

ADAIR VILLAGE CITY COUNCIL AGENDA-Final

City Hall - 6030 Wm. R Carr Av.

Wednesday, February 6, 2013 - 6:00 PM

1. ROLL CALL – Flag Salute

2. CONSENT CALENDAR: - *The following items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be discussed before the Consent Calendar is considered. If any item involves a potential conflict of interest, Council members should so note before adoption of the Consent Calendar.*

- a) Minutes – City Council Meeting-January 9, 2012 (Attachment A)
- b) Bills List through January 25, 2013 (Attachment B-1) - \$ 17,535.51
- c) Bills List through February 5, 2013 (Attachment B-2) – \$ 38,448.20

3. PUBLIC COMMENT (Please limit comments to 5 minutes)

4. OLD BUSINESS:

- a) Review of Public Works Accomplishments-2012 Pat Hare
Action: Presentation
- b) Appointments of Budget Officer and to Regional Boards (Attachment C) Drew Foster
Action: Appointment and Approval

5. NEW BUSINESS:

- a) Financial Report through December 31, 2012 (Attachment D) Drew Foster
Action: Report
- b) 2010-11 Audit (Attachment E) Drew Foster
Action: Report

6. ORDINANCES, RESOLUTIONS, AND PROCLAMATIONS:

- a) Parking Ordinance Update (Attachment F) Drew Foster
Action: First reading
- b) Nuisance Ordinance Update-Vehicle Section 600 only (Attachment G) Drew Foster
Action: First reading

7. EXECUTIVE SESSION: ORS 192.660 (2) (a) & (h)

- (a) To consider the employment of a public officer, employee, staff member or individual agent.
- (h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

8. STAFF REPORTS:

- a) Public Safety (Attachment H) Chief Rich Riffle
- b) Public Works (Attachment I) Drew Foster
- c) City Administrator (Attachment J) Drew Foster

9. COUNCIL and MAYOR COMMENTS:

10. ADJOURNMENT:

Next meetings -

City Council -Tuesday March 5, 2012 6:00 PM
Planning Commission- Tuesday, February 26, 2013 6:30 PM

The Community Center is accessible to person with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting by calling City Offices at 541-745-5507 or e-mail

"kathy.edmaiston@adairvillage.org," or Oregon Relay Services by dialing 7-1-1. The City of Adair Village is an Equal Opportunity Employer.

The order in which items on the Agenda are addressed by the City Council may vary from the order shown on the Agenda.

**ADAIR VILLAGE
CITY COUNCIL MINUTES-Approved
6030 William R. Carr Avenue
Wednesday, February 6, 2013 – 6:00 PM***

Agenda Item	Action
<p>1. Roll Call: Members present: Councilors Real, King, Mercer, and Hubele, and Mayor Currier were present. CA Foster recorded the meeting. Councilor Hubele asked to be excused at 9:00 and left at that time.</p>	<p>Mayor Currier called the meeting to order at 6:02 PM and led the Flag Salute.</p>
<p>2. Consent Calendar (Agenda Item 2). Minutes of January 9, 2012. Billings from January 25, 2012 (\$17,525.51) and February 6, 2013 (\$38,448.20).</p>	<p>Councilor King moved to approve the Consent Calendar as presented, Councilor Mercer seconded. Unanimous Approval (5-0).</p>
<p>3. Public Comment (Agenda Item 3) Faye Abraham, 3122 NE Willamette Av., spoke concerning the budget and the AVIS (Adair Village Industrial Site) property. She said that there was previously a strip of land that provided access to the site, which is not owned by the City. Mayor asked if she was referring to the strip of land that runs along the railroad tracks. She said that she thought it was that strip. She also asked if the City had a budget for a public defender, since at least one section of the Parking Ordinance calls for imprisonment.</p>	<p>Council received comments.</p>
<p>4. Cascades West COG Drive/Connect Program (Added to the Agenda) Tarah Campi, CWCOG, spoke about Drive Less/Connect, an ODOT program that is overseen by CWCOG. This is a drive share program that is online and can connect people for single or ongoing commutes. She left brochures about the program.</p>	<p>Council received report.</p>
<p>5. Public Safety Report (Agenda Item 7a) Chief Riffle delivered the Public Safety Report. The criminal cases are minor and were closed by the end of the year. Mayor asked why training hours are up. Chief Riffle said that Officer Long is in training at DPSST (Department of) and there has been a lot of work on bringing officer's training manuals up to date.</p>	<p>Council received report.</p>
<p>6. Adair Village Public Works Accomplishments (Agenda Item 4a) Assistant City Administrator (ACA) Pat Hare presented the report to the Council. He presented a slide show that focused on the work completed by our Public Works staff to upgrade City infrastructure. These included:</p> <ul style="list-style-type: none"> • Replacing leaking valves throughout the delivery system. • Finding and repairing the major leak in the north line. • Replacing the worst section of the north line with a new 2" line to EE Wilson Game Management offices and a new 4" line to the Pacific Region Composting site. • Cleanup and painting all of our facilities • Developing maintenance schedules for all primary infrastructure systems-water, sewer, streets, and storm drains. • Using these projects to develop strong relationships and partnerships with Allied Waste, Benton County, and Oregon Department of Fish and Wildlife. These partnerships enabled the City to undertake projects that might otherwise have taken a much longer timeframe to complete. 	<p>The Mayor and Councilors applauded the presentation and the accomplishments of our staff.</p> <p>Mayor would like to provide formal recognition of our Public Works staff.</p>

