

**CITY OF HUBBARD  
CITY COUNCIL MEETING MINUTES  
MAY 10, 2022**

**CALL TO ORDER:** The Hubbard City Council meeting was called to order by City Council President James Audritsh at 6:15 p.m.

**FLAG SALUTE:** City Council President James Audritsh led the group in reciting the Pledge of Allegiance.

**CITY COUNCIL PRESENT:** City Councilor James Audritsh, City Councilor James Yonally, City Councilor Robert Prinslow, City Councilor Tyler Thomas.

**EXCUSED:** Mayor Charles Rostocil

**STAFF PRESENT:** Director of Administration/City Recorder Vickie Nogle, Public Works Superintendent Michael Krebs, Police Chief Dave Rash, Public Works Administrative Manager Melinda Olinger, Administrative Assistant / Court Clerk Julie Hedden, City Attorney Emily Matasar, Financial Consultant for ARPA funds Tonya Moffitt.

**COUNCIL RECESS OPEN PUBLIC MEETING AND CONVENE CLOSED EXECUTIVE SESSION TO CONSIDER RECORDS OR INFORMATION EXEMPT BY LAW FROM PUBLIC INSPECTION ORS 192.660(2)(f), ORS 192.355(9)(a), and ORS 40.225, PURSUANT TO ORS 192.660(4) COUNCIL SPECIFICALLY REQUEST THAT MEMBERS OF THE MEDIA AND OTHER ATTENDEES NOT DISCLOSE MATTERS DISCUSSED IN THE EXECUTIVE SESSION.** City Council President James Audritsh declared the ORS and recessed the public open meeting at 6:16 to go into the Executive Session.

**COUNCIL CLOSE EXECUTIVE (CLOSED) SESSION AND RECONVENE PUBLIC (OPEN) MEETING.** City Council President James Audritsh closed the Executive Session and reconvened the public open meeting at 6:41 p.m.

**COUNCIL RECESS OPEN PUBLIC MEETING AND CONVENE CLOSED EXECUTIVE SESSION TO CONSIDER THE EMPLOYMENT OF A PUBLIC OFFICE, EMPLOYEE, STAFF MEMBER OR INDIVIDUAL AGENT ORS 192.660(2)(a). PURSUANT TO ORS 192.660(4) COUNCIL SPECIFICALLY REQUEST THAT MEMBERS OF THE MEDIA AND OTHER ATTENDEES NOT DISCLOSE MATTERS DISCUSSED IN THE EXECUTIVE SESSION.** City Council President James Audritsh declared the ORS and recessed the public open meeting at 6:42 p.m. to go into the Executive Session.

**COUNCIL CLOSE EXECUTIVE (CLOSED) SESSION AND RECONVENE PUBLIC (OPEN) MEETING.** City Council President James Audritsh closed the Executive Session and reconvened the public open meeting at 7:00 p.m.

**EMPLOYEE PERFORMANCE DISCUSSION.** City Councilor Tyler Thomas stated to Public Works Superintendent Mike Krebs that there were some performance issues the City Council

would like to discuss with him. He went on to say specifically looking back over the last few year's performance reviews they have outlined several things that have come up continuously, and have not had a way to address those to formally stay on track, so the City Council wanted this meeting to talk about those and see if there is something we can do to address the performance to get it to where the City Council feels it should be. City Councilor Tyler Thomas then went on to read excerpts from the past three years (2019, 2020, and 2021), of Public Works Superintendent Mike Krebs employee evaluations. In reading from the evaluations City Councilor stated the Public Works Department is the largest staffed department.

Public Works Superintendent Mike Krebs responded with a correction that Public Works is not the largest staffed department, the Police Department is.

City Councilor Tyler Thomas continued to read comments from the past three years of evaluations. He went on to say in the past three years City Council has asked for follow up on the same issues and they continue to persist and so there is concern on his part as a City Councilor and citizen that we might not be moving in the direction that we need to move from Public Works to make sure we are maintaining the City as needed.

City Councilor James Yonally said he was not here during the reviews so he had nothing to add.

City Councilor Robert Prinslow stated Councilor Thomas addressed his concerns and did not have any additional concerns to add.

City Councilor James Audritsh said in reading and listening to the comments he feels it is the City Council's best interest to formulate a work plan with attainable goals, give fairness to the employee to reach those goals, and we evaluate those goals every few months throughout the year. He went on to say it is not fair to the employee to not have put anything in writing from previous evaluations, we should have instituted some type of work plan.

City Councilor James Audritsh suggested City Council put their thoughts on paper and send them to City Attorney Emily Matasar to compile and create a formal performance improvement plan, giving staff a chance to meet measurable and targeted goals.

Public Works Superintendent Mike Krebs was asked what his thoughts were on this.

