

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, January 6, 2021 in the Council Chambers, City Hall, 109 Maddox, Amity, Oregon.

City Recorder Johnson swore in new Councilor's Rachel King, April Dyche, Sandy McArthur and swore in new Mayor Joshua Clark.

Councilors Present

Councilor Robert Andrade, Councilor Rachel King, Councilor Ryan Lehman, Councilor Sandy McArthur, Councilor Napua Ann Rich, Councilor April Dyche and Mayor Joshua Clark

Councilors Present via Zoom

None

Councilors Absent

None

Staff Present

City Recorder Natasha Johnson, City Administrator Mike Thomas, Head Librarian Anne Jenkins and Public Works Superintendent Gary Mathis

**CONSENT AGENDA:**

Councilor Lehman moved to approve the Consent Agenda. Councilor McArthur seconded and with no further discussion motion passed 4-0. (Councilor King and Councilor Dyche couldn't vote due to not being Councilor's at prior meeting).

**CITIZEN COMMENTS/QUESTIONS:**

- A. Yamhill County Sheriff's Report: Deputy Jones went over the calls they have dealt with this month. There were no comments for YCSO.
- B. DIG Report: Eve Silverman gave the DIG Report. Discussed the tree lighting and all the different volunteers that helped with the event. They have a meeting next week and will be talking about the upcoming Daffodil Festival, business banners and flower baskets.  
  
Erin Rainey with DIG talked about the upcoming Daffodil Festival. They are not having one this year due to COVID. They did get a lot of Daffodils donated and will be giving them out and planting them around town. Councilor Rich thanked DIG for putting on the tree lighting.
- C. Citizen Comments: None

**OLD BUSINESS:**

- A. None

**NEW BUSINESS:**

- A. Election of Council President: Councilor Andrade nominated Councilor Lehman to be named Council President for 2021. Councilor Rich seconded and with no further discussion motion passed 6-0.
- B. Cancellation of the Emergency Declaration: Administrator Thomas went over background regarding the Cancellation of the Emergency Declaration and what it would entail if we canceled tonight. Councilor Rich brought up that Yamhill County is in extreme category and State of Oregon is in Emergency until March 2021. Councilor Rich moved to Continue Emergency Declaration 2020-02 until the State ends theirs. Councilor McArthur seconded motion. Councilor Andrade asked what the other cities are doing in Yamhill County. Administrator Thomas said most of them are extending them until March. Councilor Lehman asked what will change if we end it? Administrator Thomas doesn't see a reason not to end it. Councilor Dyche mentioned would be unwise to end before the Federal Government ends theirs regarding federal funding. Councilor Andrade brought up that he doesn't feel need to go until the state says. Administrator Thomas went over more details on what the City can do during the Emergency Declaration and what the City has done so far regarding the Emergency Declaration. Councilor Rich moved to amend the motion to continue Emergency Declaration 2020-02 until the end of March 2021 and vote upon it at the April Council meeting. Councilor Lehman seconded. There was discussion. Councilor King sees both sides to ending it and not ending it. She would feel more comfortable to not have it tied with the state's declaration. Councilor Lehman mentioned that the City has not used any of the extra power that goes with having the State of Emergency. He feels it gives a false sense to the community. Councilor Dyche asked what the harm in would be keeping it. Councilor Lehman went over some of the extra powers in keeping it. Administrator Thomas explained some of the risk; which one is you could lose future federal/state money possibly. Councilor Rich said it would keep the option open for the funding especially since its so unknown. Councilor Dyche said unwise to not have the declaration with not knowing with the new congress coming in. Councilor King feels the city needs to be transparent to the Citizen's why the city is extending the Emergency Declaration. With no further discussion motion passed 6-0.
- C. Approval and Acceptance of Planning Commissioners: Administrator Thomas went over background regarding vacancy and term expiration of the Planning Commission. Councilor Lehman moved to accept Commissioner Davis resignation. Councilor Andrade seconded and with no further discussion motion passed 6-0.

Councilor Dyche moved to reappoint Rob Kistler as a member of the City of Amity Planning Commission with term ending December 31, 2022. Councilor King seconded motion. During the discussion, Councilor Lehman asked Commissioner Kistler about consuming an alcohol beverage during a Planning Commission meeting held via Zoom. Commissioner Kistler stated at times while on Zoom meetings he did enjoy a glass of wine, as he was in his own home. Councilor Lehman wanted to know why Commissioner Kistler thought that was okay? Commissioner Kistler said no one brought it up during the meeting and therefore he did not

