

The City Council for the City of Junction City, met in regular session at 6:30 p.m. on Tuesday, February 14, 2012, in the Council Chambers of City Hall, 680 Greenwood Street, Junction City, Oregon.

**PRESENT:** Mayor, David Brunscheon; Councilors Jack Sumner, Bill DiMarco, Jim Leach, Laurel Crenshaw, Randy Nelson, and Herb Christensen; City Attorney, Carrie Connelly; City Administrator, Kevin Watson; Police Chief, Mark Chase; Public Works Director, Jason Knope; Finance Director, Mike Croker; Community Services Director, Melissa Bowers; City Planner, Stacy Clauson; and City Recorder, Kitty Vodrup.

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Brunscheon called the meeting to order at 6:32 p.m. and led the Pledge of Allegiance.

**II. CHANGES TO THE AGENDA**

Remove Executive Session #18 and add open discussion on Meas Business Development Loan Foreclosure.

**III. APPRECIATION TO POLICE OFFICER ERIC MCCORMICK**

Mayor Brunscheon, City Councilors, staff, and citizens expressed appreciation to Eric McCormick for his 12 years of diligent and professional service as a police officer for the City of Junction City.

**IV. CONSENT AGENDA**

**MOTION:** Councilor DiMarco made a motion to approve the consent agenda, consisting of the bills from January. The motion was seconded by Councilor Sumner and passed by unanimous vote of the Council.

**V. PUBLIC COMMENT ON ITEMS NOT LISTED ON THE AGENDA**

None.

**VI. STREET CLOSURE REQUEST – JC QUARTER MILERS**

Director Bowers reviewed that this was the 3<sup>rd</sup> annual request for the JC Quarter Milers to hold a car show on Kalmia Street between 14<sup>th</sup> and 15<sup>th</sup>. The request was reviewed by the Community Development Committee.

**MOTION:** Councilor DiMarco made a motion to approve the JC Quarter Milers street closure request for April 14, 2012. The motion was seconded by Councilor Sumner and passed by unanimous vote of the Council.

**VII. PARKS COMMITTEE APPOINTMENT**

Director Bowers stated that a resignation had occurred on the seven member Parks Committee, and one application had been received to fill the vacancy.

Mayor Brunscheon stated that he would like to appoint Ms. Pat Straube to serve on the Parks Committee with a term through July 31, 2012.

**MOTION:** Councilor DiMarco made a motion to approve the Mayor's appointment. The motion was seconded by Councilor Crenshaw and passed by unanimous vote of the Council.

**VIII. BID PACKAGE 5C CHANGE ORDER**

Director Knope reviewed that this was a follow up to discussion at the January 31, 2012 Council meeting on updating the sewer system. This change order is for electrical modifications that are necessary to install the sewer pumps, as well as electrical modifications to the City's nine remaining sewer lift stations to connect to the SCADA

system. The City conducted a formal solicitation for this work in the original 5C bid documents, but funding was not available at the time to award this portion. The work and change order are within the general scope of work described in the original solicitation document. The expenditure will come from the Sewer System Improvement Fund.

**MOTION:** Councilor DiMarco made a motion to approve Change Oder #7 to the Automation Group in the amount of \$747,766.00 and authorize the City Administrator to sign the necessary documents. The motion was seconded by Councilor Crenshaw and passed by unanimous vote of the Council.

#### **IX. INFLOW AND INFILTRATION PROJECT ENGINEERING SERVICES**

Director Knope reviewed that before the Council was an engineering proposal to start the design work for replacement of 72 blocks of the 1948 concrete pipe system that was identified at the January 31<sup>st</sup> Council meeting. The funding for the design work will come out of this fiscal year's budget, and the anticipated construction cost of 3 ½ million dollars will be appropriated in the Fiscal Year 2012-2013 budget.

**MOTION:** Councilor Nelson made a motion to approve the engineering services contract for the Inflow and Infiltration Project to Westech Engineering in the amount of \$196,743 and authorize the City Administrator to sign the necessary documents. The motion was seconded by Councilor Christensen and passed by unanimous vote of the Council.

#### **X. CUSTOMIZED PERIODIC REVIEW WORK GROUP APPOINTMENTS**

Mayor Brunscheon stated that he would like to appoint Planning Commissioners Sandra Dunn and Jason Thiesfeld and Citizen Comprehensive Planning Committee citizen members Mr. Gary Crum and Mr. Jeff Haag to serve on the Customized Periodic Review Work Group. He noted that he had previously appointed Councilor Jack Sumner to serve as Chair of that committee.

