



SCIO CITY COUNCIL ELECTRONIC MEETING MINUTES  
MONDAY November 9, 2020

**COUNCIL PRESENT:** Mayor Chadd Weaver, Councilors Karen Eckhart, Joey Ferguson, Tom Gray, Tom Meyer, Debbie Nuber, and John Whalen were all present via video.

**STAFF PRESENT:** City Manager Ginger Allen, Assistant City Attorney Jeffrey Clayson, and Administrative Assistant Cathy Martin were present via video.

**CALL TO ORDER:** Mayor Weaver called the Regular Session of the Scio City Council to order at 6:8 P.M., followed by 30 seconds of silence to observe the flag.

**ROLL CALL:** Roll call was taken with all members present.

**APPROVAL OF CONSENT AGENDA:** Mayor Weaver asked for comments.

*Councilor Nuber moved to approve the Consent Agenda as presented, Councilor Eckhart seconded. A hand vote was taken. Motion passed 6/0*

**CORRESPONDENCE:**

- Gold Safety Award for FY2019-2020 – Ms. Allen stated that the city received a gold award for safety, for four years the city has had no reports of injuries while on the job. Councilor Ferguson asked if the city could do some type of employee incentive or bring in lunch for the staff. Allen stated that there is some money in the budget for employee recognition and this money could be used for that purpose. Mayor Weaver asked when our last accident was. Ms. Allen stated that she did not know, but there had been no accidents since her arrival in March of 2016. Mayor Weaver stated that the employees needed to be rewarded for this. Allen will make sure everyone gets awarded from the council.

**PRESENTATIONS:**

- **Linn County Sheriff's Report – Presented by Sgt. Greg Klein, Linn County Sheriff** – Sgt. Greg Klein reviewed the monthly report for October (see attached). Klein stated Deputy Dan Graybill will be assisting in the Scio area on traffic and patrol. He will be stopping by the office to introduce himself. Ms. Allen asked about the filling of vacancies with the failure of Linn County's Law Enforcement Levy. Sgt. Klein stated that they are actively hiring at this time and interviews are still going forward. He stated that there is still a couple of years left on the current levy. Allen stated that it has been a delight working with Sgt. Klein, he is retiring the end of December. Sgt. Klein stated that once the person is hired to replace him, he will bring that person around to meet the city councils.

## **REGULAR SESSION:**

### **1. Republic Service Rate Modification/Adjustments for 2021 Presented by Julie Jackson, Republic Services**

Ms. Jackson attended the meeting via phone. She stated that Republic Services is not asking for a rate adjustment for 2021. What they are asking for is to add a contamination fee for recycling and yard debris carts. She stated they are seeing bags of trash in these carts. Customers will only be charged this for gross negligence, not for simple mistaken recycling. Customers will get a warning prior to any charges being assessed. The council members expressed their agreement with this change.

### **2. Covered Bridge Park Land Vacation Process – Presented by Ginger Allen, Scio City Manager**

Ms. Allen stated that the fence posts were installed earlier in the day and hope to have the fence completely installed by the end of the week, this will complete phase one of the cleanup of the park. Staff has determined that the back area is hard to manage, it is very dark, and damp all of the time, the city brought in gravel and covered that area. During the clean-up process staff learned that there is a public right of way located under the grocery store. Ms. Allen stated that she had a meeting with Harry (store owner) regarding the right of way and asked him if he would be interested in the city vacating the piece of property, so that he could have full ownership of the land that the grocery store sits on. This would place this strip of land back on the tax roll. She also asked him if he would be interested in the shaded graveled area? He said that he would be interested in the property. Ms. Allen informed him that the total cost could be between \$1500 and \$2500 to complete the vacancy and sale of the property. He agreed to pay for the entire cost so that they could have the property to use for additional storage.

Councilor Ferguson asked how they would access the lot. Ms. Allen stated from the back of the current building and from a gate in the newly installed fence.

Ms. Allen stated that she was seeking permission to move forward with vacation and sale of the property. It was the consensus of the council to proceed.

