

**CITY OF HUBBARD  
CITY COUNCIL MEETING MINUTES  
JULY 14, 2020**

**CALL TO ORDER:** The Hubbard City Council meeting was called to order by Mayor Charles Rostocil at 7:00 p.m. at the Hubbard Fire Department. Members of the public were able to attend via ZOOM per COVID-19 restrictions.

**FLAG SALUTE:** Mayor Charles Rostocil led the group in reciting the Pledge of Allegiance.

**CITY COUNCIL PRESENT:** Mayor Charles Rostocil, City Councilor Robert Prinslow, City Councilor Tyler Thomas, City Councilor James Audritsh, City Councilor Michelle Dodge.

**STAFF PRESENT:** Director of Administration/City Recorder Vickie Nogle, Finance Director Judy Smith, Public Works Superintendent Michael Krebs, Police Chief Dave Rash.

**STAFF PRESENT VIA ZOOM:** Public Works Administrative Manager Melinda Olinger, Administrative Assistant / Court Clerk Julie Hedden, City Attorney Chad Jacobs (entered meeting at 8:13 p.m.).

**OTHER ATTENDEES:** Sue Dicile (Goal Setting/Strategic Planning), James “Ricky” Halbirt (entered meeting at 7:00 p.m. online), Tamra Goettsch, Marion County Community Services (entered meeting at 7:47 p.m. online), Matt Wadlington, Civil Engineering, Bethany Zito (entered meeting at 8:00 p.m. online and left meeting after Farmer’s Market Report).

**WORKSHOP – CONTINUED.**

**A) GOAL SETTING/STRATEGIC PLANNING – Sue Dicile.**

Mayor Charles Rostocil started off the meeting discussing the goal-setting notes that facilitator Sue Dicile handed out. Mayor Charles Rostocil said he would like to see a different format for the action plan and would like the City Map that was included to be divided up into zones to make it easier for the public to read.

Facilitator Sue Dicile said these are just notes and that she will work on having an action plan that is formatted differently.

Facilitator Sue Dicile opened up the strategic planning discussion with a review of the organizational issues and communication issues raised during the goal-setting process. It was discussed how communication between Staff and Council, among Council members, and among department heads be optimized. Sue Dicile gave a hand-out to Council and Staff that relates to the structure of government in the City. The points that were raised were; Without a city manager, “strong mayor” or commission form of government there is no designated hub of communication, staff struggles to keep Council and others in the loop, changes to previously made decisions are sometimes made based on communication between 2 parties, then all other

parties are caught unaware, and Department Heads may meet with the Mayor as a way to inform and be informed but this is not a responsibility he should take and there isn't a formal mechanism for sharing that information with others on the council.

Facilitator Sue Dicile led a discussion with City Council and Staff on how to have better communication where all members of the Council and Staff feel supported and respected, and how to optimize communication so everyone has the same information and no one gets blindsided or put on the spot, without violating the rules and policies that are in place regarding what constitutes a public meeting. She said intentions need to be set regarding these issues. Some of the intentions to set forth that were brought up during this discussion; sending back an acknowledgement that an email was received, department heads emailing updates as needed, copying Council and Staff, if one acts on behalf of all they let the others know, be careful to not give emotional responses, respect Staff expertise, and sharing information among Council and Staff so everyone is on the same page.

Facilitator Sue Dicile shared working agreement score cards from other Cities, rules of the road to follow, and asked Council and Staff to review them and asked if possibly Council can establish things on a working agreement scorecard that will help to hold themselves and each other accountable. She said she will send an email reminder for the Council or Staff to send her anything they would like to see on a working agreement and she will also write up the intentions that were discussed and set forth in this session.

**PUBLIC HEARING CONTINUED.**

**A) City of Hubbard – Sewer Reimbursement District (Kooiman Estates Subdivision) – Matt Wadlington, Civil West Engineering – Request to Continue to September 8, 2020.**

Mayor Charles Rostocil opened the Public Hearing at 8:07 p.m.

Mayor Charles Rostocil said a written memo from Staff and a letter from Multi-Tech Engineering Services, Inc. were included in the packet requesting the public hearing be Continued to allow time to gather additional information. Due to scheduling conflicts, staff is requesting the public hearing be held over to the September 8, 2020, City Council meeting.

Mayor Charles Rostocil said that he had four issues of concern regarding the inter-office memorandum and the letter that came in and said he will email Public Works Superintendent Mike Krebs with his questions and copy the other Council members.

