

REGULAR MEETING OF THE COUNCIL  
CITY OF AMITY, OR

Minutes

The Regular Meeting of the City of Amity City Council was held at 7:00 p.m. on Wednesday, June 7, 2023, in the Council Chambers, City Hall, 109 Maddox, Amity, Oregon.

Councilors Present

Councilor Melissa Bojorquez, Councilor April Dyche, Councilor Sandy McArthur, Councilor Caleb Shields, Councilor Alice Thompson, and Mayor Rachel King

Councilors Present via Zoom

None

Councilors Absent

None

Staff Present

City Attorney Bill Monahan, Interim City Administrator Rob Daykin and City Recorder Natasha Johnson

**CONSENT AGENDA:**

Councilor Dyche moved to approve the Consent Agenda with the amendment of changing the time from Special Council Meeting minutes to reflect Executive Meeting opened at 5:30 pm to 5:35pm started. Councilor McArthur seconded and with no discussion motion passed 4-0.

**CITIZEN COMMENTS:**

- A. Yamhill County Sheriff's Report: Deputy Samerdyke from YCSO updated Council regarding the months stats and they are average. Mayor King asked regarding Demo complaint and if anyone has reached out. He let Council know no one has as the owner is out of State. Mayor King let them know that it looks like there is construction happening and maybe check again. He will check with the day deputy and will look into it. She also suggested sending a letter to the owner on file. Interim Daykin updated the Council that the county doesn't have the authority to go on the property and stop the work. He is under the impression DEQ is going to be reaching out to the owner. He Suggested to the Council to look into the demo permit process. There were no further comments or questions for YCSO.
- B. DIG Report: There was no one from DIG at the meeting to give a report. There were no comments or questions for DIG.
- C. Citizen Comments: Citizen C. with Salt Creek Apartments updated council regarding installing a bench and would City be interested in dedicating the bench and be involved. Mayor King let him know the city would be interested in being involved and to reach out to City Staff to discuss further.

There were no further citizen comments.

**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.

- A. Resolution 2023-09 – Adopting the 2023-24 Fiscal Year Budget Appropriations: Mayor King went over the budget's background. Councilor Dyche moved to approve the budget and approve Resolution 203-09, a Resolution Adopting the 2023-2024 Fiscal Year Budget, Making Appropriations, and Levying and Categorizing Ad Valorem taxes for the City of Amity for the 2023-20234Fiscal Year. Councilor Bojorquez seconded and with no discussion motion passed 5-0.
- B. Resolution 2023-10– Election to Receive State Revenue Sharing: Mayor King went over the details of Resolution 2023-10. Councilor Dyche moved to approve Resolution 2023-10, a Resolution declaring the City of Amity's election to receive State Revenues for fiscal year 2023-2024. Councilor McArthur seconded and with no discussion motion passed 5-0.
- C. Resolution 2023-11 – Certifying the City Meets all Requirements to Receive State Shared Revenue: Mayor King described the details of Resolution 2023-11. Councilor Dyche moved to adopt Resolution 2023-11, a Resolution certifying that the City of Amity meets all requirements to receive state shared revenues for FY 2023-24, Councilor McArthur seconded and with no discussion motion passed 5-0.

