
CITY OF MILTON-FREEWATER GOVERNING BODY

Damien Reino At Large, Position 1
Steve Irving - Council President At Large, Position 2
Edwin E. Chesnut 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****April 12, 2021**

The Council of the City of Milton-Freewater met Monday, April 12, 2021 at 7:00 p.m. at the Community Building, 109 NE 5th, a larger venue, Milton-Freewater, Oregon due to the Coronavirus (COVID-19) pandemic and practicing social distancing to stay in compliance with the Executive Orders Issued by Governor Kate Brown.

OATH OF OFFICE

City Recorder and Notary Public Leanne Steadman swore in Damien Reino to the City Council At Large Position 1 position. Damien Reino was appointed at the March 8, 2021 council meeting and he will serve the remaining term which runs through December 31, 2024.

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

Councilor Brad Humbert was absent.

Staff members present were: City Manager Linda Hall, City Recorder Leanne Steadman, Public Works Superintendent Brian Steadman, Finance Director Dave Richmond, Public Works Engineering Technician Steven Patten, Human Resource Office Laurie Bubar, Court Clerk Pam Hays and Public Works Supervisor Nathan Lyon.

Guests and citizens present were: Sam Tucker, Molly Tucker Hasenbank, Brian Johnson, Wes Koklich, Charles Danforth, Marlene McClintock and Buddy Rupe.

Representing the news media were: Sherrie Widmer of the Valley Herald and Sheila Hager of the Walla Walla Union Bulletin.

CONSENT CALENDAR ITEMS:

The consent calendar items consisted of:

- Council Minutes from March 8, 2021
- Accounts payables from March 3, 2021 through March 15, 2021
- Approval of Mayor/Council Communication Agreement
- Resolution No. 2447, Amending Aquatic Center Pay Plan to reflect an increase in Oregon State Minimum Wage

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

PRESENTATION ITEMS:

RECOGNITION OF THE RETIREMENT OF SAM TUCKER WHO HAS SERVED OVER 34 YEARS AS THE CITY'S MUNICIPAL JUDGE

Mayor Key, representing the entire council and staff, presented Sam Tucker with a plaque. Sam has served over 34 years as the City's Municipal Judge. He is retiring from the Judge position but is continuing to practice law.

OATH OF OFFICE ADMINISTERED BY SAM TUCKER TO MOLLY TUCKER HASENBANK AS THE NEW MUNICIPAL JUDGE

Sam Tucker administered the Oath of Office to Molly Tucker Hasenbank who will serve as the new Municipal Judge. Molly was appointed by the City Council at their December 2020 meeting.

BUSSINESS ITEMS:

RESOLUTION NO. 2448 ADOPTION OF THE CITY'S UPDATED WATER MANAGEMENT AND CONSERVATION PLAN, DATED FEBRUARY 2021

Public Works Engineering Technician Steven Patten stated the City is required by Oregon Water Resources Department (OWRD) to update its Water Management and Conservation Plan (WMCP) every ten years with a process report due every five years. Staff submitted an updated WMCP plan to OWRD in June 2020. OWRD provided comments and required edits back to the City in December 2020. City staff made the appropriate changes to the document and resubmitted the revised WMCP in February 2021. The revised plan was approved by OWRD and was determined to meet the requirements of OAR 690-086 (Oregon Administrative Rule). The Final Order approving the WMCP was published on February 26, 2021. The overall structure of the plan did not change from the plan adopted in June, 2020. The revised plan incorporated minor edits and additions to a number of sections within the document. Paragraphs were added explaining the Serious Water Management Problem Area designation for the area's basalt aquifers and an assessment of the City's surface water rights from the Walla Walla River. A two-year benchmark was added requiring a city-wide leak detection study and a five-year benchmark for reducing the City's leakage below 10% was modified to include requirements of additional water loss control measures if the goal of reducing leakage below 10% is not achieved. Other changes included proposed schedules for completing the water right certification process for three of the City's wells.

A brief discussion ensued regarding the certification process for the three City well's which the Coronavirus pandemic (COVID-19) has played a role in this delay due to OWRD staff not working from their office but rather their homes, consequently causing delay.

A discussion ensued revolving around what the standard leakage percentage was for a city. Mr. Patten responded with 10% to 15% but some are above 20%.

Councilor Lyon asked if Umatilla County tracked their water usage they receive from the City when they fill up at a hydrant.

Mr. Patten stated Umatilla County does track it as well as Oregon Department of Transportation and M-F Rural Fire Department which then gets reported to him.

