

City of Lakeside
Council Meeting Minutes
January 11, 2007

The Lakeside City Council held a Regular Council Meeting at Lakeside City Hall, 915 North Lake Road, Oregon, at 7:00 p.m. on Thursday, January 11, 2007.

Councilors present: Mayor Orville Nelson, Harlon Green, Jim Brown, Cathy Walker, Jim Farmer, Mack Eubanks and Tim Crockett.

CALL TO ORDER: Mayor Orville Nelson called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Orville thanked all for coming.

Orville read the state of the City address of what their expectations and main concerns are and what direction they would like to see the city go.

Orville read, thank you for being patient with us until the whole elected council has been seated, it was my belief that all of the seated council should be part of the decisions that need to be made. The most pressing problem that we have and will continue to have in the long-term future is the sewer treatment plant. Hopefully the council will tonight, approve a maintenance program, better record keeping, inventory control, a safety concern-lock out tag out procedure that will help us have a better-organized efficient and safer plant. Hopefully tomorrow we will be meeting for the Shutter Creek to negotiate their contract concerning cost and maintenance for their facility. If we can come to agreement with them, we will have a better idea of where we stand on a cost of phase III of the treatment plant. Also after tonight's meeting, we will be able to address the abatement issues as Tim Crockett is going to be the abatement officer and he started on some of that today. We want to assure you that this council will be honest, fair and open in everything we do. We will try our best to keep you updated on everything that is being done. The councils and city staff will endeavor at all times to exercise the highest degree of tact, patience and professional courtesy in his or her context with the public. Personnel employed by the city and all elected and appointed officials to the end of the highest standards that public service shall be maintained and what we are really trying to get going, is a friendly atmosphere. The temp we hired is friendly and this is what we are trying to promote. We want a friendly city.

CONSENT CALENDAR:

Appoint Council Chairperson

MOTION: Jim Brown moved to nominate Mack Eubanks as Council Chairperson.

SECOND: Cathy Walker

VOTE: Motion carried with one no vote by Mack Eubanks.

Minutes of Special Meeting of December 20, 2006

Orville explained this was a meeting with the attorney who advised the council on what they could and could not do.

MOTION: Jim Brown moved to approve the minutes of the Special Meeting of December 20, 2006.

SECOND: Cathy Walker

VOTE: Unanimous by all councilors present.

Minutes of Regular Council meeting of December 20, 2006

Orville noted that these minutes are available for the public to review if they would like to know what went on.

MOTION: Jim Brown moved to approve the minutes of the regular council meeting of December 20, 2006.

SECOND: Cathy Walker

VOTE: Unanimous by all councilors present

Expenditure Review of December 14, 2006

Orville explained that the expenditure review is the bills that were paid. Orville said that any check the city cuts has an invoice that comes in which goes into the file for every check that is cut. Orville said Charlie paid the bills and it was balanced perfect. They are all in good shape.

MOTION: Jim Brown moved to approve the Expenditure Review of December 14, 2006

SECOND: Harlon Green

VOTE: Unanimous by all councilors present

Commissioners Reports – The Commissioners are not seated yet

Tim Crockett – Abatement Officer-Complaints must be written out. Tim said he spoke with a gentleman today regarding a complaint about filth and the gentleman said he was poor. Tim told him there are two kinds of poor, there is financial poor and ignorant poor, he was ignorant poor as this was trash all over his yard. Tim said he would abide by the ordinances. When he speaks to you, he will write down everything you say and what he has said. If you make a complaint, he will respond back to you on his findings. Tim said we would have a clean town and have clean yards with a clean standard of living. We will move forward with the complaints but we do not want to run anyone off. Orville said he spoke to a gentleman that has an abatement problem. Orville talked to the gentleman and offered to help him. They have done quite a bit on it and the man is appreciative of his help. Orville told the man, once we get it cleaned up, to keep it that way. Orville said we want to get committees formed to help people like this. Tim said the gentleman he spoke to wanted to know why his neighbor didn't come to him. Tim told him some people just don't.