Public Works Superintendent Mike Krebs's response was if that is the direction City Council want to take, then it should be done. He went on to say many of the issues that City Councilor Tyler Thomas mentioned were out of his control, such as the G Street project which was thrust upon him, he had just gotten the Superintendent position, and it had already been approved by two different City Councils prior to the current City Council, and there was a decision made during construction they wanted the road wider, he was assuming at the time that since it had been approved by two different City Councils, that is what the City Council wanted, so it was out of his control because it had already been approved twice.

City Councilor James Audritsh said he can understand that, but he would like to see Public Works Superintendent Mike Krebs take a more proactive approach, when it came to the stenciling on the

ground, City Council was told it was wrong, but City Council would have liked to have seen him take charge and take care of things if it is not done right, and get it fixed.

City Council consensus was to have City Attorney Emily Matasar draft of work plan based on the past performance reviews and the conversation at this meeting, and circulate it and then have a special meeting in a couple of weeks. She said she will be out of town, but City Attorney Ashley Driscoll can cover for her.

**DISCUSSION REGARDING DISTRIBUTING ARPA FUNDS – Tonya Moffitt, Merina+Co.**

**A) Discussion regarding Love Inc. Utility Assist/Vulnerable & Low-Income Families – Police Chief Dave Rash.**

Police Chief Dave Rash said he talked with the Woodburn City Manager regarding how they are handling the ARPA funds they have allocated for assistance with Utilities. He said they have set up an account with the non-profit group, Love Inc., they have experience providing the services necessary to administer this type of assistance program so they are taking care of the application process and administrative work, and if someone qualifies, Love Inc., would then pay back the City through the account.

Consensus of City Council is to have Police Chief Dave Rash to contact Love, Inc., to see if they would be willing to work with us, find out how much the administrative costs would be for them to handle this for the City, and bring the information to the next City Council meeting.

ARPA fund consultant Tonya Moffitt was on the Zoom portion of the meeting to talk about what needed to be done to distribute the ARPA funds to the various entities the City Council approved to allocate the funds to. She said one of the big things regarding the ARPA funds was making sure the City stay below spending \$750,000 of Federal Funds so an audit would not be required, but there has been a change in the last month, where that is not the case anymore, the City could spend the money that was given out in both tranches at the same time, but it would require a compliance examination by the City's Auditor, but it would be substantially less than a single audit. She went on to say the City could go ahead and start paying out the amounts, but the City needs to make sure that none of the vendors that will be getting a part of the funds are included on the Sam.gov disbarment list, she said she has already looked and none of the vendors that we have on our list that we plan on disbursing money to are on the list.

Director of Administration/City Recorder Vickie Nogle asked ARPA fund consultant Tonya Moffitt if the City needs to adopt a Resolution to start disbursing the funds.

Consultant Tonya Moffitt said there does need to be a Resolution stating what the plan is for the funds, how it is going to be spent and attach the plan that was laid out on who was getting the funds as an exhibit. She also said included in the Resolution should be something that states that if there are going to be any substantial changes, we will come back and do an amendment.

Consensus of City Council to direct staff to work with legal to prepare a Resolution to bring back

to the next Council meeting.

**MARION COUNTY CIRCUIT COURT JUDGE ERIOUS JOHNSON JR. INTRODUCTION.** Newly appointed Marion County Circuit Court Judge Erious Johnson Jr. introduced himself to the City Council. He said he was hired February 2, 2022, was sworn in on February 14, 2022, and took the bench on March 1, 2022. He came to Oregon in 2013 from New York and resides in Salem. He is looking forward to getting to know the communities in the area and is excited about his new position.

**APPEARANCE OF INTERESTED CITIZENS.** Janelle Jeli, 3745 10<sup>th</sup> Street, Hubbard, informed the City Council that during the Executive Session, if you stand in the hallway, you can hear everything that is said even when the door is shut.

**MAYOR'S AND/OR COUNCIL'S PRESENTATIONS.** City Councilor Robert Prinslow thanked the Public Works Department for taking care of the water situation so quickly that was caused by the fire hydrant being hit this morning.

**STAFF REPORTS:**

**POLICE DEPARTMENT- Police Chief Dave Rash.** Police Chief Dave Rash gave an update on the little girl that was hurt at the park. She had to get stitches but is doing ok.

Police Chief Dave Rash said that new hire Officer Chris Davis has done very well in his field training and will be on his own after tonight. He will be assigned to Sergeant Anderson's shift. Starting July 1, 2022, the plan is to have 24/7 coverage.

Police Chief Dave Rash stated Officer Wai was potentially looking to go somewhere else, but has decided to stay.

Police Chief Dave Rash said in regard to community outreach, the Police Department will be participating in Field Day June 15, 2022, at North Marion Middle School. They will also help with the closure of Streets on June 18, 2022, from 9:30 a.m. to 11:15 a.m. for the Marion Carl Memorial function. Lastly, National Night Out is August 2, 2022, and anyone that wants to participate can sign up with Police Administrative Assistant Molly Schwartz.

