

**CITY OF UMATILLA
COUNCIL MEETING
October 02, 2018**

1. **CALLED TO ORDER:** Mayor Dufloth called the regular council meeting to order at 7:00pm.

2. **ROLL CALL**
PRESENT: Councilors Keith, Roxbury, Ray, Torres – Medrano, and TenEyck.
ABSENT: Councilor Wheeler.
STAFF PRESENT: Recorder Sandoval, Planner Seitz, Interim City Manager Mabbott, Deputy City Manager Ince, Community Development Coordinator Horn, Planning and Code Specialist Coffey, Utility Clerk Caldera, Attorney SpicerKuhn, and Chief Huxel arrived at 7:04.

3. **PLEDGE OF ALLEGIANCE:** Pledge of Allegiance recited at 7:01pm.

4. **APPROVAL OF AGENDA:** Councilor Ray moved to approve the agenda. Councilor Roxbury seconded the motion. Voted: 5-0. Motion carried.

5. **PRESENTATION:**
Hermiston Nazarene Church – Cindy Townsend and Tessa Jaimez presented to the Council about a clean-up event hosted by the Hermiston Nazarene Church on November 18, 2018. The group was looking for ways to put in a few hours of community service. They elaborated how the group worked on several small projects in other communities from helping the elderly

Family Health Associates - Dr. Derek Earl wanted to let Council know that his practice would be taking over the space currently operated by Jennifer Armstrong, ARNP. On November 15, 2018, Family Health Associates would be taking over the lease. FHA currently served about 1300 Umatilla residents. They had seven providers and two physicians on staff. They were excited to expand their services to Umatilla.

6. **APPROVAL OF MINUTES:** Councilor Ray noted on the second page of the September 4, 2018 minutes under Correspondence it should say, the funds will be used. It was moved by Ray to approve minutes for September 04, 2018 and September 18, 2018 Workshop with the corrections to September 4, 2018 minutes. Councilor Torres - Medrano seconded the motion. Voted: 5-0. Motion carried.

7. **PUBLIC COMMENT:**
Clyde Nobles – Mr. Nobles explained that at the last Planning Commission meeting the planning staff and the acting city administrator stated that single-family attached dwellings were not and allowed used in the R-2 zones. The purpose of the R-2 District is to allow single-family detached and attached residences on smaller lots, two-family and multi-family housing at moderate density. The city’s comprehensive plan stated the district allowed for

single-family attached and detached residences on smaller lots and multi-family development at a density of one dwelling for each 3,500 square feet.

Mr. Nobles believed the discrepancies between his interpretation of the code and ordinances to what staff interpreted was in the definition of detached and attached single-family dwelling. The acting city administrator also stated at the meeting that some sections of the ordinances carried more significance and weight than other sections of the City's ordinances.

Mr. Nobles was requesting to be placed on the agenda to appeal the decision made by the Planning Commission.

Mayor Dufloth stated he would get with staff to find out how the process would continue.

Judy Simmons - The Museum was closed for the season, but was still hosting monthly events. They would be hosting a car care clinic on Saturday, October 13 at the high school parking lot. The cost is \$5.00. They were also conducting a pet costume-judging contest on Friday, October 26. They would be hosting a Christmas boutique in November and host no events in December and January.

Kim Nobles – She wanted to voice her frustration with developments in Umatilla. They have faced roadblocks after roadblocks in regards to definitions and interpretations. They have gone to Planning Commission meetings, back to Council, back to Planning Commission. She was referencing the Nobles project. Time was essential and she hoped to get it resolved quickly.

Betty Nobles - Stated it was homecoming week for Umatilla. There would be a test drive hosted by one of the local dealerships. They needed 300 citizens to test drive so the school would get \$6,000.00 donated. The test drive would be hosted from 1pm – 6pm.

Boyd Sharp – He wanted to recap of the situation that had been going on (in regards to the Nobles project). Planning Commission had rezoned the city a couple of years ago. When they revamped the zoning ordinance, Planning Commission made the recommendation to Council to adopt the zoning ordinance as presented, with the intention of going back and fixing known issues. Planning Commission never went back to re-visit the zoning ordinance to look and make sure they were uniform in their changes. It would be very beneficial to have Planning Commission go over that zoning ordinance.

8. **CONSENT AGENDA:** Moved by Councilor TenEyck to approve item 8.1 (a) CRIS, Inc. Councilor Torres - Medrano seconded the motion. Voted: 4-1-0. Councilor Ray abstained. Motion carried.