### **3. Scio Library Advisory Committee By-Laws – Presented by Ginger Allen, City Manager**

Ms. Allen reviewed the cover memo. She stated that she has been working with the Librarian, LaVonne Murray, and with the members of the library board during her tenure at the city. Over the years, it has been difficult to keep the required number of board members. In addition, we have failed to meet the State legal requirements. We have too many people from outside the city limits on the board, making decisions regarding city tax dollars. Other small cities have the city council serving as the Library Board. By doing so it guarantees that the board would be members living inside city limits. The state also suggests that

the city has an advisory committee. The committee would do the items described in the bylaws that have been presented. This gives the committee members a description of their duties. Their role will be to assist the Librarian in defining Library Programs for the community. The Chair of the committee would report to the city council and assist the Librarian in managing the public Library Services. The proposed ordinance would supersede the 1996 Ordinance, and would put in place a Library Advisory Committee.

Ferguson stated that she thought that the city had a dedicated Library Board.

Allen stated that it is not an issue of dedication, there has only been 3 members on the board since my arrival in March of 2016. Prior to my arrival there was 4 members on the board and only two members lived inside city limits.

Ferguson asked if the current people were pretty committed and consistent.

Allen stated, "that question is hard to answer, I have not seen them at community library function, but they are passionate about the Library.

Ferguson asked why as a board didn't they write-up the bylaws. Allen stated that she did not know.

Ferguson asked how the Friends of the Library fit into this. Allen stated that the Friends of the Library is a 501(c)3 non-profit organization that exists because we have a city library. Without a city library, they could not exist, they are a peripheral support group to the library. They do not have administrative jurisdiction over the city, the city has jurisdiction over the library.

Ferguson asked if they were the more active group. Allen stated that they are active and consistent as they are raising money to assist the library.

Allen stated that this is where the city went awry. The board did not understand what their duties were. Their duties are to serve as an oversight committee to the functions of the Library. An example of this is the development of the library budget with the Librarian. The proposed library budget would be brought to the budget officer for review before being presented to the council. Their job is to help the Librarian as the Librarian cannot always be out with the community and know all of the different walks of life and desires of the public.

Ferguson stated that this board would be the vision of the library. Allen stated "yes". Section 4 of the bylaws state what the duties of the committee would be.

Eckhart stated that it was her understanding that the city could not apply for any state or federal grants if the city did not pass this. Allen stated that the city cannot apply for the state and federal grants if the city does not have a library board that meets the legal requirements. Ms. Allen stated that the city attorney worked on the re-vamping of this as well as the State Librarian. The State Librarian reviewed the proposal and they said that this was a very good approach

and it is not uncommon for small rural libraries to do this. It guarantees that the Library Board lives within the city limits and meets the criteria for state and federal grants.

Whalen asked how the current stakeholders (board members and friends) feel about this, are they supportive of this? Allen stated that she thinks that they are glad that it is done, the Friends did ask the librarian who's idea this was at one of their meetings. Ms. Allen stated that she addressed the group, and explained to them that the city has been out of sync with state law requirements. Allen stated that prior to meeting with Mr. Clayson, she met with Attorney Kennedy and he was the one who informed her that the City of Halsey had already done this and that other small cities were doing this as well.

Whalen stated that he was just curious to know if the city had received any push back from that group. Ms. Allen stated that she did not feel that it was push back rather inquiries.

Ferguson asked if Ms. Allen could explain the first paragraph of the membership section in the by-laws, she stated that it was a little confusing where it talked about the Scio School District boundary and the Scio city limits. Allen stated that the city needed to decide what boundary the city was going to use for that 1 or 2 members that could reside outside of the city limits. There has to be a boundary and within the surrounding area. The Scio School District boundary is a suggested area, it could be the Scio Fire District. Ferguson asked which is bigger. Allen stated the Scio Fire District.

Ferguson requested to carry this item over. Allen suggest having a Work Session to discuss this item after the holidays. Council agreed and the item will be rescheduled after the holidays.