Director of Administration/City Recorder Vickie Nogle reminded everyone that any correspondence will need to be entered into record at the September meeting.

Mayor Charles Rostocil asked if there are any questions of staff from the City Council. If not, is there a motion to continue the public hearing to September 8, 2020, City Council meeting.

MSA/City Councilor James Audritsh/City Councilor Tyler Thomas moved to continue the public hearing on the Sewer Reimbursement District (Kooiman Estates Subdivision) to the September 8, 2020, City Council meeting. Mayor Charles Rostocil, City Councilor Robert Prinslow, City Councilor Tyler Thomas, City Councilor James Audritsh, and City Councilor Michelle Dodge were in favor. Motion carried unanimously.

**FARMERS MARKET UPDATE – Bethany Zito.** Bethany Zito said at the last meeting at the end of June the Committee voted to cancel this year's Farmers Market because of the uncertainty of COVID-19. She also said they will reconvene in September and that she will officially step down as the Chairperson at that time. B. Zito said there is no one to take her place yet, but the Committee is actively looking for recruits and they are hoping they will find someone soon to take over as the Chairperson.

**MAYOR'S AND/OR COUNCIL'S PRESENTATIONS.** Mayor Rostocil thanked Councilor James Audritsh on the sidewalk work with Mike.

Mayor Rostocil asked Chief Rash if there was anything that could have been done to have prevented the fireworks going off until late at night after the 4<sup>th</sup> was over.

Police Chief Dave Rash said this is a law enforcement problem that happens in every city and it was particularly bad this year because the sanctioned fireworks shows were cancelled. He also said they had a lack of personnel because a few officers were scheduled off, so next year he is planning on restricting time off during the 4<sup>th</sup> of July, so there will be more officers on duty.

City Councilor Tyler Thomas said he is hearing from citizens issues about speeding, and also RV's/trailers be parked illegally.

Police Chief Dave Rash said he has gotten a couple of complaints of speeding in Lydia Loop, so he will try to move the speed trailer there and target that area. He stated if anyone has complaints of speeding to call the Police Department.

**COOPERATION AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THREE FEDERAL FISCAL YEARS 2021-2023 – Tamra Goettsch, Director Marion County Community Services Department.** Tamra Goettsch with Marion County Community Services said in September or October of 2019 they were notified by HUD that Marion County became eligible to be a block grant recipient of these funds that will help serve medium to low income individuals, as well as help with the development of infrastructure projects. She said in April of 2020 the County Commissioners agreed to participate in this program because they felt it was in the best interest of the Cities in Marion County and the communities would benefit from Marion County operating this federal program. T. Goettsch stated in June, Cities had the opportunity to opt out of the program, but all the Cities in Marion County that were approached opted in. This agreement tells HUD that if you sign this you would want to be eligible to apply for funds from Marion County program once it gets started, if you opt out you would then be eligible to apply to the State, Business Oregon, program and compete across the State for funds rather than within Marion County. Tamra Goettsch said opting out of this program, means you would have another chance to opt in next year, the following year, or

every year after that to make a decision if whether or not you want to participate but if you sign this agreement you are in for 3 years. She said once the County gets the signed agreements from all the Cities that want to participate; they will be submitted to HUD so they can move to the next step which would then begin the community engagement process, so they can gain input so they can decide how the program would be designed.

Director of Administration/City Recorder Vickie Nogle asked if Hubbard opts in for 3 years does that mean Hubbard will not be eligible to apply to Business Oregon.

Tamra Goettsch replied that is correct, signing this agreement says the money comes into the Marion County program, not signing says it stays with Business Oregon.

Finance Director Judy Smith asked if these are pass-through funds making the City a sub-recipient.

Tamra Goettsch said yes, and Marion County would be the administrator of the money and the program and they would have the major responsibility and HUD will help them identify where projects could be done (in low to medium income areas) that fit within the census blocks that are eligible.

Director of Administration/City Recorder Vickie Nogle said currently Hubbard is participating in the housing rehabilitation program with the assistance of the Council of Governments. She asked if that has any effect on this program.

Tamara Goettsch said these funds would not compete with that so it should not be a problem and the City would still be eligible for that program.

Tamra Goettsch with Marion County Community Services said this program does not cost money to participate in, it is strictly pass through funds and we are benefiting as long as the City is in compliance.

Mayor Charles Rostocil said it makes sense that all the Cities come together under Marion County instead of trying to go out and get Grants themselves.