Moved by Councilor TenEyck to approve item 8.1(b) All Remaining Invoices. Seconded by Councilor Torres – Medrano. Voted: 5-0. Motion carried.

9. COMMITTEE REPORTS: It was moved by Councilor Keith to appoint Mr. Boyd Sharp to the Planning Commission. Seconded by Councilor TenEyck. Voted: 5-0. Motion carried.

10. UNFINISHED BUSINESS: None.

11. NEW BUSINESS:

Public Hearing on Ordinance 829 - An Ordinance Repealing Title 2, Chapter Six of the Umatilla, Oregon City Code, Ordinance No. 807, Retaining Title 2, Chapter Six By Name Only, and Amending Title 4, Chapter One of the Umatilla, Oregon City Code.

Mayor Dufloth opened the continued public hearing at 7:27pm. He proceeded to announce the procedure to follow, report from staff, other members of the audience who wish to speak on the issue, other public agency reports, and close the hearing. He asked individuals who wished to testify to come to the podium state their name, address, and sign in for the record.

Interim City Manager Mabbott explain this was the final version for this ordinance. Councilor Wheeler and Councilor Ray asked if they could continue their work for something to replace the Code Enforcement Board, so we would not have a group of lay people making a decision of a legal matter, but they would still have an opportunity for input. Staff put together a process chart for internal and public to review.

Roger Fish – Had a question in regards to the flow chart. He wanted to know at what point a nuisance violation would go before the judge.

Attorney SpicerKuhn explained the flow chart covered more of the nuisance abatement process, which is the process the City had to go through if the City itself had to clean up the nuisance. Therefore, that process did not go in front of a judge. If you get a citation for nuisance violation, then it would go before the judge.

Judy Simmons – Stated she was in favor of the ordinance. Her only question was if there was a process to complain about a nuisance. Planning and Code Specialist Coffey explained Mrs. Simmons could call City Hall, fill out the official complaint form, or email her.

Seeing no further testimony, Mayor Dufloth closed the public hearing.

Ordinance No. 829 - Councilor TenEyck moved to adopt Ordinance No. 829 - An Ordinance Repealing Title 2, Chapter Six of the Umatilla, Oregon City Code, Ordinance No. 807, Retaining Title 2, Chapter Six By Name Only, and Amending Title 4, Chapter One of the Umatilla, Oregon City Code. Councilor Roxbury seconded the motion. Voted: 5-0. Motion carried.

Resolution No. 10-2019 & Resolution No. 11-2019 – Interim City Manager Mabbott explained these easements were necessary to continue expanding City's infrastructure. There may be some slight changes to the JM Manufacturing easement so she was requesting Council to approve the resolution with the option to make modifications. Mayor Dufloth asked Attorney SpicerKuhn if he felt it were necessary to include that in the motion.

Attorney SpicerKuhn stated the resolution resolved to authorize the signatures on the document; it was not approving the document.

Moved by Councilor Ray to approved Resolution No. 10 – 2019 - A Resolution Authorizing Interim City Manager Mabbott to Sign an Easement with the Port of Umatilla and Resolution No. 11-2019 - A Resolution Authorizing Interim City Manager Mabbott to Sign an Easement with JM Eagle. Seconded by Councilor Roxbury. Voted: 5-0. Motion carried.

Resolution No. 12-2019 & Resolution No. 13-2019 – Deputy City Manager Ince explained this was stop one to keep the project moving forward. The first resolution authorized Interim City Manager to award the bid for construction; the second resolution authorized the Mayor to sign the contract for construction once we have an agreed upon contract.

Moved by Councilor Ray to approved Resolution No. 12 – 2019 - A Resolution Authorizing Interim City Manager Mabbott to Sign the Notice of Award for Construction for the City of Umatilla Sixth Street Waterline Improvement Project and Resolution No. 13-2019 – A Resolution Authorizing the Mayor to Sign an Agreement for Construction with Jesse Rodriguez Construction. Seconded by Councilor Roxbury. Voted: 5-0. Motion carried.

Resolution No. 14-2019 – Interim City Manager Mabbott explained this resolution was a Master Cultural Consulting contract with the tribe. They have this formal instrument to conduct business with different entities. She, Deputy City Manager Ince, Chief Huxel, and Public Works Operations Manager Scheel attended a meeting with several staff members from the Tribe. Recently, staff had been notified by the State Historic Preservation Office of a large area outside the fenced area of Old Town site that was also on the list. It is not on our comprehensive plan, which created a conundrum because it affected both private and public business. They are working towards a plan to move forward to include those in the comprehensive plan.