think it was an issue. He said if someone would have brought it up during the meeting, he would have put it away. Councilor Lehman let him know he is representing the City and it is a City meeting, so drinking during a meeting is a problem. Commissioner Kistler said if it was a problem, then someone from the City Staff should have brought it to his attention either during the meeting or soon thereafter. Commissioner Kistler was quizzical about how Councilor Lehman learned of it being that Councilor Lehman has never attended a Planning Meeting. Commissioner Kistler said if it is in an ordinance then he didn't know about it and he apologized for it. Commissioner Kistler apologized. Councilor Lehman said Councilor's don't attend meetings in case things discussed at a Planning Commission meeting is brought before the Council and he wouldn't want to have a biased opinion. Commissioner Kistler said best thing for Council to do is to have someone from Council attend the meeting, so they are informed of what transpires at the Planning Commission Meeting. Councilor Lehman let Commissioner Kistler know that is why Administrator Thomas attends the meetings. Councilor Lehman's concern is what was discussed at the meeting and if he was able to make an appropriate decision that wouldn't affect the city while drinking. Administrator Thomas interrupted to state to Commissioner Kistler that City Staff was directed by the City Attorney that it is inappropriate for City Staff to call such behavior by Commissioner out during a meeting. Administrator Thomas stated the proper action is for another Commissioner to make a comment, or the applicant, or other people attending the meeting. In this case, Administrator Thomas stated, after the meeting a representative of the applicant brought it to City's attention, and the Administrator then advised Council. Commissioner Kistler said he has attended a couple of meetings and no one has ever said anything to him regarding consuming alcohol. He said he would have appreciated it if someone said something to him. Councilor Andrade brought up that as a Commissioner he is there to make sound decisions. He said maybe the City needs to send something out to everyone representing the city that if attending meeting via zoom that you are not to consume alcohol. Councilor Rich also said maybe the City needs to make a rule that can't assume alcohol during a meeting and via zoom, but that we haven't as it seems to be a fairly obvious requirement. Commissioner Kistler asked if Councilor Andrade was consuming a beer during the May 2020 Council meeting regarding the Dollar General. Councilor Andrade said "negative". Councilor Lehman moved to amend the motion to not reappoint Commissioner Rob Kistler. Councilor Rich seconded motion. Motion passed 3-1-2 abstain (Councilor Andrade and Councilor King abstained). Commissioner Kistler asked what the motion was, as he was having audio issues over Zoom. Administrator Thomas let him know that it was a motion to amend the initial motion and to not reappoint him. Commissioner Kistler asked whether the vote (and the debate) should be whether he brings value to the Commission as to oppose to having wine during zoom meetings. At this point, Commissioner Kistler stated that he had difficulty linking to the Zoom link for this meeting, so he missed the public commentary portion of the meeting. He stated that he had a 4-page state he wanted to read and asked to make the statement at this time. With prompting from Administrator Thomas, Mayor Clark told him he could make his statement. Commissioner Kistler reiterated his audio issues over Zoom and said if not everyone can hear him, he can send it to them by email. Mayor Clark let him know the email would be fine. At this time, City Recorder Johnson let him know that if it is public comment for the meeting, it needed to be sent to City Recorder prior to the meeting and having not done so it wouldn't be eligible for inclusion in the meeting and can't be considered public commentary. Administrator Thomas suggested that if Commissioner Kistler were to email it to him, Administrator Thomas would forward it to Council. Commissioner Kistler declined that offer, stating he would prefer to send the email to everyone and not through an intermediary. Councilor Lehman declared that public commentary was at 7 PM, the opportunity was missed,

and that there is still an open motion regarding the vote to reappoint Commissioner Kistler, therefore, this discussion about statements is improper and Commissioner Kistler is out of order. Councilor Lehman states that Commissioner Kistler could comment only on the motion at hand. Mayor Clark said he agrees with Councilor Lehman. At this point Council voted on the open motion – to not reappoint Commissioner Kistler. With no further discussion motion passed 3-1-2 abstain. Commissioner Kistler was not reappointed.

D. IGA with ODOT on Crosswalks: Administrator Thomas went over the background of this IGA with ODOT. Councilor Lehman asked Administrator Thomas if the City does not have the funds to maintain crosswalks must we maintain them? Administrator Thomas said there is no obligation to pay for maintenance. Councilor Rich added that it could eliminate future funding with ODOT if not approved. Councilor Rich moved to approve the IGA with ODOT and direct Mayor Clark to sign the agreement with ODOT. Councilor Lehman seconded and with no further discussion motion passed 6-0.

E. Discussion on Goal Setting & Council Training: Recorder Johnson went over dates. Councilor Rich asked to have goal setting on the 13<sup>th</sup> or 20<sup>th</sup> and Council Training on the 6<sup>th</sup>. All of the Council decided February 6<sup>th</sup>, 2021 for training with City Attorney Bill Monahan and have goal setting on February 20<sup>th</sup>, 2021. Councilor Lehman asked about Committees and how he is on two and need someone else to take on Tourism Committee.

