

City of Lowell, Oregon
Minutes of the City Council Meeting
October 7, 2014

The meeting was called to order at 6:00 PM by Mayor Paulson

Members Present: Mayor Paulson, Judith Rennert, Gary Reese, Melody Knokey, Jim Burford City Attorney, Milo Mecham present.

Public Comments: Hall O'Regan 62 E 3rd St., wants to know where the large sum of money has gone. Linda Martin 426 E 1st St., spoke of problems that had happened in the past with her water/sewer bill. Idella Stinson 26 E 3rd St., voiced concern about how many keys to City Hall are in the public, and the number of people audio taping meetings. Andrea Larsen 657 N Moss St., voiced concern about missing money. Mia Nelson 40160 E 1st St., request item to be placed on the next meeting agenda, in regards to land donation. Suggested training for volunteer committees on decision making meetings. Hall O'Regan 62 E 3rd St., presented an email to council on behalf of Jerry Bjornstad, Chairman of Parks Advisory Committee. Rich Peters 403 Carol St., asked if security code has been changed since all the turnover?

Council Comments: Councilor Reese commented that financial statements are still inaccurate.

Approval of Minutes: 6:22 PM

- **September 16, 2014 approved as corrected, Councilor Burford abstained, he was not at the council meeting.**
- **September 24, 2014 Special Meeting/Work Session approved by consensus, Councilor Burford abstained, he was not at the meeting.**

Approval of Expenditures: 6:28 PM

Questions from the council in regards to check sequencing, voided check page numbering and line item deductions. CA will check with staff and get an answer to their questions.

Mayor Paulson moved to approve Voucher Directory for October 7, 2014, with corrections noted, Councilor Knokey seconded the motion. Requesting answers to their questions be provided.

PASS 5:0

Old Business: 6:41 PM

- **Financial Review Results (Oral Presentation)** – Tiffany Couch, Forensic Accountant, owner of Acuity Forensic presented oral report from today's investigation. Summary of cancelled checks was reviewed, no impropriety was noted for 2013-2014, but the cash receipts were not reviewed. Summary for Credit Card report found no concerns. Payroll summary, no anomalies noted. She went through bank reconciliations. At face value she believes everything is ok. Recommends that the LGIP, Trust and BBJ accounts be entered into the accounting system, so reports can be run, and know how much is in each account. She highly recommends that the BBJ account be brought back in house. The Siuslaw account has exceeded the FDIC limits, she recommended using the LGIP account. Returned checks need to be turned over to unclaimed property of Oregon. She commented on the irregular sequencing of the checks. She addressed the copying of the voided checks issue, as they printed only the front of the check statement. To

review the cash receipts for a year, it would be \$1500-\$2500 for a one day review. Prior bank reconciliations were being done outside the software system, the current bank reconciliations are now being done within the current system. Discussion followed on having the BlackBerry Jam Fund come back, to in house accounting. Council Member Reese asked Ms. Couch whether the Review had been worthwhile and an appropriate expenditure for the city to make. Her answer was yes, and that it gave us a list of things that could be done better, or needed to be changed. It was not a waste of money. She recommends further investigation. Ms. Couch exited, and further discussion followed amongst council. Cash receipts for 2010-2011 is the target year to review next.

Mayor Paulson moved to get a written quote from Ms. Couch to do a cash receipt review for fiscal year 2010-2011, and if the quote does not exceed \$1750, that we authorize the CA to execute that contract. Seconded by Council Knokey.

PASS 5:0

- **City Administrator Performance Evaluation** - Mayor Paulson reviewed process taken for evaluation. Public Comments: Bob Burr 566 E 1st St., voiced concern if the council took into consideration that the City Administrator is working a 20 hour work week and not a 40 hour week. Ken Larsen 657 N Moss St., agreed with Mr. Burr, did they take into consideration all the council has asked CA to do in a 20 hour week? Mayor Paulson explained evaluation will be placed in Mr. Lee's permanent file. Mayor Paulson gave a brief summary of evaluation results. Councilor Burford commented that Mr. Lee has done a great job so far. Councilor Knokey commented that she feels that there is a lack of communication. Mayor Paulson voiced concern over the 20 hour work week, lack of understanding council priorities, and responding defensively to criticism. Mayor Paulson stated it has been a huge improvement from where we have been, Mr. Lee is honest and frank. Councilor Rennert stated he did excellent crisis management when he first arrived, but finds fiscal management to be a weaker area. Councilor Reese stated that a strong point is that he is frank, but attitude when he doesn't agree with direction is not acceptable. The areas needing improvement are: city/council relationships, effectively implement policies/programs approved by council, accepts correction and instruction in a positive manner, keeps council informed of current plans and activities. Under leadership, he was marked down on achieves goals set by the council. He does work well with other staff employees. Under fiscal management he was marked down in seeks efficiency, economy in programs, and obtaining all facts prior to decision making. Personal traits was marked down in being flexible and accepting and adjusting to changes, and a positive attitude. Mr. Lee commented on: council review and read the letter mentioned by Councilor Knokey, from PW Superintendent applicant. Mr. Lee stated he will terminate his contract with the City, date will be given to the Mayor. Mayor Paulson and Councilor Reese expressed disappointment with that decision.

