

**CITY OF HUBBARD
CITY COUNCIL MEETING MINUTES
SEPTEMBER 13, 2016**

CALL TO ORDER: The Hubbard City Council meeting was called to order by Mayor Jim Yonally at 7:03 p.m. at the Hubbard City Hall, 3720 2nd Street, Hubbard.

FLAG SALUTE: Mayor Jim Yonally led the group in reciting the Pledge of Allegiance.

City Council Present: Jim Yonally, Angie Wheatcroft, Shannon Schmidt.

City Council Excused: Matt Kennedy, Barbara Ruiz.

Staff Present: Director of Administration/City Recorder Vickie Nogle, MMC; Public Works Superintendent Jaime Estrada; Senior Accounting Specialist Kari Kurtz; City Attorney Ashley Driscoll, Berry Elsner & Hammond; Police Chief Dave Dryden.

Mayor Jim Yonally added item 9.5 Approval of the LG16-008-Rivenes Park Restroom Project Agreement, and authorize the Mayor to sign.

DISCUSSION ON THE PROCESS FOR ADDRESSING CODE VIOLATIONS – ASHLEY DRISCOLL. City Attorney Ashley Driscoll recommended keeping Chapter 5.01 Business Registration as strictly revenue generating, and gave some suggestions on addressing concerns through ordinances. She said anytime the City’s Code is violated, the City can impose a monetary fine. If the individual disagrees with the fine, they can request a hearing before the Municipal Judge, and then appeal to the Circuit Court. She said the City can also amend the Municipal Code to allow for injunctive relief. A. Driscoll said another option is the City Council issue a cease and desist order. A. Driscoll stated lastly, the City can utilize a nuisance and abatement procedure which the City Council would declare the behavior a nuisance and follow an abatement procedure.

City Councilor Angie Wheatcroft asked how the City should handle when a business registers but they are operating differently than their business registration states.

A. Driscoll responded that in order to receive a citation, the activity has to be prohibited by a law or regulation.

Mayor Jim Yonally clarified if an operation is not specifically stated as not being allowed, the City has to declare it to be a nuisance and then follow the abatement process.

Chief Dave Dryden stated he agrees with putting injunctive relief language in the Municipal Code.

A. Driscoll said the Council needs to decide if they want the Municipal Judge to have the decision making authority or the City Council.

J. Yonally said he prefers the City Council making that decision.

A. Driscoll stated she is of the understanding there is a consensus the City Council would like to amend Chapter 1.2 to allow City Council to have a hearing and issue cease and desist orders for repeated violations of the City's Code.

The Consensus of the City Council is to direct the Police Chief to write a violation for the business located across the street, as it constitutes a noxious situation.

MARION COUNTY DISPOSAL INCREASE – MATTHEW COFER, REPUBLIC SERVICES. Matthew Cofer, Republic Services, 2215 N Front Street, Woodburn, reported that Marion County is increasing disposal rates by 30%. He said the price for metal has gone down and operational costs remain the same, so they are increasing rates to help make up for the shortfall. M. Cofer added that rates are based on the tonnage as the yard debris is not affected, it is simply disposal rates.

MSA/City Councilor Angie Wheatcroft/City Councilor Shannon Schmidt moved to approve the proposal for a disposal rate increase, and directed staff to prepare a resolution. City Councilor Angie Wheatcroft, City Councilor Shannon Schmidt, and Mayor Jim Yonally were in favor. Motion passed.

PROCLAMATION – IMAGINE A DAY WITHOUT WATER. Mayor Jim Yonally read the proclamation in its entirety.

COMMUNITY REPORTS

A. **MARION E CARL VETERANS MEMORIAL.** Linda Kleczynski, 2409 A Street, Hubbard, informed the City Council they will hold a Veterans Day ceremony on November 11, 2016, at 10:00 a.m., and will have two local citizens speaking at the event. There will be a color guard, refreshments, and a fly-over.

APPEARANCE OF INTERESTED CITIZENS. None.

MAYOR'S PRESENTATIONS, AND/OR COUNCIL'S PRESENTATIONS. There were none.

STAFF REPORTS.