Director of Administration/City Recorder Vickie Nogle asked Public Works Superintendent Mike Krebs and Public Works Administrative Manager Melinda Olinger if they have any concerns with this program and Business Oregon CBDG program they have participated in the past.

Public Works Superintendent Mike Krebs said Hubbard obtains funds from Business Oregon for large capital improvement projects. He asked if this will keep Hubbard from getting those funds for those types of improvements.

Tamra Goettsch with Marion County Community Services said that she is not sure. Mayor Rostocil asked if there was a deadline to getting the agreement signed.

Tamra Goettsch said the deadline is July 24th, but they are asking for an extension from HUD, and if the City Council needs an extension, they can contact her, or Lisa to get authorization for that.

Public Works Superintendent Mike Krebs said if Hubbard enters into this agreement, the City will not be eligible for larger CBGD funds, so his thoughts are to opt-out this year and look at doing it next year.

Mayor Rostocil said his concerns are all the unknowns, that it needs to be signed by the 24<sup>th</sup> of this month, and that not knowing the priorities is also a concern.

Consensus of City Council is to opt-out of the program this year and revisit opting into this program next year.

Tamra Goettsch with Marion County Community Services will send Director of Administration/City Recorder Vickie Nogle information on how to opt-out of this program.

**STAFF REPORTS:**

**HUBBARD FIRE DISTRICT – Chief Joseph Budge.** Chief Joseph Budge was not in attendance. No report given.

**POLICE DEPARTMENT- Police Chief Dave Rash.** Police Chief Dave Rash said the murder victim found in Wilsonville was labeled as living in Hubbard, but she did not live within the City Limits.

Police Chief Dave Rash said the shots fired call on June 24, was in Woodburn. He said Sergeant Anderson and other officers were called to help because they were looking for the subject.

Police Chief Rash said the District Attorney's office is going to a new system on how they do their case management and there is an interagency agreement. He said there is no cost, and it will start as soon as everyone signs it, and it will work similar as to what we have now.

Police Chief Rash said they conducted a pedestrian safety operation with a grant they received. It was conducted as more of an educational operation and 1 citation was handed out for fail to yield to a pedestrian. D. Rash said they had no complaints about it and plan on picking a different spot next year to conduct this operation.

**ADMINISTRATION DEPARTMENT – Director of Administration/City Recorder Vickie Nogle.** Director of Administration/City Recorder Vickie Nogle said you can now file for the upcoming election. She said the deadline is August 25, 2020, and because of COVID-19 the \$25 filing fee will apply in lieu of signatures.

**FINANCE DEPARTMENT – Finance Director Judy Smith.** Finance Director Judy Smith said she is in the middle of audit so she did not get the full reports in the packet because of the closing of the fiscal year and opening the new fiscal year. She stated there are less requests from

citizens to set up utility payment arrangements, and the late fees will be added later this week. J. Smith said she received a check for COVID reimbursement and the 2<sup>nd</sup> round is coming up.

Mayor Rostocil asked if she ever heard back from the citizen that still had an outstanding utility bill that was not able to be contacted.

Finance Director Judy Smith said she believes that bill was paid and that the landlord was contacted and it was resolved.

**PUBLIC WORKS DEPARTMENT-Public Works Superintendent Michael Krebs.** Public Works Superintendent Mike Krebs said he does not have anything to add at this time.

Mayor Rostocil asked if there was any concern between the bids received on the 5<sup>th</sup> Street improvement project because one of the bids is so much cheaper, are there quality concerns or any safety issues.

Public Works Superintendent Mike Krebs said no, that is just the way the bids worked out and there are no concerns with the low bid. He stated that included in the bids was the option of completing improvements on 5<sup>th</sup> Street between “F” and “G” streets, but at \$40,300 there is not enough money in the budget to do at this time.

Public Works Superintendent Mike Krebs said there is about \$130,000 in the budget to do the section between “G” and “J” Street, and approximately \$40,000 in the budget to do the sidewalk across the railroad tracks.

Mayor Rostocil asked why it would be so high at \$40,000.

Public Works Superintendent Mike Krebs said because now a survey needs to be done to see where the easement ends, and if it ends too soon, we will need to buy property from the railroad to be able to get it done. He also said it will cost \$10,000 to have the railroad engineers look at it, so there are a lot of hoops to jump through and that accounts for the high cost.

Mayor Charles Rostocil asked if they are going to do the sidewalk and then gravel between the street on the other side for parking?