**MOTION:** Councilor Sumner made a motion to approve the Mayor's appointments to the Customized Periodic Review Work Group. The motion was seconded by Councilor DiMarco and passed by unanimous vote of the Council.

#### **XI. CUSTOMIZED PERIODIC REVIEW**

##### **Provide Direction on Housing Policy Issues**

Planner Clauson stated that the Planning Commission had reviewed and made recommendations on using safe harbor for the following housing issues:

1. Manufactured Dwelling Units. Planning Commission recommended adding language in the Housing Element to allow manufactured homes within all residential zones that allow 10 or fewer dwelling units per buildable acre.
2. Manufactured Dwelling Park. The Planning Commission recommended amending the R2 zone to allow manufactured dwelling parks as a Conditional Use and to add language to allow the development of manufactured dwelling parks at a density of six to twelve units per acre. Currently, the City only allows manufactured dwelling parks in R3 and R4 zones.

An additional safe harbor review on minimum density standards will occur at the Planning Commission meeting on February 21<sup>st</sup>.

Discussion occurred and concerns were expressed on the limitations on lot size and density issues that using safe harbor for these areas might impose. It was asked if safe harbor elements could be separated.

The Council consensus was for Planner Clauson to provide a definite determination on whether the Manufactured Home and Manufactured Dwelling Parks are severable from the residential mix on safe harbors, and to obtain more information on the impacts if the City does not follow safe harbor. She added that she would continue to work with the Planning Commission and share the Council concerns.

**MOTION:** Councilor DiMarco made a motion to remand this matter to the Planning Commission and give staff the option to report back to the Council, if they encounter difficulties and timelines, etc.

Councilor Crenshaw noted that she would prefer a two stage report and to have the Council review the information on February 28<sup>th</sup> and then remand to the Planning Commission, if necessary.

Councilor DiMarco withdrew his motion.

**MOTION:** Councilor Crenshaw made a motion that the Council remand this back to staff to prepare a two stage report on whether or not it is feasible to separate safe harbor and bring that report to the Council. Then if the Council decides that there is feasibility then they would go into deeper analysis and remand this to the Planning Commission. The motion was seconded by Councilor Christensen and failed by a vote of 2 to 4, with Councilors Crenshaw and Christensen in favor and Councilors Sumner, DiMarco, Leach, and Nelson against.

**MOTION:** Councilor DiMarco made a motion that the Council remand this matter back to the Planning Commission for another look at the issues the Council discussed. The motion was seconded by Councilor Sumner and passed by unanimous vote of the Council.

### **Wetland Policy Issue**

Planner Clauson provided an update on the Planning Commission review of wetlands. The Planning Commission is reviewing the wetlands analysis that was prepared by Winterbrook Planning. The Planning Commission will use the conflicting uses analysis and their evaluation of the impacts (energy, social, economic, and environmental) to make a recommendation on how each of the wetlands should be protected (full, limited, or no protection).

In response to a question on whether property owners were notified and will be notified on future wetlands public hearings, Planner Clauson responded that after the City received confirmation from Department of State Lands that the wetland inventory was approved, property owners were notified and will be notified again when the public hearings occur.

### **XII. FIRE DISTRICT WITHDRAWAL**

Administrator Watson stated that at the January 31<sup>st</sup> meeting, he presented a brief update on withdrawing recently annexed properties from Lane Rural Fire District, so that Junction City Rural Fire Protection District (JCRFPD), which currently provides fire service within the City limits, could petition the county to be allowed to provide fire service to that area.

Administrator Watson continued that he had received direction from the Council to set up a work session with the JCRFPD, but wanted to provide additional information and receive further direction from the Council before doing that. He noted that information on Lane Rural and JCRFPR had been included in the Council packets. He referred to the pending litigation between the City of Keizer and the Marion County Fire District, and that new legislation in House Bill (HB) 4090 had been proposed that would clarify that an entity could only withdraw from a fire district, if that entity had its own fire department service. Administrator Watson recommended postponing the withdrawal, pending the outcome of the litigation and HB 4090.