F. Appoint Budget Officer & Approve Proposed Budget Calendar: Recorder Johnson went over background regarding appointing Budget Officer and Budget Calendar. Councilor moved to appoint City Administrator Michael Thomas as the budget officer for fiscal year 2021-22 and approve the proposed budget calendar. Councilor seconded and with no further discussion motion passed 6-0.

G. Update Check and Deposit Box Signers: Recorder Johnson went over background regarding updating check and deposit box signers. Councilor Lehman moved to update the list of authorized check signers on the City of Amity's First Federal Checking account to include Mayor Joshua Clark, Council President and Finance Committee Member Ryan Lehman, City Administrator Michael Thomas and City Recorder/Treasurer Natasha Johnson, contingent on passing the bank's credit check and remove any and all others. Councilor Andrade seconded and with no discussion motion passed 6-0.

Councilor Lehman moved to update safety deposit box signers to include Mayor Joshua Clark, City Recorder/Treasurer Natasha Johnson and City Administrator Michael Thomas contingent on passing a bank's credit check and remove any and all others. Councilor Andrade seconded. With no discussion motion passed 6-0.

H. Update on Audit: Administrator Thomas went over extension for the Audit. The City has asked for extension due to extra component in the audit this year. Hoping to have the audit to Council next month.

## **DEPARTMENT REPORTS:**

City Administrator Report: Administrator Thomas submitted his report and added update regarding an individual who was arrested for disorderly conduct. Councilor Lehman asked for an update regarding the signs. Administrator Thomas said he hasn't gotten any bids from

anyone else regarding the signs. He went over all the other companies they went out for bids and no one turned in any bids. Councilor Andrade asked if the amount went down. The amount went down a little. Councilor Lehman updated rest of Council regarding the signs. Administrator Thomas let council know he was going to put it on next month's agenda. Council directed Administrator Thomas to execute on the bid that the City has received. Councilor Andrade asked what the amount is. Administrator Thomas said cost is around \$8,305. Councilor King asked what the cost includes. Councilor Lehman said it would cover everything for 2 signs. The Administrator stated he would start the process of getting the signs mounted again. There were no additional comments for City Administrator.

City Recorder/Treasurer Report: City Recorder Johnson submitted her report and had nothing else to add. There were no comments for City Recorder.

Public Works Report: Submitted his report and had nothing to add. Councilor Andrade asked for update regarding park play equipment. PW Superintendent gave update regarding the equipment. Councilor Dyche asked how Public Works is doing with all the rain. PW Mathis said they are doing ok with it. Councilor McArthur brought up drainage. There were no additional comments for Public Works.

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

City Engineer Billing Report: Billing report submitted. Councilor Lehman asked if the city could use the Emergency Declaration to speed up the process for the water improvements project. Administrator Thomas said no per USDA and that our declaration isn't at a federal level. Councilor Lehman asked if there is a federal declaration. Administrator Thomas said he isn't sure but as of now can't use the municipal declaration. Councilor King said that there are new funds given to the state of water and USDA. Administrator Thomas said yes, but we are already in contract with USDA. Administrator Thomas went over a quick review of where the project is at now. There were no further comments.

City Attorney Billing Report: Billing report submitted and there were no comments.

City Planner Billing Report: Billing report submitted and there were no comments

### **BUSINESS FROM THE MAYOR & CITY COUNCILORS:**

Mayor's Comments from Mayor Clark: Thanked everyone for helping him through the meeting.

Councilor Ryan Lehman & Finance Committee Report: Councilor Lehman didn't submit report. He had nothing to report for Finance Committee. There was discussion regarding adding another park to Amity. Possibly looking for a grant to help with the cost. Councilor Rich said maybe looking into the property that was just added. There were no further comments for Councilor Lehman.

Councilor Sandy McArthur & Ordinance Committee Report: Councilor McArthur submitted her report and had nothing to add. There were no comments for Councilor McArthur.

Councilor Robert Andrade & Public Works Committee Report: Councilor Andrade submitted his report and had nothing to add. There were no comments for Councilor Lehman.

Councilor Lehman & Community Engagement Committee: Councilor Lehman did not submit report, but they are hoping to distribute masks out to the businesses.

Councilor Napua Ann Rich & Business Development Outreach Committee Report: Councilor Rich did not submit a report. She has been introducing herself to the businesses. She is hoping to connect with more businesses when COVID subsides. There were no comments for Councilor Rich.

Vacant & Public Outreach, Education and Communication Committee Report: There was no report and no comments.

Councilor Lehman moved to adjourn meeting at 8:30. Councilor Andrade seconded and without further discussion motion passed 6-0.

**Approved by City Council February 3, 2021**

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Joshua Clark, Mayor

**Attest:**

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Natasha Johnson, City Recorder