

REGULAR MEETING OF THE COUNCIL CITY OF AMITY, OR

Minutes

Regular Meeting of the City of Amity City Council was held at 7:00 p.m. on Wednesday, June 1, 2022, in the Council Chambers, City Hall, 109 Maddox, Amity, Oregon.

Councilors Present:

Councilor Melissa Bojorquez, Councilor Acie Dunlap, Councilor April Dyche, Councilor Cody Goings, Councilor Sandy McArthur, Councilor Denis Saucier and Mayor Rachel King

Councilors Present via Zoom

None

Councilors Absent

None

Staff Present

City Administrator Mike Thomas, City Planner Holly Byram and City Recorder Natasha Johnson

CONSENT AGENDA:

Councilor Dyche moved to approve the Consent Agenda. Councilor McArthur seconded and with no discussion motion passed 6-0.

CITIZEN COMMENTS/QUESTIONS:

- A. Yamhill County Sheriff's Report: Deputy Rodriguez updated Council on the upcoming crosswalk enforcement. Mayor King asked if they have noticed a difference in the lamp hats making a difference in lighting the crosswalk area. He said they haven't looked and will see if they are. There were no comments or questions for YCSO.
- B. DIG Report: Erin Rainey updated Council regarding the hanging baskets and if can schedule a time to get them installed and hung up. Administrator Thomas let Erin know the plan is to hang them up and the new banners when Public Works takes down the Senior Banners. There were no further comments or questions for DIG.
- C. Citizen Comments: There were no comments from Citizens.

OLD BUSINESS:

- A. None

NEW BUSINESS:

- A. Resolution 2022-07, Interim Financing: Administrator Thomas described the need for

Resolution 2022-07. This Resolution approves up to \$9 million in interim financing for the city. Councilor Dyche moved to approve and adopt Resolution 2022-07, a Resolution of the City of Amity, authorizing the issuance, negotiated sale, execution, and delivery of a not to exceed \$9,000,000 Water Revenue Bond Anticipation Note, Series 2022: and related matters. Councilor McArthur seconded and with no discussion motion passed 6-0.

- B. Accept Recology's Limited Rate Increase: Administrator Thomas introduced Dave Larmouth with Recology. Dave provided the background regarding Recology Rate Increase.

Mayor King asked when the next schedule rate adjustment will be. He said July 2023. Mayor King asked if he could give us an estimate on what the rate would be for next year. He explained around 3% or close to CPI index.

Citizen Rainey asked if there was an issue with the landfill Recology is using filling up. He explained that in his understanding, Recology has around 20 years of capacity.

Councilor McArthur moved to approve and accept the rate review report as submitted and acknowledge Recology's limited rate increase. Councilor Bojorquez seconded motion and with no further discussion motion passed 6-0.

- C. Radar Sign Update: Administrator Thomas updated Council on the radar feedback sign and that it will cost around \$4,800. He recommends Council approve the purchase. Councilor Dunlap asked if it would be worth it to the Community to spend an extra \$9,000 for an ODOT approved sign to use on their rights of way. Administrator Thomas replied he does not think it would be a good investment.

Councilor Bojorquez explained thinks important to purchase the radar sign and that the City should add-on the data package. Councilor Dyche and Councilor Goings both agreed.

Councilor Dyche moved to purchase the radar feedback sign with the data package, as described by staff. Councilor McArthur seconded and with no further discussion motion passed 6-0.

- D. Approve Ordinance 675 Revised, Water Shutoff: Administrator Thomas detailed Ordinance 675's necessity, which revises water shutoff, and he completed a second reading. Councilor Bojorquez asked for clarification on section 3 of the new proposal, specifically the wording "as set by Council." Administrator Thomas answered in detail.

Councilor Dyche moved to approve and adopt Ordinance 675, an ordinance amending 51.08 discontinuing water supply to Amity's Municipal Code. Councilor Bojorquez seconded motion and with no further discussion motion passed 6-0.

- E. Approve 1st Reading of Ordinance 676- Amendments to Ordinance 672: Administrator Thomas went over the background of Ordinance 676 and completed the 1st reading. Councilor Bojorquez moved to approve Ordinance 676 and conduct 2nd reading in July. Councilor McArthur seconded and with no discussion motion passed 6-0.

- F. Resolution 2022-06, Worker's Comp Coverage for Volunteers: City Recorder Johnson went over background regarding Resolution 2022-06. Mayor King asked Recorder Johnson to consider adding more public events to Resolution and if only events listed covered or if more events can be covered. Recorder Johnson she will research adding more events with SAIF.

