



City of Scio

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SCIO CITY COUNCIL MEETING MINUTES MONDAY June 12, 2017

COUNCIL PRESENT: Councilors Wolfgang Borchard, Karen Eckhart, Joey Ferguson, Tom Gray, Richard Nelson, Debbie Nuber.

STAFF PRESENT: Interim City Manager Ginger Allen, City Attorney Tre' Kennedy, Administrative Assistant Cathy Martin.

CALL TO ORDER: Council President Debbie Nuber called the Regular Session of the Scio City Council to order at 6:00 P.M. in the main meeting room of the Scio City Hall, followed with the flag salute.

ROLL CALL: Roll call was taken with Mayor Chadd Weaver excused.

APPROVAL OF CONSENT AGENDA:

- Approval of May 8, 2017 City Council Minutes
- May 2017 – Profit and Loss Reports – General, Road, Water, and Sewer Funds, Check Detail Report – May 31, 2017

Councilor Ferguson moved, Councilor Eckhart seconded, to approve the Consent Agenda as presented. Motion passed 5/0

CORRESPONDENCE:

- Scio #40 on list of Top 100 Safest Cities in Oregon

PRESENTATIONS:

1. Linn County Sheriff's Report – Sgt. Greg Klein reported on the activity for the month of May. Klein stated that there were 44 complaints, 9 hours of traffic enforcement and 90 hours total coverage. Linn County Lamb and Wool Fair, was fairly quiet. Klein reported that a Deputy asked music to be turned down at the Ole Silver Dollar; the deputy did not shut it down, as rumored.

REGULAR SESSION:

- 1) **Vogel Eclipse Permit Review – Presented by: Councilor Richard Nelson, DVM –**
Councilor Nelson addressed the council, stating concerns about the “disregard” by John Vogel to the cities’ Noise Ordinance. Nelson also cited issues stemming from the fact that the Vogel property is split between Linn County and City of Scio boundaries. In particular is the location of the stage, where all of the entertainment takes place and the noise originates. Councilor Nuber stated that the stage is on the city side. Nuber went on to say that she too wants the city ordinance followed, but does not want to decline the permit. Nelson said he doesn’t want to rescind the permit, but to change the permit conditions by setting the music time to be set at

10:00 pm during the event as this is not a music festival. Nuber stated that the ordinance has always stipulated the time frames. Legal Counsel, Kennedy confirmed that the city can make stipulated requirements when approving an event permit: Kennedy went on to say that the council, by a majority vote, could require the music to stop at 10:00. Ferguson asked about time frame according to the ordinance. Allen stated that the Lebanon Police Department will be enforcing the ordinances during the event. Nelson stated that the past history indicates lack of willingness to follow the ordinance. Eckhart asked if Mrs. Vogel could address the council regarding what they have planned. Ms. Vogel indicated that they did not have any entertainment at this time. Ferguson asked if the council could review the application. Allen stated that a condition sheet was sent to the permit holder. Ferguson asked who the permit was issued to. Allen stated Nadji Vogel and John Vogel as they are joint property owners. She then read the letter of conditions that was sent.

Councilor Nelson moved, to recommend the music limit to be changes from 11:00 p.m. to 10:00 pm on Friday, Saturday, and Sunday Nights and following the decibel rules of the ordinances. Motion died for lack of a second.

Council President Nuber stated that they want the Sheriff's Department to be on site. Kennedy stated history of non-compliance. Borchard asked if there was going to be camping on the other side of the creek. Ms. Vogel stated that she is not advertising camping on the other side of the creek. Ms. Allen advised the council that Mr. Rick Partipilo, Linn County Environmental Health was in the audience.

Council President Nuber asked if there were any public comments. Geraldine Killian, asked why the city has to keep giving chances to him (John Vogel). His history speaks for itself. Ms. Killian stated that she has had to leave town with her elderly mother due to the loud noise. Nadji Vogel stated that there is no music even lined up and that she is in charge of this event permit on her property. Allen asked if the entertainment portion of the permit should be pulled from the permit. Kennedy stated that the application has the ability to have entertainment. Allen stated that there was going to be law enforcement signs at the sites. Allen stated that the record shows, that the permit stands, and asks that citizens call if there is non-compliance.

- 2) United States Dept. of Interior/U.S. Geological Survey Contract – Presented by: Ginger Allen, Interim City Manager** – Ms. Allen stated that this contract is for the Thomas Creek gage, it is a five year contract.

Councilor Ferguson moved, Councilor Borchard seconded the motion to approve the contract with the United States Dept. of Interior/U.S. Geological Survey as presented. Motion passed 5/0.