**OLD BUSINESS:**

- a. Resolution 2023-13, Sewer Rates: Interim Rob Daykin went over Resolution 2023-13 regarding Sewer rates. He went over some modifications to the sewer rates. He went over some issues with some utility customers that will not be being charged correctly and went over recommendation. Mayor King asked regarding what the different proposals would be for multi units. Interim Daykin explained. Mayor King went over the changes. Interim Daykin went over some businesses and how it would affect rates. Mayor King went over the sewer projects and what per million would need in rate increase to cover the upgrades and what needs to be put aside for debt service. Councilor Bojorquez feels do the increase once instead of multiple increases. There was discussion regarding utility customers being billed incorrectly. OAWU Tim Tice went over further regarding their recommendation on how to charge the multi units over 5 units. Interim Daykin explained that sewer debt will be dropping off in the next couple of years. Councilor Shields feels simpler the better for charging customers and easier to explain. Councilor McArthur is concerned about doing another rate increase and hurting the businesses. Mayor King explained if choose not to accept the new proposed rates, city will still need to enact correct rates from rates on previous resolution. Councilor Bojorquez doesn't want to impact businesses but won't impact residents as much. Mayor King explained the need to raise the rates to show for future lending on upcoming sewer improvements and is comfortable with the new structure and one time conversion. She explained the city has come with the decision based on collected data. Councilor Dyche moved to adopt Resolution 2023-13, a resolution establishing sewer changes and repealing Resolution No. 2021-10 adding footnote language public institutions are considered commercial. Councilor Thompson seconded and with no discussion motion passed 5-0.

- b. Contract with Howards: Mayor King went over background regarding contract with Howards. Councilor Dyche moved to accept the proposed contract and approved Mayor King to sign it and authorize payment of the agreed amount. Councilor McArthur seconded. Councilor Bojorquez asked for clarification regarding accepted council terms for a settlement along with our stipulation. Mayor King explained the other addition they asked for and adding language. With no further discussion, the motion passed 5-0.
- c. Collective Bargaining Agreement: Mayor King went over background regarding Collective Bargaining Agreement. Councilor Dyche moved to approve the Collective Bargaining Agreement with Liuna Local 737 for the period of July 1, 2023, through June 30, 2026, and authorize the mayor to sign. Councilor Bojorquez seconded the motion and with no discussion motion passed 5-0.
- d. Resolution 2023-14, Employee Compensation: Mayor King went over background regarding Resolution 2023-14. Councilor Bojorquez moved to pass Resolution No. 2023-14. Councilor Thompson seconded and with no discussion motion passed 5-0.
- e. Amended Franchise Agreement – Recology: Mayor King went over background regarding amended Franchise agreement. Interim Daykin explained further the franchise agreement and some of the clarification's changes. Councilor Bojorquez moved to approve and authorize Mayor King to sign the amended and restated solid waste collection franchise with Recology Western Oregon and accept the 4% rate increase. Councilor McArthur seconded the motion and with no discussion motion passed 5-0.
- f. Ordinance No. 680 – System Development Charges: Interim Daykin went over background regarding Ordinance 680. Mayor King read the updated language. Councilor Dyche moved to adopt Ordinance No. 680, an ordinance repealing Ordinance No. 412B, Ordinance No. 557, and Ordinance No. 619, and providing for the establishment of system development charge fees and amending the Amity Municipal Code. Councilor McArthur seconded the motion. Mayor King asked why all three Ordinances need to be repelled. Interim Daykin explained just makes it clearer. With no further discussion the motion passed 5-0.
- g. Engagement Letter with Local Government Law Group: Mayor King went over background regarding approval of the Engagement Letter. Councilor Bojorquez moved to authorize Mayor King to sign the Engagement Letter with Local Government Law Group for legal services. Councilor Dyche seconded the motion and with no discussion the motion passed 5-0.

**NEW BUSINESS:**

- A. Quit Claim Deeds: Interim Rob Daykin went over background regarding Quit Claim Deeds. Mayor King asked for confirmation regarding giving up the water rights on property. Interim Daykin explained further, and public works and Engineer has signed off on them and the City Attorney has looked over the documents. Councilor Dyche moved to authorize Mayor King to execute the Quit Claim Deeds as presented. Councilor McArthur seconded and with no discussion motion passed 5-0.