Chief Carl Perry, from the JCRFPD, expressed agreement with Administrator Watson's recommendation to postpone the withdrawal from Lane Rural Fire District, pending the outcome of the litigation and HB 4090. He continued that his belief and the JCRFPD Board's belief was that JCRFPD should provide fire service to any area that is incorporated into the City limits.

**MOTION:** Councilor Christensen made a motion to postpone the procedure to withdraw from Lane Rural Fire/Rescue, pending outcome of the litigation involving the City of Keizer and HB4090, at which time this issue will be brought back to the City Council for a

decision on how to proceed. The motion was seconded by Councilor DiMarco and passed by unanimous vote of the Council.

**XIII. STAFF REPORTS**

Chief Chase reported that the department was in process of internal recruitment to fill Officer McCormick's vacancy. Six applications were received from JC Police Reserves, and the hiring process will take three to four months. Fire Arms Simulation Training will be held this week, and the Council is invited to attend.

Director Crocker reported that the Finance Committee was working on Fund Balance, Reserve, and Comprehensive City fiscal policies. These will be brought to the Council in the near future.

Director Bowers reported that on February 11, 2012, Viking Sal Senior Center celebrated 34 years of service. Ms. Pat Kiefer, who just celebrated her 90<sup>th</sup> birthday, received the volunteer of the year award for her current and past volunteer efforts, which total over 20 years of service to the center.

Planner Clauson reported that staff is working with DLCD (Department of Land Conservation and Development) on reviewing the City's floodplain management program. FEMA requires that each participant in the National Flood Insurance Program be periodically contacted by DLCD on an entities' program.

Administrator Watson clarified that the City was advertising for a Planning Commission vacancy to fill the alternate member position that was vacated when Commissioner Jason Thiesfeld was appointed to fill the unexpired term of Laurel Crenshaw.

**XIV. COUNCILOR COMMENTS/QUESTIONS**

Councilor Sumner thanked everyone for their kind and heartfelt concerns about him and his wife.

Councilor DiMarco asked about the status of the Finance Committee recommendation to transfer the 2.5 million from the DOC Fund to the Sewer System Improvement Fund. Director Crocker responded that he planned on bringing a resolution to the Council on February 28<sup>th</sup>.

Councilor Crenshaw referred to the methods that Director Bowers uses to track projects on agendas and spreadsheets for the Community Development and Community Services Committees and noted that she would like to see these methods used by other committees and the Council.

Councilor Nelson stated that he and Director Bowers attended a Facilities Steering Committee meeting with the Junction City School Board. He added that these meetings will be held once a month and look at possible joint facility use.

**XV. MAYOR'S COMMENTS**

Mayor Brunscheon noted that he had been receiving many comments of concern lately that the Customized Periodic Review process was not moving forward. Administrator Watson responded that it was progressing, and Planner Clauson was working with the Planning Commission on housing and wetlands, and the Customized Periodic Review Subcommittee would soon be meeting to work on the Economic Opportunities Analysis and other components.

**XVI. MEAS BUSINESS DEVELOPMENT LOAN FORECLOSURE**

Administrator Watson stated that the Meas Business Development Loan was in default, and Everbank, which holds interest in the security property on a different loan, was foreclosing on the security property. There is insufficient value in the house for the City to justify buying out Everbank and taking possession of the property. An option for the City is to enter into a stipulated judgment or default, and Junction City's interest in the property will be removed.

**MOTION:** Councilor DiMarco made a motion directing that the Council consent to allow a default to be taken against the City, provided the plaintiff lender does not take a money judgment against the City for damages, costs, or expenses. The motion was seconded by Councilor Nelson and passed by unanimous vote of the Council.

**XVII. EXECUTIVE SESSION PER ORS 192-660(2)(H) TO REVIEW AND EVALUATE THE JOB PERFORMANCE OF THE CITY ADMINISTRATOR.**

Mayor Brunscheon called Executive Session at 8:20 p.m.

Regular session reconvened at 9:10 p.m.

**XVIII. OTHER BUSINESS**

Councilor Crenshaw referred to a mailing she had received to respond to Lane Transit District on the West 11<sup>th</sup> EMX. Administrator Watson recommended not stating an opinion, but asked that if the Council would like to respond, to let him know.

**XIX. ADJOURNMENT**

As there was no further business, the meeting was adjourned at 9:12 p.m.

ATTEST:

APPROVED:

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Kitty Vodrup, City Recorder

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David S. Brunscheon, Mayor