Recess

Reconvene: 8:38 PM

- **Proposed Business Restrictions Ordinance** – Councilor Reese moved that the Council direct staff to prepare an amendment to the City land use code that would include among the commercial uses not allowed in Lowell any commercial use that involves a violation of federal law. I further move that when prepared, staff should bring this matter to the Planning Commission. Discussion followed with CA, Councilors and City Attorney.

Public Comments: Hall O'Regan 62 E 3rd St., agrees with the wording...Federal Law. Bob Burr 566 E 1st St., voiced concern if the Ordinance addresses the issue of growing within City limits. Councilor Reese read a report on the risks involving the use of cannabis. Discussion followed.

PASS 4:1 Mayor Paulson opposed

- **Ordinance 287 – Parks Ordinance (Second Reading): Mayor Paulson moved to do a second reading by title only on Ordinance 287: An Ordinance Adopting Sections 5.053 of the Lowell Revised Code Relating to Smoking in City Parks, Alcohol use in City Parks, and Park Hours and Related Clerical Changes Seconded by Councilor Reese.**

PASS 5:0

Mayor Paulson moved to adopt Ordinance 287, seconded by Councilor Knokey.

PASS 5:0

- **Public Works/Orenco Contract – CA gave a brief review of contract, to renew current contract for one more month only. No one responded to RFP. He is currently working on a plan, and will submit it at the next council meeting. Councilor Burford made a motion to authorize the City Administrator to extend the Orenco contract for another 30 days, assuming there are no other changes to the contract. Seconded by Mayor Paulson.**

PASS 5:0

CA is working on a plan for Public Works Dept., to utilize the full and part-time positions to cover the Wastewater and incorporate the animal control and custodial cleaning of City Hall.

- **Employee Hiring Procedures – item to be brought back at next meeting.**
- **Animal Control Procedures – item to be brought back at next meeting.**
- **Code Enforcement - item to be brought back at next meeting.**

- **City Administrator Recruitment Process – Discussion followed on how to approach process. Mayor Paulson moved to delegate the Mayor to contact the Lane Council of Governments, to work with them to assist in the availability of and possible candidates to: 1) Do a City Administrator recruitment process for us. Or 2) Do a City Administrator recruitment process, plus act as a City Administrator pro tem if we decide to go in that direction. Also checking on Mr. Kelly's availability.**

Discussion followed on how to proceed in selecting someone to facilitate the recruitment of a new City Administrator.

PASS 4:1 Councilor Knokey opposed

New Business: 9:35 PM

- **Account to Fund Financial Review – Discussion and decision to have the cost of the financial review come out of the audit line item.**
- **Resolution 610, Proclaiming October as “Look me in the Eye” Month – Councilor Knokey introduced resolution. Mayor Paulson moved to adopt Resolution 610, Proclaiming October as “Look me in the Eye” Month, seconded by Councilor Knokey.**

PASS 5:0

Reports: 9:39 PM

- CA reported on code enforcement done today, regarding a refrigerator in the front yard. Gave

update on new generator, and the metal salvaged to date is about \$1,400.

- **Financial Reports** – Reports continue to be a work in progress.

Other Business: 9:49 PM

- Mayor Paulson is concerned with who has keys to the City Hall, and have the locks been changed? He would like to see that volunteer's on committees have training on public meeting process. Also further information is needed in the Nelson land donation, and it needs to come back to the council. Councilor Reese would like CA to poll employees on what their wishes would be for the holiday tradition of Council doing something for the employees. Councilor Reese would like the email address so he could contact Lane County, in regards to placing the perma poster at the Covered Bridge.

Public Comment: George Wild responded to Mia Nelson's comment about Parks Committee email, there was none.

Adjourn: 10:05 PM

Approved: Stephen Paulson
Stephen Paulson, Mayor