
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****August 8, 2022**

The Council of the City of Milton-Freewater met in regular session on August 8, 2022 in the Albee Room of the City Library, 8 SW 8th Avenue at 7:10 p.m.

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

Councilors Damien Reino and Brad Humbert were absent.

Staff members present were: City Manager Linda Hall, City Recorder Leanne Steadman, Police Chief Doug Boedigheimer, City Planner Laurel Sweeney, Police Officer/BENT Detective Jesse Myer, Police Officer Danny Lackey, Code Enforcement Officer Jason Schaffner and Conservation Specialist Ryan Westman.

Guests and citizens present were: Christine Boedigheimer, Rick Jackson, Ann Jolly and Jean McClintock.

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

CONSENT CALENDAR ITEMS:

The consent calendar items consisted of:

- Council minutes from July 11, 2022
- Accounts Payable July 7, 2022 – July 19, 2022
- Accounts Payable July 20, 2022 – August 2, 2022

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

PRESENTATION ITEMS:**BENT (BLUE MOUNTAIN ENFORCEMENT NARCOTICS TEAM)**

Police Chief Doug Boedigheimer introduced BENT Sergeant Rick Jackson and Police Officer/BENT Detective Jesse Myer. Sergeant Jackson gave some background on BENT. BENT primarily operates in Eastern Oregon with focus on Umatilla and Morrow Counties but stated there is a collaborative effort for Oregon, Washington and Idaho to work together. Currently, there are representatives from Pendleton Police Department, Oregon State Police, Umatilla County Sheriff's Office, Morrow County Sheriff's Office, Milton-Freewater Police Department and Umatilla Tribal Police Department. They each gave some details of some recent activity in the Umatilla County area including Milton-Freewater. Detective Myer presented some statistics for Milton-Freewater.

BUSINESS ITEMS:

ORDINANCE NO. 996, DECLARING A BAN ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS AND REFER TO THE ELECTORS FOR APPROVAL AT THE NEXT STATEWIDE GENERAL ELECTION

City Manager Linda Hall stated in November of 2020, Oregon voters passed a ballot measure that allows for the manufacture, delivery and administration of psilocybin at licensed medical facilities. Psilocybins are hallucinogens which have recently been shown to have a positive effect as medical treatments for some mental illnesses. The Oregon Health Authority is charged with developing the rules and administering the program including the granting of licenses. Cities have a limited time to consider whether or not to propose a two year, or permanent ban on the manufacture and service within city limits. In order to do so, the council would need to send the issue to the voters at the November 8, 2022 general election. Manager Hall stated there were two options for the council to consider; send a ballot measure to the voters which will place a permanent ban on the manufacture and service within city limits, or acceptance of the law as passed and take no action. Manager Hall stated the State law already had clear rules about where any proposed facility may be located. They cannot be located within 1000 feet of a school nor in any residentially zoned neighborhood. Facilities must have secure storage for the substance, be medically licensed and the substance cannot be sold retail or marketed or consumed off site. The rules and regulations from the Oregon Health Authority must be adopted and finalized by December 21, 2022 and it is anticipated that the earliest the State will be accepting applications is January 2023. She stated if the council voted to send a measure to the ballot to ban psilocybin, it would only prohibit the manufacture and service centers. It would not prohibit the ability to possess and use them for personal use in a controlled environment within Measure 109 allowed limited amounts. Due to the election timeline to place a measure on the November 2022 ballot, if Council wished to do so, both readings and adoption of the ordinance would need to take place as the ordinance is written with an emergency clause which would take effect upon passage.

A discussion ensued.

Ann Jolly, 225 Maple Avenue – stated she was in favor of the ban.

Councilor Lyon stated it would be hard to vote for the ban if it is a medical advantage.

A discussion ensued regarding the licensing and State rules and regulations.

Councilor Irving motioned that Ordinance No. 996 be introduced by title only and full reading waived. Councilor Lyon seconded the motion and roll call was taken, Councilor Koklich-yea, Councilor Lyon-yea, Councilor Irving-yea and Councilor Garcia-yea, the motion passed unanimously. The City Manager then read the ordinance by title. The council then introduced the first reading of Ordinance No. 996, An Ordinance Declaring a Ban on Psilocybin Service Centers and the Manufacture of Psilocybin Products and Refer to the Electors of the City of Milton-Freewater for Approval at the Next Statewide General Election.