Councilor Bojorquez moved to approve Resolution 2022-06, a resolution extending the City of Amity's Workers Compensation coverage to volunteers of the City of Amity. Councilor Dyche seconded. With no discussion motion passed 6-0.

- G. **PUBLIC HEARING – Changes to Amity Development Code:** Mayor King opened the Public Hearing and read the script.

Mayor King asked Council if they wish to declare a potential or actual conflict of interest or bias. There were none stated.

Mayor King asked the audience if they wish to challenge the jurisdiction of the Council to hear this matter. There were no challenges.

Mayor King asked Planner H. Byram to give the staff presentation, which Planner Byram did. Administrator Thomas elaborated on some of the reasons for the changes.

Councilor Bojorquez asked for more clarification regarding the recommended residential sign size. Administrator Thomas explained the Planning Commission recommended a 6 sq ft limit. Then Mayor King went over all the changes to the code and asked if she had properly listed the recommended changes. Administrator Thomas concurred. Mayor King then asked for clarification regarding replacing Ordinance 626. Administrator Thomas stated these changed eliminated Ordinance 626. Planner Byram added that while Ordinance 626 was thorough and well thought out, it is not acknowledged by the state because the proper procedures weren't done to enact it. She stated the Ordinance could be enacted at some point. Mayor King asked Planner Byram if it is common for Council to come back and change the development code over and over. Planner Byram stated that a city's development code is written for the community and should be flexible enough to meet the community's needs or appropriately updated.

Councilor Bojorquez restated her concern about the proposed limits on the size of the signs, as she thinks they are too large. She presented a visual aid of the different sizes of signs, to scale, and explained her concerns with the larger sign limits.

Then Mayor King asked for testimony from proponents of the proposed recommendation. Citizen L. Savage testified as a proponent. He stated that while he is a Planning Commissioner, he wanted to testify on his own behalf and not as a Planning Commissioner of the City. He explained that he approved of the changes, but that larger signs will possibly make Amity more of a pass-through town instead of a town for people to want to stop at. Thus, while he is favor of the Planning Commission recommending bigger signs, he would desire a smaller increase than proposed. There were no other statements from proponents.

Mayor King asked if testimony from opponents. There were none.

Mayor King asked if anyone wishes to request for a continuance of the public hearing. There were none.

Mayor King asked Council if they had any clarifying questions for staff. There were none.

Mayor King closed the Public Hearing.

Mayor King asked if additional comments or questions from Council. Taking the opportunity, Mayor King explained that the City's recommended changes don't follow the State's sign guidelines its highways, which says signs cannot exceed 12 square feet if visible from a state highway. Councilor Bojorquez explained the City would want to follow ODOT standards. There were further deliberations between Council regarding the sign sizes. The deliberations concluded that the proposed 16 sq ft sign was too big and that the size should be either 9 or 12 square feet.

Councilor Dyche moved to approve the proposed amendments to the Amity Development Code presented in Exhibits A and B, as modified by the city council stating 6 square feet for residential and 9 square feet for commercial, adopt the findings included in the staff report, and direct staff to prepare an enacting ordinance. Councilor Bojorquez seconded and with no further discussion motion passed 6-0.

Then Councilor Bojorquez moved to approve Ordinance 677, as recommended by the planning commission, for a 2nd reading in July. Councilor Dyche seconded and with no discussion motion passed 6-0.

- H. Resolution 2022-08, City Administrator Contract: Mayor King detailed the necessity regarding Resolution 2022-08 and the amendments. Administrator Thomas offered that he was agreeable to the amendments. Councilor Dyche moved to approve and adopt Resolution 2022-08. Councilor McArthur seconded motion and with no discussion motion passed 6-0.
- I. Liquor License – Retro Pizza Co.: Administrator Thomas explained that the City needed to evaluate the business's requested Liquor License Application. Councilor Dyche moved to approve Liquor License Application for Retro Pizza Co.'s located at 510 S. Trade St. Councilor Goings seconded and with no discussion motion passed 6-0.
- J. Contract Approval – DRC: Administrator Thomas discussed what a DRC does and the history regarding the proposed DRC contract with R. Howard. Mayor King asked why there was an apparent discrepancy and change to the proposed contract, noted that the compensation increased. She asked what the difference in compensation is compared to the previous contract. Administrator Thomas explained there were changes as he circulated to Councilors the proposed contract too early. Yet, once the contract was finalized there were no changes in compensation, the only change being in the contract's duration. If the contract expired or was not accepted, Administrator Thomas explained the City's options, which is that if Public Works Superintendent Gary Mathis isn't certified the City can go with another DRC. Councilor Goings

stated that the proposed costs were reasonable relative to other DRC services. Councilor Bojorquez moved to approve contract for DRC services and have Mayor King sign for the city. Councilor McArthur seconded motion and with no further discussion motion passed 6-0.