**HUBBARD FIRE DISTRICT – Chief Joseph Budge.** None.

**ADMINISTRATION DEPARTMENT – Director of Administration/City Recorder Vickie Nogle.** Director of Administration/City Recorder Vickie Nogle stated the City received a Community Prosperity Initiative Intergovernmental Agreement in the amount of \$45,000, and the Council agreed to earmark that for the "G" Street project. They have now increased the amount another \$30,000, in which we will be getting \$15,000 each year for the next two years. She went on to say in the Goal Setting Session, one of the City Council's projects was to update the Comprehensive Plan and UGB expansion, so she is asking if the City Council would like to earmark the \$30,000 to use for the Comprehensive plan and UGB expansion. Furthermore, she stated the whole cost for the Comprehensive plan and UGB expansion is approximately \$42,000.

City Councilor Robert Prinslow asked when the last time the Comprehensive Plan and UGB expansion was done.

Director of Administration/City Recorder Vickie Nogle said she believes it was last done in 2012.

City Councilor James Audritsh asked if getting the Comprehensive Plan updated will open up doors to get more funding and Grants.

Director of Administration/City Recorder Vickie Nogle responded not necessarily, the Comprehensive Plan and UGB expansion looks at the zoning, how the City has expanded and what the needs are for the City. This would expand the UGB out so the City can grow and which direction it can grow. She also said it is a State requirement to keep a certain amount of land for growth.

Director of Administration/City Recorder Vickie Nogle said we are doing the budget now, and without the \$30,000, then it is a big hit on the General Fund. She said she briefly spoke to Mayor Charles Rostocil about it and he suggested that she bring it up in this City Council meeting.

City Councilor Robert Prinslow said we need to address this, City Council has been putting this off, and it needs to be done.

Consensus of City Council is to earmark the extra \$30,000 and put in the FY 2022-2023 Budget for the Comprehensive Plan and UGB expansion.

**PUBLIC WORKS DEPARTMENT-Public Works Superintendent Michael Krebs.** Public Works Superintendent Mike Krebs said they have received a \$20,000 grant to put toward the Wastewater Facility Plant. It is proceeding nicely, the inflow and infiltration study for the sewer system is completed. Last week, there was a surveyor company that was taking a look at the sewer line and sewer pipe.

Public Works Superintendent Mike Krebs said the permit for the Wastewater Plant is currently going through an internal review with DEQ. After DEQ reviews it, we will have two weeks to look at it and make comments, then it goes out for Public Review, before it is completed. He went on to say a couple of the changes that he knows will happen is there will be a requirement for a limit on ammonia and also a limit on the temperature prior to being distributed into the creek.

Public Works Superintendent Mike Krebs said they are still looking for a Utility 1 worker and the first review will be May 30, 2022.

City Councilor James Audritsh asked when we will see any street repairs done.

Public Works Superintendent Mike Krebs said it will be after the budget is passed. He went on to say he has started the pothole repairs on A Street, but because of the bad weather it has not been completed yet, it was on his agenda for this afternoon, but an emergency came up he had to deal with when a truck hit a hydrant.



**CONSENT AGENDA.**

- A) Approval of City Council meeting minutes.
  - 1. April 5, 2022 Special
  - 2. April 12, 2022
  - 3. April 25, 2022 Special
- B) Approval of the July 2022 Check Register Report.
- C) Approval of the Water Fund Technical Assistance Project Financing Contract, and authorize the Council President to sign. *(Refer to Public Work Administrative Manager report).*
- D) Approval of Goldie Garber Heyerly application to use the Rivenes Park covered area and 3 picnic tables for the annual Garber Gathering Picnic Sunday, August 14, 2022, from 11:00 a.m. – 4:00 p.m. *(Refer to Public Works Administrative Manager report).*
- E) Accept the revised Personal Services Agreement with Civil West Engineering, for city engineering services and authorize Public Works Superintendent Mike Krebs to sign. *(Refer to Public Works Administrative Manager report).*

MSA/City Councilor Robert Prinslow /City Councilor Tyler Thomas motioned to approve Consent Agenda as read. City Councilor James Audritsh, City Councilor James Yonally, City Councilor Tyler Thomas and City Councilor Robert Prinslow were in favor. Motion passed unanimously.

**OTHER CITY BUSINESS.**

None.

**ADJOURNMENT - (NEXT REGULAR CITY COUNCIL MEETING IS SEPTEMBER 14, 2021, AT 7:00 P.M.)** MSA/City Councilor Tyler Thomas/City Councilor Robert Prinslow motioned to adjourn the meeting. City Councilor James Audritsh, City Councilor James Yonally, City Councilor Tyler Thomas and City Councilor Robert Prinslow were in favor. Meeting adjourned at 7:47 p.m.

ATTEST:



Charles Rostogil, Mayor



Vickie L. Nogle MMC

Director of Administration / City Recorder  
Recording



Julie Hedden

Administrative Assistant / Court Clerk  
Transcribing