Orville said the only other commissioner reports is from Mr. Green on our sludge truck and Orville would like to say that we had Dan at Lakeside Towing do the truck. We got the bill today and it was around \$2,300 and the next closest bid we had was \$3,800. Dan has done a good job, its running and its down at the plant now.

Harlon Green-Public Works – Harlon said that price included all the little extras, so when he brought it out it was complete. The pump is going out on the truck, which the order was placed today for a new one.

Dennis gave Harlon a report today. Dennis did call a locate on Bowron where the puddle is. As soon as the locate is done, Dennis will be over there and eliminate the puddle. Dennis spent \$1,800 worth of rock this month on several roads and took care of some flooding problems. Lighting at the end of the building will be taken care of on the 16th as well as the windows and heating.

Cathy Walker said she doesn't have a report but understands that she will be in charge of committees and said she had set up some committees while campaigning. She needs a copy of who has already signed up but also said if you would like to volunteer to be on a committee and they will have committees for several different things such as kid zone, community help. One thing we have decided is to run our city with a lot of volunteer help to keep cost down. So if you were interested in serving on a committee, Cathy would like your name and phone number. She will be implementing these committees as soon as possible. If you have a special interest within the city such as budgeting or abatement, kid zone or planning commission interest, write that down with your name and number so we can plug you in the right place.

Harlon said one thing he left out of his report is that we have had complaints with the lighting at the end of the building. That will be taken care of around the 16th, weather permitting. The windows that are to be replaced will happen the 16th; weather permitting and all the broken panes will be fixed the 16th or 17th weather permitting.

Orville Nelson –Orville said he spoke to a lady in the Senior Center who is the cook and she said if we get someone good with grants, she said they just got a new building in Myrtle Point and we could get a grant to fix our building. He is going to get together with her later to get the information on the grants. Benny said one the churches got their kitchen with grants.

Mack Eubanks said a lot of people want to know why we fixed the sludge truck. Mack said because of what we were paying Roto-Rooter to haul our sludge, we will now be saving that money which amounts to around \$3,000 a month. Orville said he hopes the negotiations with Shutter Creek don't get cancelled because if we get that settled, we will know where we are going to be dollar wise on the next phase of the treatment plant.

Orville said he also spoke to Bob Dillard about doing a lock out-tag out program and maintenance program at the Sewer Plant. Orville spoke to some others that run treatment plants and got some advice from them on what we need to do. We really have to get a record system there. We got warned on it once; we could get fined on it. There should have been a maintenance program established years ago so we could track all this that is going on. Orville said he wants a contract with Lakeside Towing for a maintenance program for the city vehicles but wants council approval first. The reason we have had to put so much into the sludge truck is due to not enough vehicle maintenance. Orville said he spoke to Don about the maintenance and Don said the reason they have had trouble keeping up on it is that they have to take two trucks to town, leave one, two of them come back and the next day two of them have to go to town to pick up the other truck and come back again. Bob said there is no reason the sludge truck got as bad as it did.

MOTION: Cathy Walker moved to contract with Lakeside Towing to service the City vehicles with oil changes, filter changes, tires, brakes etc. and minor repairs.

SECOND: Mack Eubanks
Farmer said he would like to see it as minor repairs, no major stuff as that should come back through the council.

VOTE: Unanimous by all councilors present

New Business:

League of Oregon Cities – This would cost us \$5,500 to advertise for a City Administrator. This cost was too much therefore we cancelled it.

Orville said Mike Armstrong has given him some stuff on job descriptions and Orville put together a job description that better describes the job duties required for our city.

The Building Department-Charlcie (This was cancelled this evening due to bad weather) She will re-schedule at the next meeting.

Orville read the job description for the City Administrator to the public. We will discuss the job title with the attorney tomorrow after the Shutter Creek meeting. This job description had to be read to the public before we could advertise.