- K. **PUBLIC HEARING – Budget FY 2022-2023:** Mayor King opened the Public Hearing and read the script. There were no public comments. Mayor King closed the Public Hearing.
- L. **Resolution 2022-03 – Adopting the 2022-23 Fiscal Year Budget Appropriations:** Mayor King went over the budget's background. Councilor Dyche moved to approve the budget as described by the City Administrator and approve Resolution 2022-03, a Resolution Adopting the 2022-2023 Fiscal Year Budget, Making Appropriations, and Levying and Categorizing Ad Valorem taxes for the City of Amity for the 2022-2023 Fiscal Year. Councilor Bojorquez seconded and with no discussion motion passed 6-0.
- M. **Resolution 2022-04 – Election to Receive State Revenue Sharing:** Mayor King went over the details of Resolution 2022-04. Councilor Dyche moved to approve Resolution 2022-04, a Resolution declaring the City of Amity's election to receive State Revenues for fiscal year 2022-2023. Councilor Bojorquez seconded and with no discussion motion passed 6-0.
- N. **Resolution 2022-05 – Certifying the City Meets all Requirements to Receive State Shared Revenue:** Mayor King described the details of Resolution 2022-05. Councilor Bojorquez moved to adopt Resolution 2022-05, a Resolution certifying that the City of Amity meets all requirements to receive state shared revenues for FY 2022-23, Councilor Dyche seconded and with no discussion motion passed 6-0.

DEPARTMENT REPORTS:

City Administrator Report: City Administrator Thomas submitted his report and updated council regarding bridge closure, sewer rate increase, closeout of CIS insurance claim, and Public Works' hydrant flushing. He also updated Council on the results of the streetlight modifications, recommending that the City take them down when Public Works hangs up the hanging baskets. He concluded that they do not improve pedestrian visibility. Mayor King asked if he received any community input. He replied there was no input from the community, that he based the decision off his own observations of the modifications. Finally, he thanked the local parents' group for starting the tradition of hanging the graduating senior banners. There were no further comments or questions for the City Administrator.

City Recorder/Treasurer Report: Recorder Johnson submitted her report and reminded Council of the upcoming movie in the park. There were no comments or questions for the City Recorder.

Public Works Report: Superintendent Mathis submitted his report and was not present at the meeting. There were no further comments or questions for Public Works.

Library Report: Librarian Jenkins submitted her report and was not present at the meeting. There were no comments or questions for the library.

City Engineer Billing Report: Billing report submitted. There were no comments or questions regarding billing.

City Attorney/Planner Billing Report: Billing report submitted and there were no comments or questions regarding billing.

BUSINESS FROM THE MAYOR & CITY COUNCILORS:

Councilor President April Dyche Comments: Councilor Dyche had nothing to report. There were no comments for Councilor Dyche.

Councilor Sandy McArthur Comments: Councilor McArthur had nothing to report. There were no further comments for Councilor McArthur.

Councilor Goings Comments: Councilor Goings had nothing to report. There were no comments for Councilor Goings.

Councilor Bojorquez comments: Councilor Bojorquez wanted to let council know she meant to say something during public hearing to declare possible conflict as her spouse is on the Planning Commission. She explained it didn't sway her vote at all. Mayor King explained to her that other Council or members of the audience had a chance to challenge any Councilor for a conflict of interest and as there were none, there was no reason to change the decision or challenge the process. Mayor King thanked Councilor Bojorquez for her honesty. There were no further comments for Councilor Bojorquez.

Councilor Dunlap Comments: Councilor Dunlap had nothing to report. There were no comments for Councilor Dunlap.

Councilor Saucier Comments: Councilor Saucier had nothing to report. There were no comments for Councilor Saucier.

Mayor King Comments: Mayor King let Council know that she and Administrator Thomas are going to Amity Elementary School for "Career Day" to discuss their jobs with the 5th Grade students. She also let Council know that someone from the local Lyons Club reached out to her regarding her interest in hosting a "If I Were Mayor..." essay contest. She let them know that the Oregon Mayor's Association does something similar and that she is waiting to hear back from the OMA on what they would like to do, and hopefully will be coming up soon. She also updated Council that she attended a round table meeting with Commissioner Casey Kulla. She explained the meeting wasn't recorded until after all her topics were discussed. There were no comments for Mayor King.

Councilor Bojorquez moved to adjourn meeting at 8:55 pm. Councilor Goings seconded and without further discussion motion passed 6-0.

Approved by City July 6, 2022

Rachel King, Mayor

Attest:

Natasha Johnson, City Recorder