Public Works Superintendent Mike Krebs said that one side already has it and the other side will get it, so it will be all uniform with a parking strip on both sides of the street.

City Councilor Audritsh asked if the neighbors have been told that they will lose some of their lawn.

Public Works Superintendent Mike Krebs said he will inform them by knocking on doors and utilizing door hangars so we should not have the same problem that we had on “G” Street. He went on to say property owners will repair their section to make it uniform with the rest of it, and the City is only doing 22 ft., gravel on each side and a 5ft. sidewalk on the west side.

Councilor Tyler Thomas asked about the trees on Pacific Highway 99E, when turning left from “A” Street you can’t see because of the trees.

Public Works Superintendent Mike Krebs said he has called the State and will keep trying to get a hold of them, it is an ODOT issue and he is also working on the drainage issue at “E” Street.

Councilor James Audritsh asked if they have time to spend on the weeds that are growing in the streets and sidewalks, and are they going to paint the curbs yellow.

Public Works Superintendent Mike Krebs said both of those are on the agenda to have done.

**DISCUSSION REGARDING SPLASH FOUNTAIN SEASON – Public Works.** Public Works Superintendent Mike Krebs said the rules have changed, and now social distancing monitors are not required only suggested, and as long as we have signs posted we can open. He said they are working at getting it running this week; they are waiting on some parts.

City Councilor James Audritsh asked if an announcement could be made when it is ready to open.

Public Works Superintendent Mike Krebs said it should be ready to open in August and they will keep the public and community updated.

City Councilor Robert Prinslow suggested getting information on what is going on in the City out to the public on a regular basis through the website and social media which will keep the City involved and updated.

**DISCUSSION REGARDING “G” STREET (BETWEEN 2<sup>nd</sup> AND 3<sup>rd</sup> STREETS) SIDEWALK PROJECT – Public Works.** Public Works Superintendent Mike Krebs said there is a second option with the “G” Street project, we can go to the Railroad and do an ordinance compliance letter, which means the Ordinance states the property owner adjacent to the sidewalk is responsible for the maintenance of the sidewalk. He stated this could be used toward the Railroad to get them to put the sidewalk in. M. Krebs stated he is running this scenario by legal, but there could be some legal challenges.

Mayor Charles Rostocil said his concern is if we go down a hostile negotiation path that it could be very hard to get them to work with us.

There was a consensus a hostile letter was not a good path to take on this project.

**DISCUSSION REGARDING 7<sup>TH</sup> STREET DRAINAGE ISSUE – Public Works.** Mayor Charles Rostocil said he read the email that was included in the packet and said he highlighted the sentence that the City might spend \$6,500 and may or may not fix the drainage issue.

Public Works Superintendent Mike Krebs said the Geo report said the area is full of rock and is likely to fill up with water and not drain.

Mayor Charles Rostocil asked if we can spend \$200 - \$1000 and bore some more sample holes until we find where it drains, and then build a pit there with a drainage line to move the water to a place where it will drain. He stated then we spend \$7,500 and actually fix the problem.

City Councilor Robert Prinslow stated he has the same concern, spending \$6,500 and it not working, but would be willing to spend more to find a solution so the problem can be fixed.

City Councilor James Audritsh said if we spend \$1,500 to bore more pockets, and there are none, at least we tried to fix the problem.

Public Works Superintendent Mike Krebs asked about the upgrade to the Water System that was talked about in the goal setting, is it something that City Council wants engineering done.

Mayor Charles Rostocil said the question is how much it is going to cost and what that upgrade will include. He stated if they are going to go for a bond on this, what is the cost per thousand, so we know what the homeowner would pay. If it looks like the amount is too costly and the bond will not happen, then we would need to trim back and work with what we already have.

There was a consensus authorizing Public Works Superintendent Mike Krebs to do some preliminary fact-finding assessment and find out what it will cost.

Public Works Superintendent Mike Krebs said he will talk to the City Engineer about it and get back to the Council with more information.