Councilor Chesnut motioned to adopted Resolution No. 2448, Resolution adopted the City of Milton-Freewater's Updated Water Management and Conservation Plan, dated February 2021. Councilor Irving seconded the motioned which passed unanimously.

Manager Hall stated the City was very fortunate to have Mr. Patten on staff with all his water knowledge and expertise.

RESOLUTION NO. 2449, WRITING OFF UNCOLLECTIBLE ACCOUNTS

Finance Director Dave Richmond reported that each year the city removes from its books accounts that have been determined to be uncollectible. All feasible attempts to collect these accounts have been pursued. The accounts have either been at the Collection Bureau for more than one year, with no commitment to pay, or the balances are under twenty dollars. He reported that the amount of this year's write-offs of \$43,480.15 included two car hit pole claims totaling \$15,259.63. He stated even though this was a large amount the total represented .0043% (less than 1%) of the City's over \$10,000,000 in receivables.

Councilor Irving motioned to adopt Resolution No. 2449, Resolution Authorizing the Finance Department to Write off Uncollectible Accounts. Councilor Lyon seconded the motion which passed unanimously.

REVIEW OF CITY'S INVESTMENT POLICY

Finance Director Dave Richmond reported at the September 9, 2019 Council meeting Council approved an updated version of the City's investment policy. The improved policy was also approved by the Oregon Short Term Fund Board. The changes in the investment policy gave staff more flexibility but still met the city's objectives of 1) safety, 2) liquidity, and 3) rate of return, in that order. The revised policy gives staff more flexibility to invest the money for longer periods of time. This change has resulted in higher interest revenues, while honoring Milton-Freewater's history of conservative investment strategies. Mr. Richmond stated he was not proposing to make any changes to the policy as it is working well, allowing for the maximum interest earned while investing with local banks and diversifying the portfolio with investments with Fidelity and liquidity with LGIP (Local Government Investment Pool). As of February, 2021 the City has \$940,501 deposited/invested with local banks and \$10,111,219 invested with LGIP and Fidelity.

Mayor Key commended Mr. Richmond for doing a remarkable job with the investments.

Manager Hall agreed. She stated interest/investment earnings total \$776,394 for the past five years, which is an important revenue source for beginning fund balances.

Councilor Irving motioned to approve the City's Investment Policy as is with no amendments. Councilor Chesnut seconded the motion which passed unanimously.

RESOLUTION NO. 2450, DECLARING VEHICLES SURPLUS

Public Works Superintendent Brian Steadman stated when vehicles and equipment are replaced and retired from service there are times they are no longer needed. The following vehicles have been deemed to be surplus by staff; V118, 2000 Freightliner/Tymco Street Sweeper, V136, 1992 Ford Sewer Jet Truck, V137, 2004 Chevrolet Bucket Truck, E708, (was V151), 2008 Ford Crown Victoria Police Interceptor and V176, 2014 Ford Taurus Police Interceptor. The purpose of this request is to liquidate these vehicles with the intent of recovering as much funding as the market will allow. Staff has used a Government Surplus website to advertise the vehicles which would be the plan for these vehicles as well.

Councilor Irving commented about the new street sweeper and stated it does a much better job than the older one.

Councilor Lyon motioned to adopt Resolution No. 2450, Resolution Declaring Property to be Surplus as outlined on Exhibit A. Councilor Irving seconded the motion which passed unanimously.

APPROVAL OF CHANGE ORDER NO. 1 TO CONTRACT 293, WITH ANDERSON POOLWORKS TO INCLUDE NEW GRATING AROUND PERIMETER OF AQUATIC CENTER

Public Works Superintendent Brian Steadman reported in December, 2020 Council approved a contract with Anderson Poolworks to make repairs to the Aquatic Center. They are currently still working on this project and on schedule to have repairs completed by May 15, 2021. Staff has noticed the grating around the outside of the pool is aged, with many parts weak or even broken. Staff's recommendation is to replace all the grating around the entire perimeter of the pool with new 12" grating. The contractor working on the pool repairs is knowledgeable on this grating and can order the material for \$19,521, plus shipping at an estimated \$150 and install it for \$3,820 for a total amount of \$23,491. Mr. Steadman stated if for some reason the grating doesn't show up before Anderson Poolworks is finish with their initial pool repairs then city staff will install it.

A brief discussion ensued on the process for installing the grates around the pool.

Councilor Irving motioned to authorize signature to Change Order No. 1, Joe Humbert Family Aquatic Center Resurfacing, Contract 293 to include new grating around the perimeter of the pool with The Anderson Group doing business as Anderson Poolworks in the amount of \$23,491. Councilor Lyon seconded the motion which passed unanimously.