Councilor Lyon motioned that the second reading of Ordinance No. 996 be by title only and full reading waived. Councilor Irving seconded the motion and roll call was taken, Councilor Koklich-yea, Councilor Lyon-yea, Councilor Irving-yea and Councilor Garcia-yea, the motion passed unanimously. The City Manager then read the ordinance by title, Ordinance No. 996, An Ordinance Declaring a Ban on Psilocybin Service Centers and the Manufacture of Psilocybin Products and

Refer to the Electors of the City of Milton-Freewater for Approval at the Next Statewide General Election.

Councilor Lyon motioned to adopt Ordinance No. 996, an Ordinance Declaring a Ban on Psilocybin Service Centers and the Manufacture of Psilocybin Products and Refer to the Electors of the City of Milton-Freewater for Approval at the Next Statewide General Election. Councilor Irving seconded the motion and roll call was taken, Councilor Koklich-yea, Councilor Lyon-yea, Councilor Irving-yea and Councilor Garcia-yea, the motion passed unanimously.

RESOLUTION NO. 2497, CALLING AN ELECTION FOR THE PURPOSE OF PROHIBITING PSILOCYBIN RELATED BUSINESSES WITHIN THE CITY OF MILTON-FREEWATER

Manager Hall stated this was a resolution calling an election for the purpose of prohibiting psilocybin related businesses within the City of Milton-Freewater. This is a required step for placing the measure on the ballot.

Councilor Lyon motioned to adopt Resolution No. 2497, A Resolution Calling for an Election for the Purpose of Prohibiting Psilocybin Related Businesses within the City of Milton-Freewater. Councilor Irving seconded the motion which passed unanimously.

RESOLUTION NO. 2498, OREGON DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT NO. 35319, FOR TRANSPORTATION SERVICES

City Planner Laurel Sweeney stated the federal American Rescue Plan Act also known as ARPA, provides emergency assistance for businesses affected by the COVID-19 pandemic and provides emergency appropriations to support agency operations during the pandemic. Funds provided under this act are available for transit agencies to maintain services and lost revenues. The City of Milton-Freewater has \$496,766 available for public transportation through the 5311 federal program. These funds pass through the State of Oregon Department of Transportation. There is no match requirement and the funds have a horizon date of June 30, 2024.

Councilor Koklich asked what were the plans for the funds to be used for.

Ms. Sweeney stated they would be used for transportation services, administration, operations and planning as well as providing funds for a transportation study. Staff would send out a request for proposals to find a consultant to perform the study.

Councilor Irving motioned to adopt Resolution No. 2498, Resolution Authorizing Signature to ODOT Grant Agreement No. 35319 an agreement between ODOT – Public Transit Division and the City of Milton-Freewater to receive ARPA Grant Funds up to \$496,766. Councilor Lyon seconded the motion which passed unanimously.

MANAGER'S REPORT

APPROVAL TO PURCHASE ONE NEW POLICE VEHICLE – DODGE DURANGO ALL-WHEEL DRIVE INTERCEPTOR, V-198

Manager Hall requested authorization to purchase one new police vehicle. The proposed vehicle is a Dodge Durango all-wheel drive police interceptor and it would replace one of the older Ford Crown Victoria Interceptors. She explained that time was of the essence to secure the purchase as some dealerships were not accepting any vehicle orders due to the uncertainty of availability. This vehicle is available and is in transit to Nampa, Idaho. The vehicle cost is \$37,064 and the cost to add the

emergency equipment to make it service-ready is \$26,274.14 for a total cost of \$63,338.14. This vehicle was budgeted for in the current budget.

A brief discussion ensued regarding vehicle warranty and vehicle emergency equipment.

Councilor Lyon motioned to approve the purchase of one new Police Dodge Durango all-wheel Drive Police Interceptor, V-198 to Emergency Responder Services, Inc. of Nampa, Idaho to include outfitting in the total amount of \$63,338.14. Councilor Irving seconded the motion which passed unanimously.

There being no further business the meeting was adjourned at 8:43 p.m.

Lewis S. Key, Mayor