Orville said that this is the basic plan and would like public comments:

Job Description of City Administrator:

BASIC FUNCTION (the primary purpose of this position):

Operates under the general direction of the Mayor and City Council. Implements policy as established by City council, state laws the City Charter, ordinances and resolutions. Administers, plans and directs the overall budgeting and finance functions of the City, prepares grant and funding applications, administers grant programs; oversees and/or performs work relating to the maintenance of official City records, land use planning and zoning. Administers or oversees the issuance of City permits and licenses issued by the Planning Department. Duties of the position involve working with the public, city, staff, council, consultants, committees and staff of state, county and other local agencies. The Administrator shall attend all council meetings unless excused there from by the council, keep an accurate record of its proceedings. Actions taken range from performing menial daily tasks to implementing broad policy issues of planning, budgeting and administration of city operations. The Administrator is responsible for performing other duties as provided for in a written employment agreement.

PRINCIPAL ACTIVIES & RESPONSIBILITIES:

- Promote a clean, safe, healthy and friendly work environment for employees and customers, report and direct safety issues to Safety Committee.
- Devote his/her entire time to the discharge of official duties, attend all meetings of the council unless excused there from by the council or the Mayor, keep the council advised at all times of the affairs and needs of the city and make reports annually, or more frequently if requested by the council, of all the affairs and departments of the city.
- Enforce all ordinances of the city including the provisions of all franchises, leases, contracts, permits and privileges granted by or running to the city.
- Maintains current knowledge of outside grant and funding programs; prepares grant and funding applications as authorized by the city council; administers grant programs; responsible for fiscal accounting, reporting and monitoring requirements related to grant funds.
- Acts as purchasing agent for all departments of the City. All purchases made by requisitions must be signed by the department head or City Administrator.
- Supervise all public utilities owned and operated by the City and shall have general supervision over all personal and real property owned by the City.
- Act as business agent of the Council for the sale of real estate and other matters relating to franchises and leases.
- Supervise the expenditures of all departments, divisions or services of the City and analyze and supervise the functions, duties and activities of the various departments, boards and services of the city and all employees thereof; make recommendations of the Mayor and City council which, if adopted will result in greater efficiency of the overall operations of the City of Lakeside government.
- When authorized by the City Council, the City Administrator coordinating with other department heads and city council, shall develop and organize improvement projects and programs, and aid and assist the Mayor and council concerning the purchase of new machinery, equipment, supplies or services which can be obtained under terms and conditions most advantageous to the City.
- Make and keep, at minimum, an annual inventory of all personal and real property owned by the City and advise the Mayor and council concerning the purchase of new machinery, equipment,

supplies, or services which can be obtained under terms and conditions most advantageous to the City.

- Make, or cause to be made, at minimum, annual studies and surveys of the responsibilities, duties, and work of the personnel employed by the city; inform and update the mayor and council in regards to decisions on abolition consolidation, transfer, removal of positions, or any other administrative decision made by the City Administrator which in his/her judgment will increase administrative efficiency. Maintain personnel files; coordinates employee benefits; assures compliance with governing regulations (personnel policies and procedures, FLSA, COBRA, PERS, wage and hour laws, etc.): explains application of governing regulations to employees and department heads; handles new employee orientations; monitors the training program needs for employees and ensures those recognized and defined needs are met; serves as the city's ADA compliance officer; responsible for all employment advertising and compliance with EEO requirements.
- Endeavor at all times to exercise the highest degree of tact, patience, and professional courtesy in his/her contacts with the public, personnel employed by the city and all elected and appointed officials, to the end that the highest possible standards of public service shall be maintained.
- Perform such duties as may be required of him/her by the mayor and council, not inconsistent with the laws of the State of Oregon and the Charter and Ordinances of the City of Lakeside.
- Be responsible for and supervise all appointive commissions, committees and panels of the City of Lakeside.
- Negotiate, prepare and submit labor/personnel contracts.
- Investigates and responds to complaints and/or concerns and reports to or advises City Council of necessary actions to be taken.
- Administers or oversees the issuance of City permits and licenses and the maintenance of City Ordinances, resolutions, and all other city records; serves as custodian of official city records and public documents; manages and implements the City's Records Management Program.
- Other duties as assigned by the council.