AUTHORIZATION TO ENTER INTO A PROFESSIONAL SERVICE AGREEMENT WITH MIDEA DEVELOPMENT LLC FOR DESIGN OF BRAEBURN LIFT STATION REPLACEMENT AND APPROVEMENTS

Public Works Superintendent Brian Steadman reported the city has two sewer lift stations that are owned and maintained by city staff. One is located on Lamb Street but is referred to as the Powell Road lift station and is above ground making maintenance and troubleshooting safer and easier for the crew to repair as necessary. The other lift station is known as the Braeburn lift station and is located in the Braeburn Subdivision on Elzora Loop. This lift station was constructed some 20 years ago by the developer of the subdivision and it was designed underground. Because this lift station is below ground level, it falls into confined space safety protocols, which require more than one employee to work on the pumps when they get plugged or need maintenance. Staff and consultants have determined the current pumps are not exactly the caliber they should be for reliability and operation. Staff issued 23 Request for Qualification packets to requesting parties with five proposals being received upon the due date. The scope of work will involve design of the new lift station to be above ground as well as new and improved pumps and once design is complete will then entail permitting and approval through the Oregon Department of Environmental Quality (DEQ). Once permitting and design approval are complete then it would move to construction phase, which Midea Development, LLC could also provide. Mr. Steadman reported their listed references have been checked and all prior reference jobs where pleased with their workmanship.

A discussion ensued regarding the age of both lift stations and how long the project is projected to take to complete.

Councilor Chesnut motioned to authorize City Manager Linda Hall to negotiate terms of an agreement with Midea Development, LLC out of Corvallis, Oregon for the design of the Braeburn Lift Station Replacement and Improvements up to a maximum amount of \$35,000. Councilor Irving seconded the motion which passed unanimously.

RESOLUTION NO. 2451, AMENDMENT #1 TO AGREEMENT FOR PROFESSIONAL SERVICES WITH ANDERSON PERRY & ASSOCIATES, INC. FOR HOUSE BILL 2017 (HB 2017) PEDESTRIAN AND ROAD IMPROVEMENT PROJECTS

Public Works Superintendent Brian Steadman report that Anderson Perry & Associates previously were the engineer that designed the HB 2017 Pedestrian and Road Improvement Projects and at the March, 2021 Council meeting construction was awarded to Humbert Asphalt, Inc. for some of those projects. Due to the large scope of work and area that projects are spread out staff has determined that it would be beneficial to have Anderson Perry & Associates continue providing construction administration, part-time/limited construction observation, construction staking, materials testing, project documentation and project closeout. These services are proposed to not exceed \$60,000. This is within the terms of the funding agreement and will be fully reimbursed by the State of Oregon through the Local Agency Agreement by HB 2017 funds.

Councilor Lyon asked if there would be a representative of Anderson Perry & Associates on-site every day.

Mr. Steadman stated it would likely be every other day and city staff would fill in when they were not there to answer any questions.

Councilor Chesnut stated in the Amendment to the agreement there was mention of a “bridge”.

Mr. Steadman stated in an initial plan there was discussion of a bridge being ire-constructed but that is not the case as the project list stands now.

Councilor Chesnut motioned to adopt Resolution No. 2451, Resolution authorizing signature to the Agreement for Professional Services for House Bill 2017 Pedestrian and Road Improvements Project with Anderson Perry & Associates, Inc. not to exceed \$60,000. Councilor Irving seconded the motion which passed unanimously.

RESOLUTION NO. 2452, AUTHORIZING SIGNATURE TO AMENDMENT #1 OF AN AGREEMENT WITH WALLA WALLA YMCA FOR LIFEGUARDING SERVICES AND CERTIFIED POOL OPERATOR SERVICES

Manager Hall reported that the City has struggled with finding qualified, certified lifeguards to staff the aquatic center. Many strategies over the years have been tried ranging from offering scholarships to the Red Cross trainings, to partnering with the School District for recruitments and increased incentives. Last year the City partnered with the Walla Walla YMCA who has highly trained and experienced staff. With the mechanical issues combined with COVID-19 closure, the season was shortened to about three weeks. The repairs and renovation of the pool facility is currently taking place and on schedule to be completed by May 15th. Staff is moving forward with arranging for staffing in the case the Aquatic Center will be allowed to open Memorial Day weekend. Staff is recommending the approval of the addendum to the agreement with the YMCA for them to supply all lifeguarding services to staff the pool season and the addition of providing a Certified Pool Operator (CPO) to oversee the weekly backflow testing, maintenance and inspection of all pumps, filters and the on-going chemical testing and treatment. The addendum will extend the