PUBLIC WORKS DEPARTMENT. Public Works Superintendent Jaime Estrada pointed out Item #1 on his report. J Estrada stated the Hubbard Fire Department has been painting hydrants throughout the City.

ADMINISTRATIVE DEPARTMENT – Director of Administration/City Recorder V. Nogle, MMC. Director of Administration/City Recorder Vickie Nogle said she had nothing to add to her report.

Senior Accounting Specialist Kari Kurtz reported the 2015-2016 FY unaudited ending balance that was included in the packet shows \$71,000 as the original estimation. The current ending balance estimation is just over \$370,000.

POLICE DEPARTMENT – Police Chief Dave Dryden. Police Chief Dave Dryden said Don Sprague Sales has offered to host an event with the K-9 on October 15, 2016 from 11:00 a.m.-2:00 p.m.

Mayor Jim Yonally said he considers the crosswalk enforcement operations an unfortunate necessity. He asked that an individual email be sent to the Council prior to the event.

D. Dryden said it was advertised prior to the enforcement on Facebook, the City newsletter, etc.

City Councilor Angie Wheatcroft commented that advertising for it is everywhere.

D. Dryden mentioned there has been a much higher compliance since beginning the crosswalk enforcement operations. He added there are more warnings issued than citations.

APPROVAL OF JULY 12, 2016, CITY COUNCIL MEETING MINUTES. MSA/City Councilor Angie Wheatcroft/City Councilor Shannon Schmidt moved to approve the minutes as presented. City Councilor Angie Wheatcroft, City Councilor Shannon Schmidt, and Mayor Jim Yonally were in favor. Motion passed.

DISCUSSION REGARDING CITY HALL SIDING. City Councilor Angie Wheatcroft said she believes it needs to be done and it's best to do it right the first time.

Senior Accounting Specialist Kari Kurtz mentioned there is about \$18,800 in the Reserve Fund.

Mayor Jim Yonally asked if there was a guaranteed timeframe for the siding project.

Public Works Superintendent Jaime Estrada replied he did not have a specified timeframe yet, as those details have not been worked out.

Police Chief Dave Dryden suggested keeping in mind how the building will look when considering the material used for the siding.

The Consensus of the Council was to do the complete job as opposed to patching and to watch the funding within the next few months before starting the siding project.

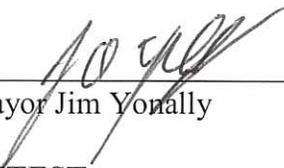
APPROVAL OF THE LG16-008-RIVENES PARK RESTROOM PROJECT AGREEMENT, AND AUTHORIZE THE MAYOR TO SIGN. MSA/City Councilor Angie Wheatcroft/City Councilor Shannon Schmidt moved to approve the project agreement and authorize the Mayor to sign. City Councilor Angie Wheatcroft, City Councilor Shannon Schmidt, and Mayor Yonally were in favor. Motion passed.

APPROVAL OF THE JULY AND AUGUST 2016 CHECK REGISTER REPORTS.

MSA/City Councilor Angie Wheatcroft/City Councilor Shannon Schmidt moved to approve the check register reports as presented. City Councilor Angie Wheatcroft, City Councilor Shannon Schmidt, and Mayor Yonally were in favor. Motion passed.

OTHER CITY BUSINESS. There was none.

ADJOURNMENT - (NEXT REGULAR CITY COUNCIL MEETING IS TUESDAY, OCTOBER 11, 2016, AT 7:00 P.M) MSA/ City Councilor Angie Wheatcroft/City Councilor Shannon Schmidt moved to adjourn the meeting. City Councilor Angie Wheatcroft, City Councilor Shannon Schmidt, and Mayor Yonally were in favor. Motion passed. Meeting adjourned at 8:00 p.m.

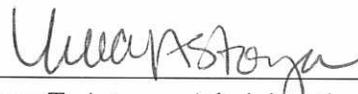


Mayor Jim Yonally

ATTEST:



Vickie L. Nogle, MMC,
Director of Administration/City Recorder



Lucy T. Astorga, Administrative Assistant
Transcribing