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**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

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**CITY OF MILTON-FREEWATER****September 9, 2024****CITY COUNCIL MINUTES**

The Council of the City of Milton-Freewater met in regular session on Monday, September 9, 2024 in the Albee Room of the City Library, 8 SW 8<sup>th</sup> Avenue at 7:00 p.m.

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

Councilor Jose Garcia was absent.

Staff members present were: City Manager Chad Morris, Assistant City Manager/City Recorder Leanne Steadman, Police Chief Joe Shurtz, Finance Director Laurie Bubar, Fire Chief Shane Garner, Conservation Specialist/Engineering Technician Ryan Westman, Engineering Technician Tina Kain and Public Works Assistant/Project Aide Krista Gannon.

Guests and citizens present were: Patty Key, Kay West, Arlen Calley, Mike Odman, Suni Danforth, Kenneth Jenkins, Emily Holden, Tammy Seaquist, Paul Seaquist and Destiny Jensen.

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 August 12, 2024
- Accounts Payable August 3<sup>rd</sup> – August 21, 2024
- Accounts Payable August 22<sup>nd</sup> – September 3, 2024

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

**BUSINESS ITEMS:****BID AWARD - (2) 500 KVA 3-PHASE PAD TRANSFORMERS**

Manager Morris stated this item was being pulled from the agenda for consideration at this time.

**RESOLUTION NO. 2547 – AUTHORIZING AN APPLICATION FOR A SUSTAINABLE INFRASTRUCTURE PLANNING PROJECT FROM BUSINESS OREGON FOR A WATER RATE ANALYSIS**

Manager Morris requested authorization for staff to apply for a Sustainable Infrastructure Planning Project through Business Oregon for a Water Rate Analysis. Projects are funded up to a maximum of \$20,000 and are a 100% forgivable loan. The City updated its Water Management and Conservation Plan (WMCP) in February 2021. This plan is a requirement of the Oregon Water

Resources Department. The plan must be updated every 10 years, and progress updates must be submitted every five years. One requirement in the current WMCP is to complete a water rate study within five years, by 2025. The current budget includes \$125,000 to update the water system master plan and a portion of this money could fund additional costs above the \$20,000 forgivable loan, if successful, for the water rate analysis.

Councilor Reino motioned to adopt Resolution No. 2547, Resolution Authorizing Application for a Sustainable Infrastructure Planning Project from Business Oregon for a Water Rate Analysis. Councilor Irving seconded the motion which passed unanimously.

**RESOLUTION NO. 2548 – ESTABLISHING A CITY CHARTER REVIEW COMMITTEE**

Manager Morris shared there had been a request by citizens to review the City Charter. The first step in that process is to establish a Charter Review Committee for this purpose. The proposed resolution along with the exhibit would establish the committee and set some expectations for the committee.

Councilor Irving motioned to adopt Resolution No. 2548, Resolution Establishing a City Charter Review Committee. Councilor Lyon seconded the motion which passed unanimously.

**APPOINTMENTS TO THE CITY CHARTER REVIEW COMMITTEE**

Manager Morris stated staff advertised and accepted applications for the seven-member City Charter Review Committee. There were six applications received. The applications were provided to Mayor Key who made the recommendation to appoint all six applicants that applied to the committee. Mr. Morris announced there was still one vacancy on the committee if there was anyone willing to serve.

Councilor Humbert motioned to appoint Sally Babcock, Suni Danforth, Kenneth Jenkins, Margo Piver, Paul Seaquist and Kay West to the City Charter Review Committee as recommended by Mayor Key. Councilor Irving seconded the motion which passed unanimously.

**RESOLUTION NO. 2549 – AUTHORIZING SIGNATURE TO PROPERTY LINE ADJUSTMENT APPLICATION FOR THE MIDDLE RESERVOIR PROJECT**

Manager Morris stated he was proposing a property line adjustment allowing for approximately .339 acres of land be transferred to the City from Parjim Farmland Holdings, LLC which is located adjacent to the middle reservoir water tower in order to allow for enough space for the construction of a new 2-million-gallon water reservoir tower. The request is for authorization of signature to Umatilla County's Property Line Adjustment Application Type V. The professional services work portion of the request is included within the agreement for Professional Services, Job No 201-55 with Anderson Perry & Associates, Inc. Other budget impacts would be the fees charged by Umatilla County for their application process.

A brief discussion ensued regarding the space for the new water reservoir and the cell tower which is in the vicinity of the water reservoir.

Councilor Humbert motioned to adopt Resolution No. 2549, a Resolution Authorizing Signature to Property Line Adjustment, Type V Application with Umatilla County Community Development Department for the Middle Reservoir Replacement Project. Councilor Irving seconded the motion which passed unanimously.