#### **4. Scio Parks and Tree Advisory Committee By-Laws – Presented by Ginger Allen, City Manager**

Ms. Allen reviewed the memo with the council. Ms. Allen stated that a similar process was used to prepare the Scio Landscape Development Advisory Committee and Landscape Development Code.

Ferguson stated that she prefers name to be "Parks and Tree" Committee.

Allen stated that if the council has not had time to read this thoroughly, she would also suggest carrying this item as well.

This board will serve as an advisory committee to the council. They will have specific duties and guidelines. This board would be responsible for determining what is going to be done with the city parks, it is important to get this board established to that the community members can determine how they would like to develop the parks. They can then bring those recommendations to the city council.

Eckhart asked about the duties of the committee in section 4. Would this committee be able to tell someone what they can plant on their property. Allen stated that the committee would provide a list of approved trees. If a person wanted to plant a tree that is not on the list, they would have to come before council. The reason to establish a list of approved trees is because of the infrastructure, some trees cause problems in the sewer and water lines.

Eckhart also asked about tree preservation, does this include private property?

Allen stated that this is why it is very important that the council reviews this proposed ordinance and proposed by-laws thoroughly. Highlight those items that you want to discuss further, those items that you may not want in this ordinance. They do not have to be in the ordinance. Ms. Allen stated that she and Mr. Clayson looked at what other jurisdictions were doing, the majority of the rules are currently in the existing ordinance, that we are going to be repealing and replacing. Now is the time to clean-up the ordinance.

Allen stated that the council has the option to have work session on both of the advisory committees after the first of the new year.

Consensus of the council was to schedule work sessions next year.

#### **5. Ordinance to Vacate Properties/Property Transfers – Presented by Jeffrey Clayson, Assistant City Attorney**

Councilor Eckhart asked if she needed to recuse herself from this discussion. It was determined that the alley located next to her property was not part of the vacation process at this time and will be handled in a separate decision at a later date so she could take part in the process.

Assistant City Attorney Clayson read Ordinance No. 617, An Ordinance to Vacate Certain Roads and Public Easements in the Northeast Quarter of Section 18, Township 10 South, Range 1 West of the Willamette Meridian, by title only for the first reading.

*Councilor Ferguson moved to approve Ordinance 617 as read for the first time by title only, seconded by Councilor Nuber. A hand and verbal vote was taken and the motion passed with a vote of 6/0.*

Assistant City Attorney Clayson read Ordinance No. 617, An Ordinance to Vacate Certain Roads and Public Easements in the Northeast Quarter of Section 18, Township 10 South, Range 1 West of the Willamette Meridian, by title only for the second reading.

*Councilor Ferguson moved to approve Ordinance 617 as read for the second time, seconded by Councilor Whalen. A hand and verbal vote was taken and the motion passed with a vote of 6/0.*

## **6. City Manager Evaluation Process/Evaluation Forms – Presented by Jeffrey Clayson, Assistant City Attorney**

Mr. Clayson reviewed the proposed process for the performance evaluation. There are two separate evaluations, 1) council and 2) staff, they will be either mailed or emailed to everyone, it was requested that all evaluation forms be returned to the city attorney's office by December 1. The results will be summarized and presented at Executive Session, during the December 14<sup>th</sup> meeting.

**CITY MANAGER REPORT:** Allen asked if there were any questions regarding her report. Allen briefly reviewed the report that was included in the council packet.

City Hall and PW Shop – We will begin working on plans to finalized for the Public Works Shop. Staff is working on a survey regarding the City Hall building which will be sent to the citizens, it will be limited to seven or less questions. Following that survey, the architectural firm will come up with two conceptual designs of the city hall for public viewing.

Scio Emergency Plan – The subcommittee has been meeting for the past few weeks. We will have an additional meeting prior to bringing in the entire committee. The biggest goal is to get the communication to Scio residents. This is the challenge, as we move forward the council will need to review the proposed plan.

Covered Bridge Park – the fence poles were being set today, the fencing will be in by the end of the week. Once the Parks and Tree Committee is established, they can determine any additional landscaping. Eckhart asked about the picnic table, if it would be put back. Allen stated that the city will still retain a piece of the graveled area, the public works staff has suggested that a cement area be established in that area for the picnic table so that people don't trample the grass.