- B. CCRLS Intergovernmental Agreement: Mayor King went over background regarding CCRLS agreement. Councilor Dyche moved to approve the Intergovernmental Agreement with Chemeketa Cooperative Regional Library Service and authorize Interim City Administrator to sign. Councilor Bojorquez seconded the motion and with no discussion motion passed 5-0.
- C. MWVCOG Planning Services Agreement: Mayor King went over background regarding planning service agreement. Councilor Dyche moved to approve the Land Use Planning Services Contract and authorize the Interim City Administrator to sign. Councilor Bojorquez seconded and with no discussion motion passed 5-0.
- D. MWVCOG Attorney Services Agreement: Mayor King went over background regarding attorney services agreements and the differences between this agreement and the last one and what it means. Councilor Bojorquez moved to approve the attorney service contract and authorize the Interim City Administrator to sign. Councilor Thompson seconded and with no discussion motion passed 5+0.
- E. Farm Lease Agreement: Interim Daykin went over background regarding farm lease agreement. Councilor Thompson is comfortable having the city doing business with KBK Farms. Councilor Bojorquez asked staff if budget is ok without receiving the revenue this year. Staff explained the budget would be ok as it doesn't have a huge impact. Councilor Dyche moved to approve the Farm Lease Agreement with KBK Farms and authorize Mayor King to sign. Councilor Bojorquez seconded and with no discussion motion passed 5-0.
- F. Resolution No. 2023-12, Volunteer's Workers Compensation: went over background regarding Resolution 2023-12. Councilor Dyche moved to approve Resolution 2023-12, a resolution extending the City of Amity's worker's compensation coverage to volunteers of the city of Amity. Councilor Bojorquez seconded the motion and with no discussion motion passed 5-0.
- G. OLCC License Application for J Cortell Wines LLC: Mayor King went over background regarding OLCC. Mayor King asked applicant if they have a separate business license. The applicant explained they plan on moving the tasting room out of town in the next couple of years. They explained they do not have a business license for the separate business and will get one if needed. Interim Daykin explained will verify with them when they pick up OLCC application. Councilor Bojorquez moved to approve Liquor License application J. Cortell Wines LLC located at 502 S Trade Street. Councilor Thompson seconded the motion and with no further discussion the motion passed 5-0.
- H. CSFRF Grant Agreement Amendment No. 1: Mayor King went over background regarding amendment. Interim Daykin explained further. Councilor Dyche moved to approve amendment No. 1 to grant agreement No. 8055 and authorize the Mayor To sign. Councilor Bojorquez seconded and with no further discussion the motion passed 5-0.

**Mayor King Opened Executive Session - ORS 192.660 (2)(a) To consider the employment of a public officer, employee, staff member or individual agent.**

## **Mayor King opened public meeting back up at 9:25**

- I. Appoint Administrator and Approve City Administrator Employment Agreement: Councilor Bojorquez moved to appoint Nathan Frarck to be City Administrator effective June 26, 2023 and approve City Administrator employment agreement. Councilor Dyche seconded and with no discussion motion passed 5-0.

## **DEPARTMENT REPORTS:**

City Administrator Report: Interim City Administrator Daykin recommended possible discussion at work session regarding business license. He also updated the Council regarding demo permits and to possibly compare to other cities on their policy. He went over the handout regarding the road project report for the work session. There were no further comments or questions for the Interim City Administrator.

City Recorder/Treasurer Report: Recorder Johnson submitted her report and reminded council volunteer Pancake Breakfast and if want to set up a table at the pancake breakfast. There were no comments or questions for City Recorder.

Public Works Report: Public Works submitted report and was not present at the meeting. There were no 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. 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 comments for Councilor McArthur.

Councilor Bojorquez Comments: Councilor Bojorquez let council know she has read the Ordinances all of them front to back and red flagged some. She and the Mayor met and went over some. Hoping to have done by July. There were no comments for Councilor Bojorquez.

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

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

Mayor King Comments: Mayor King updated Council regarding HB update and having special meeting June 28<sup>th</sup>. She updated the council regarding the meeting had today with ODOT and grant opportunities. She brought to their attention the city's center lines and how they are being used. There were no comments for Mayor King.

Councilor Bojorquez made a motion to adjourn the meeting at 9:40 pm. Councilor McArthur seconded and with no discussion motion passed 5-0.

**Approved by the City July 5, 2023**

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Rachel King, Mayor

**Attest:**

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Natasha Johnson, City Recorder