AUTHORITY & RESTRICTIONS (supervisory capacity, signatory ability)

The Administrator (with the approval of the city council), shall be responsible for the supervision, hiring, dismissal, promotion, demotion and all other personnel decisions relating to any City employees or contract services with the exception of the Waste Water Treatment Plant, City Attorney and Independent Auditor, who shall answer to and shall be hired or dismissed by the Council. Appointment, supervision, discipline and removal for City positions under the Administrator's authority shall be based on job-related knowledge, skill and abilities, experience, education, performance, aptitude and character. The Administrator also shall serve as the supervisory authority for all contract positions with the City. Upon the motion of any Council member, or on appeal by an affected employee or contract service provider, the full council retains the right to review, and sustain or override the personnel decisions of the Administrator.

The City Administrator reports and is accountable to the Mayor and Council. The Administrator is evaluated by the council on overall performance and citywide goals. The council may evaluate the Administrator after the first six (6) months in the position and then from time to time thereafter. At the time of appointment the person so appointed as City Administrator need not be a resident of the City of Lakeside, Oregon, or of the State of Oregon, but within six months of the date of appointment shall reside within said City limits for the balance of the individuals tenure in office.

POSITION REQUIREMENTS (objective educational or technical training required; skills; and years of experience):

- Bachelor's Degree in Business/Public Administration or closely related field; Master's Degree given preference. Equivalent work experience may be considered in lieu of degree.
- Minimum eight years responsible experience in municipal government with at least five years in a supervisory or management position, or a combination of education and/or experience that demonstrate the ability to perform the required work as described herein.
- Shall have skill in grant application/procurement/administration from public and private entities.
- Shall have extensive knowledge of municipal government organization, powers, functions and relationships with other governmental jurisdictions, principals and practices of public budgeting, finance, banking, reporting, and personnel management, assigning and supervising the work of others; office practices, procedures and methods, and of all legal requirements and procedures involved in conducting elections.

PHYSICAL DEMANDS/WORK ENVIRONMENT (the physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this position. Reasonable accommodations will be considered to enable individuals with disabilities to perform the essential job functions):

Perform tasks in a usual office-working environment. While performing the duties in this position, frequently required to sit, stand, communicate, reach and manipulate objects, tools or controls. The position requires mobility. Duties involve moving materials weighing up to 25 pounds on a regular basis and may infrequently require moving materials weighing up to 50 pounds. Manual dexterity and coordination are required over 50% of the work period while operating equipment such as computer keyboard, calculator, typewriter, and standard office equipment. The noise level in the work area is typical of most office environments with telephones, personal interruptions and background noises.

This description of duties, responsibilities and requirements is a summary, and is not intended to include all that may be assigned or required.

Orville said that is the basic plan. By law we have to read that description and take public comments, which we will take at this time.

Bullet #2 where you want them to make reports annually on the state of the city. Mr. Gonzalves thinks that would be great especially with them being new. Have you entertained the idea of having them quarterly do this quarterly rather than annual?

Orville said he likes it like Charlie does it, when we get the expenditure reviews, she balances at the end of the month and we know exactly where we are.

Mike Armstrong said the information that he provided was for a City Recorder and our Charter said we must have a City Recorder and the job description is for a City Administrator but our charter mandates a City Recorder. Orville doesn't care what title it is, they should have them be able to do the job as per the description. Mike Armstrong said all the department heads should have job descriptions. Elaine said job duties are different by title/money. City Recorder does not need to be strong in grant writing. Cindy said the City Administrator would be issuing permits and wanted to make sure it is within the planning department and not the planning commission. Mike said you could get a good City Recorder that could do