<ul style="list-style-type: none"> • General cleanup and beautification of signs, parks, streets, etc. This slide show will be put onto the City's website. 	
<p>7. Public Works Report (Agenda Item 7b) CA Foster presented the highlights.</p> <ul style="list-style-type: none"> • 8.1 million gallons were processed through the sewer plant. • Water production was 4.9 million gallons. • Backwash at water plant only once, rather than the previous 2-3 times in a month. • Electric work completed by outside contractor at #2 lift station. • Repaired 100 feet of old, plugged chemical line. 	<p>Council received report.</p>
<p>8. Appointments-Regional Boards and Budget Officer-and Budget timeline (Agenda Item 4b) Mayor Currier presented information on the various regional boards that would like City Membership. Councilor Hubele asked if we could use a reserve officer as the lay member to the WCJC (Willamette Criminal Justice Committee). Mayor appointed himself to the MPO (Metropolitan Planning Organization) and CWCOG (Cascades West Council of Governments) board. Mayor nominated CA Foster as Budget Officer. CA Foster presented the timeline for the 2013-14 budget process. First meeting is April 16.</p>	<p>Mayor appointed himself to MPO and CWCOG boards. Councilor King seconded. Unanimous Approval (5-0). Mayor appointed CA Foster as Budget Officer. Councilor King seconded. Unanimous Approval (5-0).</p>
<p>9. Executive Session (Agenda Item 7) City Attorney Dave Doyle joined the Council via phone to discuss possible litigation per ORS 192.660 (2) (h). Council also considered the employment of a public officer per ORS 192.660 (2) (a).</p>	<p>Mayor announced start of the Executive Session at 7:26. City Attorney joined the Council via telephone. Mayor closed the Executive Session at 8:20 PM.</p>
<p>10. Action from Executive Session. CA Foster announced that the City is interested in establishing an Interim Chief to complete this budget year and have a short overlap with Chief Riffle. This will allow the continuation of the present reserve program while the Budget Committee reviews the future of the Police Department. The staff recommendation is to appoint David Francis, a Deputy with the Linn County Sheriff's Office, to the position. He will begin as an officer during the two week overlap with Chief Riffle and then be sworn in as Interim Chief on February 23. He will be in a Temporary Employee position, which allows the City to employ him for six months without benefits, except as required by law. Councilor Real asked about contracting with the Benton County Sheriff's Office. Mayor Currier said that contracting would end the reserve program. Councilor Hubele asked if we had advertised the position. CA Foster said that we had not, because we needed to move the process quickly. Chief Riffle had contacted people and Deputy Francis seemed the best fit. Deputy Francis met with CA Foster, Mayor Currier, and Councilor King for an interview. Rich Riffle thanked the Council for his opportunity here and said that he appreciated working with everyone. He will work with Mr. Francis as an Officer for the City until his time is complete and he swears in Mr. Francis as Interim Chief.</p>	<p>Councilor King moved to appoint David Francis as Interim Chief as a Temporary employee for no more than six months. Councilor Real seconded. Friendly amendment from Mayor to allow Interim Chief to remain in the position past six months upon further review by the Council. Unanimous Approval (5-0).</p>
<p>11. Ordinance 2013-01 Parking Code Update (Agenda Item 6a). CA Foster presented the changes, contained in the Exhibit to the Ordinance, directed by the Council at the previous meeting. After those changes</p>	<p>Councilor King moved approve the first reading of Ordinance 2013-01, Councilor Real seconded.</p>