original agreement for the 2021 season from Memorial Day weekend to Labor Day weekend, 7 days a week. The addendum also adds in the services of the CPO. Concession stand works and front office staff will be hired directly by the City. Manager Hall stated the cost of the agreement is \$81,710 for the full season which is 102 days. This is a savings of approximately \$6,000 per season. With the assurance of certified, readily available lifeguards this will mean more private rentals outside regular swim hours can be offered which raises more revenue. The YMCA will bill the City monthly for their services rendered, so if the pool has to close early, the City does not get charged for any services not rendered by the YMCA.

Councilor Lyon motioned to adopt Resolution No. 2452, Resolution authorizing City Manager's signature to Addendum #1 of an agreement with the Walla Walla YMCA for lifeguarding services and Certified Pool Operator Services. Councilor Chesnut seconded the motion which passed unanimously.

UPDATE ON SNOW REMOVAL STANDARD OPERATING PROCEDURE

Public Works Superintendent Brian Steadman gave an update on the snow event that took place over Presidents' Day weekend 2021 in detail. During his explanation he shared a copy of the snow removal, deicer, sanding and graveling plan with the Council which also included a map with streets of priority. The current snow removal equipment includes a 1984 plow truck and two backhoes. Staff is proposing in the 2021-2022 budget to replace the 1984 plow truck with a new dump truck that would have a multi-directional plow installed and a new multi-directional plow on a 1-ton pickup to help with future snow events. Mr. Steadman expressed how proud he was of the crews that has performed over the past year since the flood in February 2020, dealing with COVID-19 protocols and most recently the huge snow event on Presidents' Day weekend all while keeping water, sewer, electricity, garbage service and recycling program uninterrupted.

Charles Danforth, 225 Maple Avenue – complemented the crew for the “amazing job” with snow removal in February.

Councilor Chesnut stated he liked the basics of a plan going forward.

Manager Hall stated the standard operating procedure and map will also be posted on the City website.

A brief discussion ensued regarding a suggestion from a citizen about hiring outside contractors to help with snow removal.

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

Marlene McClintock, 85175 Hwy 339 – congratulated Damien Reino on his new appointment to the City Council and wished him well.

Mr. Danforth wished Damien Reino well and that he knew Verl Pressnall very well and that Damien had big shoes to fill.

Bud Rupe, 86491 Triangle Station Rd. – stated he was a member of the TEA Party and he congratulated Damien Reino on his appointment to the City Council.

MANAGERS REPORT

Manager Hall reported that she was proposing a re-opening plan for the public offices to open on Monday, May 3, 2021. City Hall would be open, with safety protocols of masks required and social distancing encouraged. She explained her idea was to have any customer whose business would take longer than 15 minutes to call ahead and make an appointment with the specific department to help eliminate a group of customers waiting in the lobby. The library would limit the number of patrons to 24, of which would have a timer and be allowed to spend one hour at the library. The public works office has a door bell that customers can use or call ahead to make an appointment.

Councilor Irving stated that the funding through the CARES Act was used to help install safety measures in the different buildings. He asked if the elevator would be put into service when City Hall opened.

Manager Hall replied that it would be, and is operational now.

Councilor Lyon asked if another ribbon cutting ceremony would be planned since the one last year was cancelled due to COVID-19.

Manager Hall said there could be another ceremony planned.

COUNCIL ANNOUNCEMENTS

Councilor Irving reported some out of town contactors were currently working on his street. He said he understood that Representative Greg Smith may have some grant funding available to the City and asked if the Yantis Park playground equipment and golf cart walking trails would be eligible expenses. He also mentioned that a youth councilor would be nice to have again.

Manager Hall stated Councilor Reino had approached her about the high school ASB President filling that position.

Councilor Chesnut gave an update on his relocation outside city limits and stated he would more than likely attend the budget committee meeting at the end of April and if all went well in moving, it was possible he may be presenting his resignation at the May council meeting.

The council adjourned to executive session at 8:10 p.m. pursuant to 192.660 (2) (d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

The council returned to open session at 8:30 p.m.

Councilor Chesnut made a motion directing Manager Hall to ratify the Police Association Labor Agreement as orally presented. Councilor Irving seconded the motion which passed unanimously. There being no further business the meeting was adjourned at 8:31 p.m.

Lewis S. Key, Mayor