasn't a lot of information but now he wondered if it was for the stove in the Community Building.

Charles Danforth – 225 Maple Avenue, stated there were not very many people who attended the Umatilla County Charter Review Committee meeting. He assumed that Manager Hall was representing the city. He said from what Manager Hall had said earlier tonight he now understood that she was asked for her opinion as a manager working under the Council/Manager form of government. He said he understood Manager Hall was put in a sticky situation. He stated he didn't agree with Manager Hall but it appeared to him that she was representing the city and from the conversation tonight it appeared Manager Hall felt she was representing her opinion. He said the committee to him appeared to not be prepared for the meeting that night and it should have been rescheduled for a time when everyone could have been there on time and prepared.

MANAGER'S REPORT

Manager Hall stated she has heard from staff that this was one of the worst years for fireworks. She stated she will be taking a look at the city code and working with the police and fire departments along with the council and citizen input at a public meeting to come up with some recommendations for next year.

Councilor Irving stated he noticed that the fireworks stand was open for business the day after the 4th of July. In light of how dry it is and all the fires currently going on around the states and those along with the fires in past years with some of them being started by fireworks like the fire in the Columbia River Gorge known as the Eagle Creek Fire by Cascade Locks.

Councilor Chesnut said he was asked by a constituent to add the steps going from Yantis Park to the walking trail above to the Parks and Recreation improvement list. They are in need of repair or replacement.

EXECUTIVE SESSION:

The council adjourned to executive session at 7:58 p.m. pursuant to 192.660(2) (f) to consider information or records that are exempt by law for public inspection.

The council returned to open session at 8:15 p.m.

There being no further business the meeting was adjourned at 8:15 p.m.

Lewis S. Key, Mayor