COVID19 Relief Funds – the city has been informed that thorough the "Care Relief Package" that the city can obtain up to \$50K that the city can utilize if it falls into the criteria for COVID relief. Ms. Allen is currently working with the individual who is in charge of this through the League of Oregon Cities to put together package of things that we could utilize. This includes masks, cleaner, iPads for the council for the video meetings, software/library programming equipment, laptops for staff. We can also ask to be reimbursed for our police services. Ms. Allen stated that she needed a vote of consensus to proceed with this application. The council gave consent to proceed. The City attorney must sign off on the list of items. And then it needs to be brought back to the council for approval. Ferguson asked if the city would be able to include any employee time or staff wages in this. Allen stated that the city cannot, unless they have been sick with COVID. If someone misses work while out due to COVID, then we could. Whalen asked if this could be extended to anyone who has struggled with utility bills. Allen stated that the we do not have anyone who would qualify due to COVID, the city has been very lenient with repayment policies.

Library Site Visits – Ms. Allen stated that she, along with Cathy Martin and LaVonne Murray, visited the Jefferson, Monroe and Alsea Libraries. May Garland & Wendy Greenwald of the Friends of the Library went along. We will be meeting in the future, to discuss the things that we all liked. The librarians at these libraries have agreed to review our plans as they are developed.

Ferguson asked how many people come to the libraries to utilize the Wi-Fi. Allen stated that we often have people sitting in cars outside of the library with people using the Wi-Fi. Martin stated that the Librarian at Monroe commented that at various times their parking lot will fill up with people using the Wi-Fi, as they are not currently open to the public, so it was important for them to have a strong Wi-Fi signal.

Nuber asked if the libraries were located with or separate from the city hall. Allen stated that they are all separate buildings. Jefferson's was located on the same property adjacent to each other. Nuber asked if any of the small cities have their libraries in with city hall. Allen stated that this is an interesting topic, in talking with Hilary Norton at Halsey, Scott McDowell at Brownsville, and John Hitt at Harrisburg, they stated that Scio has a great opportunity to re-define rural libraries. If Scio can do this right then other cities will be able to do this as well.

Ferguson asked if the Scio Emergency Plan Meetings are Zoom meetings. Allen stated that the next meeting will be via Zoom. Ferguson asked if the link could be sent out. Allen stated that we will make it public on the city's web page.

**CITY ATTORNEY'S REPORT: Presented by Jeffrey Clayson – Nothing further.**

**ITEMS FROM THE COUNCIL:**

Nuber: Halloween was a lot of fun.

Meyer: None

Gray – asked for the Ordinance No. on the Vacation of Properties, Clayson stated it was changed to No. 617, since the other two items were tabled to a later date. He asked if the city received any complaints about water, some people on Facebook were commenting on the odor and taste. Will the city be having a leaf pick-up this year. Allen stated that we don't currently have a place to store the leaves.

Whalen – asked about the status of the recreational street usage committee, a meeting was held to get started, last he knew we were recruiting people to serve. Weaver reported that he recruited Dustin Blumenstein. Meyer reported that he had recruited a couple of people. Allen stated that we now have up to 7 members and that staff needed to arrange zoom meeting, staff will send out an email with possible date/times to see when it can be scheduled.

Eckhart – stated that she received a couple of complaints about street sweeping, that it is not working, just smearing the leaves, and leaving piles of leaves. Allen stated that it is broken and is in for repair. Eckhart asked if the leaves could be picked up, the

gutters are full and rain is coming. Allen stated she will try to have someone pick them up Thursday.

Ferguson: None

Gray – added a shout out to SMTA the new front looks wonderful.

Mayor Weaver – stated that he would like to see the new city hall match that look.

**BUSINESS FROM THE PUBLIC:** There was no public in attendance.

Weaver thanked everyone for being here.

The meeting was adjourned at 7:25 p.m.

The next regular meeting is scheduled for December 14, 2020 at 6:00 p.m.

Cathy Martin  
Administrative Assistant