CITY MANAGER REPORT: Presented by Ginger Allen – Allen reviewed items listed on the managers. Solar Eclipse Event – 3 campsites within the city limits. Eclipse committee agreed to start handing them out on August 7th. She stated that she will be attending another Linn County Eclipse meeting June 13th. Council needs to set aside time to have work sessions on topics, for example code enforcement. National Night Out will be held August 1st and the city is going to use this as a springboard to a safety campaign for the city. Linn County parks department willing to have meeting with the city council regarding the county owned property north of the City of Scio.

CITY ATTORNEY REPORT – Tre’ Kennedy – Mr. Kennedy stated for the purposes of the remainder of the meeting, that Ms. Allen has been with the city since March 1, 2016. Request to modify the interim contract for Ms. Allen from an hourly, to monthly in the amount of \$6600, plus \$400 per month for retirement and \$100 to not take insurance coverage, retro-active to April 1, 2017. Ferguson stated that she appreciates the improvements.

Councilor Nelson moved, Councilor Eckhart seconded the motion to approve the modification of the Interim contract with Ms. Allen to \$6600 per month, \$400 month retirement and \$100 month to not take the insurance coverage, retroactive to April 1, 2017. Motion passed 5/0.

A five minute break was taken at 7:00 pm and Ms. Allen left the meeting.

PUBLIC HEARING: A time set aside to receive public comment regarding the Scio City Manager recruitment process.

Council President Nuber opened the Public Hearing at 7:05 pm. Kennedy stated that this hearing has come about due to petitions and questions regarding the recruitment. Purpose of the hearing is to hear from the public. Kennedy stated that this is not a public personnel review, cities best interest.

Nadji Vogel stated that in the past, there was an issue of not doing a search. However, if you have what you are looking for and have proven capability, it is wiser to not spend the money.

Eloise Peaslee stated that she did not agree with spending the money, know there are rules in hiring, and the city needs to make sure that we have rules for hiring the future. Personal opinion is that we currently have a great person.

Geraldine Killian stated that she has lived here for the past 20 years, problems in the past, why throw money away when you have what you want to have.

May Garland asked what the range of \$ to spend on the recruitment. Kennedy stated that there were different costs depending on who did the recruitment. COG wanted \$12-15K to do the recruitment. By using Morley Thomas Law Firm, and within the contract of the city it could be done for \$4-6K. Ms. Garland asked if it could be a regional search. Kennedy stated that the only savings would be in travel costs. Ms. Garland stated that the council is in a tough position when you have someone currently in the position. She stated that she voted against the process for the last hiring. Nuber stated that this has come about because people have been coming in and questioning why it should be forgone.

Greg Schnieder stated that he has been involved with local, city and county government for a long time, on Fire Board, School Budget Committee, and knows the importance of the process of the search. He stated that in his recent interactions with the current interim city manager, it would be foolish to let her go, but there is value in the process. The city will save \$ if you forgo the search. He stated that the city needed to look around and go through the process.

Kennedy responded to put the process in context. When the Interim City Manager was first hired, she was going to run the recruitment, as things were fixed within the city, the council was delayed in doing the recruitment.

Liz Tennison – Senior Center – stated that in the past the group was treated like second class citizens, today it is like day and night. When you have a person with the desired

qualifications/background more than qualify, a leader, team player, encourager, attitude of employees' 360 degree turnaround, why go through recruitment. She stated that it was her understanding that Ms. Allen is willing to serve a two year contract.

Kennedy confirmed that Allen would be interested in a 2 year contract.

Wendy Greenwald stated that a decision about 2 year contract would be a basis to change this process. She further stated that she is a believer in following the appropriate processes. There is balance, need to consider all of the factors. It wouldn't be wise to start the recruitment. There is a balance to be struck, it is hard when you make exceptions, may be a tendency to start a pattern.

Larry Marsters stated that everyone else said everything he wanted to say.

Sue Hecht – budget committee – Ms. Hecht stated that it is not like we are some big city, and that she is for waiving the process at this short time. Don't favor spending the money.

Martin read emails from Carolyn Nunn and Mike Ennis into the record. Ms. Nunn stated that she was "Glad to hear you might forego the cost of a hiring consultant. I believe that Ginger has proven her worth and dedication." Mr. Ennis in response to the notice of the City Manager Recruitment Public Hearing stated "I think this is the exact way to take care of this."

Kennedy asked for some direction as to if it would be beneficial to enter into conversations with Ms. Allen regarding a contract of 2 years. Ferguson stated that she would like to see that occur. Think 2 more years would be helpful to the city. And then she could run the recruitment. Gray stated, "that Allen's outlook into the future of Scio impresses me". By consensus, Kennedy was directed to negotiate a contract with Allen.

There was no further business and the meeting was adjourned at 7:31 p.m. The next regular meeting was scheduled for June 26, 2017 at 6:00 p.m.

Cathy Martin, Clerk
Scio City Council