these jobs as described. Orville said the job description that Mike gave was for a 30-hour week. A starting rate should be \$42,000 to \$45,000 a year. The City recorder in Bandon was \$45,000 and they have an administrator too. Orville said we want someone strong in grants. Cathy Walker doesn't want to hire a City Administrator and pay them a large salary. Brown said we are not going after a City Administrator we are going after a City Recorder. Orville wants to speak to the attorney. Susan was hired as a City Recorder and not City Administrator and was changed later as people like title inflation and salary inflation. Brown also said no one picked up on Donna's resignation that was signed Assistant City Administrator. Brown said the Charter is plain the city council sets the title. So if we want to hire a City Recorder which is required by our Charter and by the ORS and down the road if we get Charlie super trained maybe the council may say we will give her a new title. Cathy said we made Charlie City Recorder last time (not interim) and wants to know if we are going to demote her or what. Cathy is concerned that we have a City Recorder that we have made promises to. Orville asked Charlie to tell the audience what she had told him. Charlie noted that she would like to see the person hired cross trained and switch jobs every other month so when they take vacation they will not come back to a desk full of work. If that person is sick they may stay home sick and not feel they will have their work left for them. Cathy asked if Charlie would be upset if we hired a City Recorder. Charlie said she would be happy with what the council decides for what is best for the city. Cindy asked if we could we call it a City Recorder Assistant, which would fill in the absence of the City Recorder? Elaine said if you hire someone with the degrees and pay the two positions close to the same dollar amount or raise Charlie up, you couldn't have co-titles; you have to have someone in charge. Mike said he was just giving them a job description for a basis. Orville said he appreciated the work. Brown said we are getting caught up in semantics. Brown said assistant recorder, vice recorder it makes no difference, we just advertise and when they come in explain.

Brown said the **second paragraph** Authority and Restrictions it says shall evaluate the City Recorder and then from time to time thereafter. It should say yearly thereafter. Brown also commented on **where is says they shall reside in the city limits**, he doesn't think we can make them do that. Cathy wants to know if we could clarify this with the attorney.

Mack said when he comes to city hall he wants to speak to one person in charge. The person with the most experience will be in charge. Mack was confused because he thought we didn't put Charlie in charge because we didn't think she could do all the things required by the administrator, and now all of a sudden you are saying they are going to be equal. We talked about getting a planner in here to help. Orville said we had to read this to everyone. Farmer said we need to leave this as City Administrator and Crockett agrees. Mike Armstrong said if you read the ORS the City Administrator is higher than the Recorder. Calvin Walker said according to our charter the highest position is Recorder. Orville wants to ask the attorney for clarification. Susie said according to the charter on page 3 section 10 reads: Other Officers additional officers of the city shall be Recorder and other such officers, as the council deems necessary. Each of these officers will be appointed and may be removed by the Mayor with the consent of the council. Crockett said it sounds like we are at an impasse and need to move on to other business. Brown said we do have the authority to change the title of this job description and then advertise. Mike Armstrong said we should be careful because they may be changing the form of government without the vote of the people. Orville said he is going to check with the attorney tomorrow. Mike reminded the Mayor that was the attorney that advised the last council and said they could consolidate using the wrong ORS. Cathy Walker objects to calling the position City Administrator. Cathy wants to know if Orville is going to make the decision on his own after talking to the attorney or how will this be done. Orville said we would have a special meeting for all council to decide on the title. Ardella said if you advertise as a City Recorder then change it later after speaking to the attorney.

MOTION: Tim Crockett moved to advertise for a City Recorder

SECOND: Cathy Walker

Mack would like to have quarterly reviews of the position

VOTE: Unanimous by all councilors present

Council Positions

Mack Eubanks-Council President

Jim Brown-Library and Watershed

Cathy Walker-Committees

Harlon Green-Public Works and Personnel

Tim Crockett- Abatement

Jim Farmer-Safety and has been helping with the planning

Orville Nelson, Mack Eubanks & Jim Farmer-sewer plant

If both the Mayor and the Council President are gone, the City Administrator, Recorder or what ever you call them will open the meeting and the council will then elect a chair.

Interim City Administrators-Chuck Knight

Chuck is a great person. Has great people skills but not strong in grant administrating or planning. Chuck said his feelings would not be hurt if he were not hired. He unfortunately did not have the skills that the City needed. Orville asked Charlie after he left and she told him that she needed help in the planning which Chuck couldn't help with. Orville spoke to Dave Foster and he said he would be willing to help. Orville said he would like to get a checklist that Charlie could follow and Dave will help develop that.