**RESOLUTION NO. 2550 – AUTHORIZING SIGNATURE TO AMENDMENT NO. 2 TO AGREEMENT WITH ANDERSON PERRY & ASSOCIATES FOR THE SOUTH RESERVOIR PUMP AND WELL HOUSE DESIGN SERVICES, JOB NO 201-54**

Manager Morris presented Amendment #2 to the Anderson Perry & Associates agreement for the South Reservoir Pump and Well House Design Services. This amendment includes deliverables up to and including complete plans to bid ready for the project with a due date of no later than December 31, 2025. Manager Morris stated there were some projects that will be pushed back in order to make this project first priority.

A brief discussion ensued regarding the number of hours noted in the engineering firm's proposal.

Councilor Lyon asked what specific projects were being pushed back.

Manager Morris stated there were no projects being pushed back that are a safety issue.

Councilor Humbert motioned to adopt Resolution No. 2550, a Resolution Authorizing Signature to Amendment No. 2 to Agreement for Professional Services, Job No. 201-54, Project: South Reservoir Pump and Well House – Design Services with Anderson Perry & Associates, Inc. for an additional \$120,000, increasing the total contract value not to exceed \$170,000. Councilor Irving seconded the motion which passed unanimously.

**MANAGER'S REPORT**

Manager Morris stated he and School Superintendent Aaron Duff were working on finding funding sources to rehabilitate the tennis courts. He shared that he is beginning to work with Culton Consulting who is based out of Washington State to seek grant opportunities at the Federal and State level. He stated that working with a consultant was cheaper than hiring someone full time to work on grants. He reported that he has some upcoming meetings with Umatilla County Commissioner Cindy Timmons, Representative Greg Smith and Business Oregon. He will be attending the Oregon Infrastructure Summit in Portland on September 24<sup>th</sup> and 25<sup>th</sup>. The Strategic Visioning meeting facilitated by SGR – Strategic Government Resources, Inc. will be September 18<sup>th</sup> for the Community Meeting and September 19<sup>th</sup> for the council work session. He reported that he has received some feedback from some of the council for the League of Oregon Cities legislative priorities and would follow up with those he has not heard from. He will be consolidating the council responses and submitting the information online. He stated the pool season has come to a close. The YMCA provided an "end of season pool report" which was shared with the city council and it will be shared with the recreation committee. The details of the previous YMCA invoice were shared per Councilor Humbert's request at the August council meeting. Manager Morris shared that Ms. Hedine interpreted the agreement payment terms as a lump sum payment each month and that she has proposed terminating the current agreement. He stated he intended to go out to bid for the aquatic center services for next year. He reported the Freewater Park improvements were beginning. The police station project was nearing closeout hoping for that to happen by next month. There is a driveway drainage issue that still needs to be addressed. The Robbins Street project did have two change orders that were not in the scope of unit pricing. The first change order was for additional asphalt removal. The contractor anticipated removing 4", but it turned out to be 8" instead which resulted in an additional \$5,429.33. The second change order was for additional driveway and sidewalk replacement to correct drainage issues which resulted in an additional \$6,153.25. He stated he needed to find a way to communicate change orders with council because it isn't contiguous to some construction projects to stop the construction in order to take change orders back to council that could hold up the project. In this case, the street was torn up and he made the decision to approve the change orders to keep the project moving ahead.

Councilor Humbert stated that staff has the authority to issue change orders and then bring them to council for approval.

Manager Morris stated that didn't make sense to him to ask council for approval for work that had already been done. If the change orders would have increased the total project, he would have sent an email out.

Next on the Managers report was the extension, Amendment No. 2, of the Anderson Perry & Associates agreement for the Middle Reservoir replacement project. Amendment No. 2 only extends the timeline of the agreement. The last item was the prioritizing of the water infrastructure projects. Manager Morris prioritized them in this order; rate structure analysis, south well and pump house, middle reservoir replacement and the master water plan after the City Strategic Vision planning is complete.

A discussion ensued regarding the tennis court conditions and recreational immunity.

Manager Morris stated he was trying to get a legal opinion in regards to recreational immunity which he believed coverage runs until July 2025.

### **COUNCIL ANNOUNCEMENTS**

Councilor Irving announced the Farmer's Market, Wednesday's 4:00 – 7:00 p.m., will run through the month of September, weather permitting.

Councilor Humbert announced a community meeting will be held September 30<sup>th</sup> beginning at 5:30 p.m. at the Community Building regarding the Walla Walla River area and camping.

The council adjourned to executive session at 7:55 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 8:22 p.m.

Councilor Humbert motioned to amend the City Manager's contract, Section 4 – Salary, by striking the words, "identical to that received by Department Heads effective July 1, 2025 and each July 1<sup>st</sup> thereafter" and replace with "at the city council's discretion". Councilor Reino seconded the motion which passed unanimously.

Councilor Humbert requested there be an executive session scheduled at the October city council meeting to review the performance of the City Manager.

There was a consensus of the council for the scheduling of an executive session.

There being no further business the meeting was adjourned at 8:25 p.m.

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Lewis S. Key, Mayor