<p>were incorporated, the CA had sent it to the Council again and two further changes were recommended by Councilor Hubele. 1- Remove “non-commuter” prior to “vehicles” in the final sentence of paragraph 43.010 (2). 2-Remove “in a 90 day period” from 43.230 (1). Both of these will be made to the final language. Mayor Currier provided the first reading.</p>	<p>Unanimous Approval (5-0).</p>
<p>12. Ordinance 2013-02 Changes to Public Nuisance and Abatement (Agenda Item 6b) CA Foster had not completed the changes requested by the Council at the previous meeting. Councilors Hubele and Real shared the changes from their notes from the previous meeting and these changes were presented, reviewed and incorporated into the first reading. (CA checked with the City Attorney and it is alright to make changes at a meeting before the reading.)</p>	<p>Councilor King moved approve the first reading of Ordinance 2013-02 with language changes as approved by the Council, Councilor Real seconded. Unanimous Approval (5-0).</p>
<p>13. Finance Report through December 31, 2012 (Agenda Item 5a) CA Foster reported that overall the City has \$42,328 in net income with \$551,204 in revenue and \$508,877 in expenses. Employee benefits and taxes are higher than budget estimates. CA will provide further research on this issue at the next meeting. We are ahead in all funds except the Water Fund. There is a \$43,726 deficit there because the work that we undertook at the Water Plant all took place in the first half of the year.</p>	<p>Council received report.</p>
<p>14. 2010-11 Audit (Agenda Item 5b) CA Foster reported on the 2011 Audit, including the “Report to the Governing Body” and the “Management Letter.” The Financial Statement (pg. 43) contained four issues that did not meet minimum standards-</p> <ol style="list-style-type: none"> 1. Did not obtain quotes for three purchases over \$5,000. 2. ODOT Street Appropriations were used for insurance. 3. Expenditures exceed appropriations in five categories. 4. Changes to Reserve Fund exceeded 10%, but a special hearing was not advertised as required. <p>The Management Letter included seven significant deficiencies, though only two were new. The others have been included in all our audits as we have caught up with the auditing process.</p> <ol style="list-style-type: none"> 1. No review of bank reconciliations. 2. Utility payments can be adjusted without supervision. 3. No written internal control policies. 4. QuickBooks allows manipulation of transactions without an audit trail. 5. Audit was not completed in a timely manner. 6. There were missing credit card and reimbursement receipts (new). 7. Payroll spreadsheets were not reviewed (new). <p>Issues 1 and 7 are resolved; bank reconciliations and payroll spreadsheets are now reviewed by the CA. #3-Written policies are underway, but not complete. #2 and #4 are ongoing concerns; CA will explore an “audit trail” facet for QuickBooks. #5-we will be up-to-date on timeliness only with the 2013 Audit; we will complete the 2012 Audit by June 2013. #6-a new credit card policy will be on the March 5th Agenda of the City Council.</p>	<p>Council directed CA to contact our auditors-Pauly Rogers-to determine if we need to take action on the 2011 Minimum Standards deficiencies and if we need to make a formal response to the deficiencies listed in the Management Letter. (CA note-February 13, 2013 contacted lead auditor Matt Deeds at Pauly Rogers by telephone. We do not need a formal response either set of deficiencies. They are information only.) Councilor Real suggested that a supervisor could review a random sample of utility payments with each deposit to begin to react to #2. She also asked if we could license to another communities system and replace QuickBooks. CA will begin to conduct a random sampling of utility bills and will research the licensing issue.</p>

<p>15. City Administrator's Report (Agenda Item 7c) CA reported that:</p> <ul style="list-style-type: none"> • Auditors had completed their first on-site work on the 2012 Audit. • Finance Clerk Brittany Kennedy will return from maternity leave at the end of February. She has continued to handle the Payroll function from home during her leave. • Mayor Currier and I went to the first meeting of the Cascades West Regional Consortium, which is the non-profit for the Industrial Wetlands project. The first meeting focused on formalizing Bylaws, budgeting and authority for payments, and election of officers. • Staff and consultants will meet in mediation with representatives from Water Watch and Oregon Water Resource Department on February 14th. • Koontz Mechanical has completed the priority work at the Water plant and their final invoice was included in the February 6 billings. • We received our first payment from Republic Services toward our partnership to complete the Wastewater Facility Plan. • The Planning Commission will meet on February 26 and discuss initial sections of the Comprehensive Plan review and also Planned Developments and R-3 zoning from the Land Use Development Plan. 	<p>Council received report.</p>
<p>16. Council and Mayor Comments (Agenda Item 8): Councilor King- None Councilor Real-appreciated Pat's enthusiasm Councilor Mercer-None Mayor Currier-None</p>	
<p>17. Adjournment: Next meeting Tuesday, March 5, 2013 at 6:00 PM.</p>	<p>Councilor King moved to adjourn. Councilor Mercer seconded. Unanimous approval (4-0) Mayor adjourned the meeting at 9:50 PM.</p>

William E. Currier

Mayor's Approval

3-6-2013

Date