MOTION: Jim Brown moved to authorize the City Recorder and Mayor to contract with Dave Foster as needed for planning help.

SECOND: Harlon Green

VOTE: Unanimous by all councilors present

City Recorder pay rate retro active to last board meeting.

Charlie said since Susan was still here through the end of December make in from January 1.

MOTION: Cathy Walker to increase Charlie's pay by \$2 an hour retro to January 1, 2006.

SECOND: Jim Brown

VOTE: Unanimous by all councilors present

Brown said she would be reviewed in 6 months then increased by 6%. Also increase in cost of living raise with the other employees.

Approval for sewer maintenance program.

Orville said the WWTP received a fine because of poor record keeping. Bob Dillard who signs off for the WWTP said they have to get those records straightened out and need a preventative maintenance program set up. We need each machine center numbered and all repairs recorded so we can total at the end of the year to see how much each pump cost. Crockett wants to know who will be accountable and how it will be taken care of if it has not been done prior. Orville said the Superintendent will be responsible but we cannot talk about personnel matters except in an executive session. Orville said we would soon have job descriptions for all positions. Orville said we are going to have to hire a temporary clerk out there for at least two months to go through all the records and get the equipment with dates put in, and the lock out-tag out program implemented. Mike encouraged a camera system. Orville would like the approval to

implement this program. We need it on the computer with a backup copy of the disk, one left on site and one left at the city.

- MOTION:** Brown moved to authorize the Mayor and City Recorder to implement the WWTP maintenance program and pick up a temporary clerk to get started and update job descriptions.
- SECOND:** Mack Eubanks
- VOTE:** Unanimous by all councilors present

A gentleman said the guys at the WWTP have done a great job when he calls them out.

Cathy clarified we are implementing a maintenance program and would like the council to vote on who they hire. A gentleman said he formerly worked for a WWTP and it took them a year to get the records in order. Orville thanked him.

Special Event Permit – Oregon Dune Mushers

- MOTION:** Jim Brown moved to approve the Special Event permit for the Oregon Dune Mushers
- SECOND:** Cathy Walker
- VOTE:** Unanimous by all councilors present

Ken Durrell – Grant Administrator

The contract negotiations for Ken Durrell will be put off until the February meeting

- MOTION:** Jim Brown moved to put off until the February meeting.
- SECOND:** Cathy Walker
- VOTE:** Unanimous by all councilors present

We received some complaints and want to hold off on these until council can listen to the tapes. This will be on the next agenda.

Kid Zone Funding-Orville is not against Kid Zone. Orville said someone wanted streetlights, which the budget was already set. Orville said Kid Zone is not a budgeted item and cannot advise the council to give them money and then be accused of spending money. Cindy said she has two things. Cindy said the Chamber has given money; Lyons has given money as well as the Women's club. Orville said the \$2,000 for the Chamber is from the RV tax. Cathy said we are giving a building, power and heat, liability etc. Orville said Hauser does Spaghetti feeds to help raise money. Orville said as a city we cannot print any political ads. Orville will ask if we can print that we support Kid Zone. Cathy asked the audience if you would like to donate money give her your name. \$3.40 a day to sponsor a kid, if anyone would like to sponsor a kid contact Shawna or give money to Charlie and specify it was for the Kid Zone. Orville said the money collected from the seniors for the meals on wheels goes to South Coast Business. Orville said when you don't have a tax base in a city the money is pretty well spent. If you can be a volunteer to help kid zone get together with Cathy.

PUBLIC COMMENT

Joan Anderson from the Planning Commission said she thought the Variance for Harlon Green that had been approved at the last planning meeting had to be forwarded to the Council. It does not.

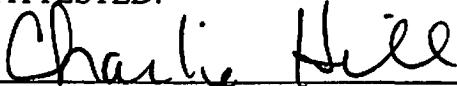
COUNCIL COMMENTS:

ITEMS NOT ON THE AGENDA:

ADJOURN:

The meeting was adjourned at 8:55 p.m.

ATTESTED:



Charlie Hill, City Recorder

APPROVED:



Orville Nelson, Mayor