Moved by Councilor Roxbury to approve Resolution No 14 – 2019 – A Resolution Authorizing the Mayor to Sign an Intergovernmental Agreement with CTUIR for Master Cultural Service Consulting. Seconded by Councilor Ray. Voted: 5-0. Motion carried.

Resolution No. 15-2019 – Staff was asking for a letter of support to apply for a grant application. The feasibly grant itself came with a 50% match. There will be a commitment of the City to go after the loan. Staff would come back with a more solid number at the next meeting.

Moved by Councilor Torres – Medrano to approve Resolution No. 15 – 2019 – A Resolution Authorizing the Mayor to Sign a Letter of Support for a Water Feasibility Grant Application to Oregon Water Resources Department. Seconded by Councilor Roxbury. Voted: 5-0. Motion carried.

Resolution No. 16-2019 - Moved by Councilor Torres – Medrano to table Resolution No. 16-2019 – A Resolution Authorizing the Mayor to Sign an Employment Agreement between the

City of Umatilla and David Stockdale until after executive session. Seconded by Councilor Ray. Voted: 5-0. Motion carried.

12. CORRESPONDENCE: There were two letters to Hermiston Police Department's Sergeant Bill Osborn and Training Officer Timothy Miears for conducting CRASE training for staff.

13. PUBLIC COMMENT:

Boyd Sharp - Mr. Sharp thanked Council for their confidence in working with the Planning Commission. He stated it had been a rough year for him. Mr. Sharp wanted to know if there were a reason why staff all had to share one mic. Mayor Dufloth stated they would look into getting more microphones for staff.

Clyde Nobles – Mr. Nobles stated the Comprehensive Plan and the zoning ordinance had conflicts with one another. He thought Council should create a group to get those addressed.

Kelly Nobles – Mr. Nobles stated that at one of the Planning Commission meetings, Planning Commissioner Sipe and Simson explained they intended to have duplexes in the definitions, but they forgot to put it in there. They needed to go back and address that. If they were going to have one family, it would be necessary to have two and three. He was currently having archeological issues with another project he was working on. He believed it was great to see the City and the Tribe working together.

14. MAYOR'S MESSAGE: Mayor Dufloth talked about LOC conference he attended. He found it particularly interesting how most cities have the same issues Umatilla has. They are all on different scales of needs, but it was interesting that all cities were experiencing a housing shortage, infrastructure issues, and focusing on meeting those needs. He was also appointed to the board of directors and he was exciting to be sitting at a larger table.

15. STAFF REPORT: Manager's Report.

16. COUNCIL INFORMATION & DISCUSSION:

Councilor Keith – There were 20 empty buildings in downtown. What was going to happen if all those building came in and wanted services. We needed to see the big picture, and we needed to be mindful that everything cost something.

Councilor Ray – He wanted to know the development on Willamette. He wanted to know what was happening with the last lot. Planner Seitz explained it was one larger lot. Councilor Ray thought it was second lot. He wanted to know if we had any update on the Hermiston - Umatilla transit plan. Interim City Manager Mabbott stated no. They were working on adding a route on the west side and around Boardman as well.

Councilor Torres – Medrano – She was excited to know the City was working on expanding public transportation. She and her kids recently hopped on the Kayak to experience it, and it was a relief to know families would be able to get around.

Councilor TenEyck – He felt the community was engaged and caring. He congratulated Mayor Dufloth on his appointment to the Oregon Mayors Association Board of Directors.

17. ADJOURN TO EXECUTIVE SESSION: Mayor Dufloth called executive session at 8:17pm.

18. RECONVENE: Council reconvened at 8:35pm. It was moved by Councilor Ray to approve Resolution No. 16-2019 – A Resolution Authorizing the Mayor to Sign an Employment Agreement between the City of Umatilla and David Stockdale until after executive session. Seconded by Councilor Keith. Voted: 5-0. Motion carried.

19. ADJOURN: Councilor Ray moved to adjourn the meeting. Councilor Torres - Medrano seconded the motion. Voted: 5-0. Motion carried. Meeting adjourned at 8:36 pm.

Daren Dufloth, Mayor

ATTEST:

Nanci Sandoval, City Recorder