**CONSENT AGENDA.**

**A) Approval of Minutes.**

- 1. May 18, 2020, Budget Committee.**
- 2. June 9, 2020, City Council.**

**B) Approval of the June 2020 Check Register Report.**

**C) Approval to move Tim Steele (Utility Worker I) to step D of the Hubbard Salary Schedule, effective July 1, 2020. (*Refer to Public Works report*)**

**D) Accept and award the base bid only for 5<sup>th</sup> Street Improvements (between “G” and “J” Streets) to S-2 Contractors, Inc. in the amount of \$ 117,290, and to direct Staff to move forward to execute contract documents as approved by the City Attorney and schedule construction. (*Refer to Public Works report*)**

**E) Approval of Intergovernmental Agreement eProsecutor Usage Agreement between Marion County and the City of Hubbard to allow the Hubbard Police Department to access and print case information from the County’s District Attorney’s eProsecutor system.**

**F) Authorize Whitney Workman the use of Barendse Park to hold a fundraiser for the North Marion PTO August 1, 2020, from 1:00 p.m. to 4:00 p.m.**

MSA/City Councilor Tyler Thomas/City Councilor Michelle Dodge motioned to approve the Consent Agenda with an amendment to item 11F, that authorization is given but could be canceled dependent on state mandate COVID-19 regulations. City Councilor Robert Prinslow, Mayor Charles Rostocil, City Councilor Tyler Thomas, City Councilor Michelle Dodge, and City Councilor James Audritsh were in favor. Motion passed unanimously.

**APPEARANCE OF INTERESTED CITIZENS.** None

**OTHER CITY BUSINESS.** City Councilor James Audritsh said the Woodburn Kiwanas Club is doing a 5-card poker run fund raiser on Saturday, August 22, 2020 that will start in Woodburn, go to Silverton and end in Hubbard. Signage will be put up in town informing citizens of increased traffic.

**DISCUSSION REGARDING REOPENING CITY HALL/POLICE DEPARTMENT.**

Director of Administration/City Recorder Vickie Nogle said staff has put 6 ft. social distancing stickers on the floor in the hallways and in Council Chambers, signs wearing masks have been posted also. She stated we are able to seat City Council and Staff only in the Council Chambers due to social distancing guidelines. V. Nogle said three City Council members will be seated at the dais and two would be seated on the floor in front of the dais. She stated we will be holding Municipal Court but there will be two Officers helping escort people in and out of the building. V. Nogle said they will be required to have their temperature checked and face coverings.

City Councilor Robert Prinslow asked if there have been many requests or a calling from the public to have City Hall open.

Director of Administration/City Recorder Vickie Nogle said no, we have not heard of any issues with it being closed to the public because we have been trying to accommodate people using the drop box and the window.

Mayor Charles Rostocil said he would like to see the City Hall reopen. He stated other City Halls and Police Departments are open.

Police Chief Dave Rash said he does not know of any police departments that are open, and we have a City Hall that is very narrow, so it is hard to Social distance because of that.

Finance Director Judy Smith said social distancing does not work in City Hall.

Councilor Robert Prinslow said it is hard for staff to social distance in such a small area and if one person gets sick, then everyone would need to quarantine and has the chance of getting sick and he is in no hurry to open it up.

Finance Director Judy Smith said we are accommodating our citizens but has safety concerns because of COVID.

City Councilor Tyler Thomas said he would like it to be open, but because of the layout of the building, he is against opening it up.

City Councilor James Audritsh concurred with City Councilor Tyler Thomas.

City Councilor Dodge said she is on the fence, and if we are not getting the calls with any concerns that we are closed, then there is no rush to open.

After much discussion Council decided the City Hall and Police Department would remain closed to the public for the time being, and this topic will be revisited when it is appropriate to do so.

**COUNCIL RECESS OPEN PUBLIC MEETING AND CONVENE CLOSED EXECUTIVE SESSION TO REVIEW AND EVALUATE EMPLOYMENT-RELATED PERFORMANCE OF EMPLOYEES, AND TO CONSIDER INFORMATION OF RECORDS THAT ARE EXEMPT BY LAW FROM PUBLIC INSPECTION UNDER ORS 192.660(2)(f). 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.** Mayor Charles Rostocil declared the ORS for the executive session and opened the closed executive session at 9:52 p.m.

**COUNCIL CLOSE EXECUTIVE (CLOSED) SESSION AND RECONVENE PUBLIC (OPEN) MEETING.** Mayor Charles Rostocil closed the executive (closed) session and reconvened the public (open) meeting at 10:14 p.m.

**CALENDAR OF ORDINANCES.**

**A) Ordinance No. 369-2020. An Ordinance repealing and replacing Chapter 5.05 to prohibit Door-To-Door Solicitation at residences with posted “No Soliciting” signs; regulating hours; providing for procedures and penalties; and declaring an emergency.**

MSA/City Councilor James Audritsh/City Councilor Taylor Thomas moved to read Ordinance No. 369-2020 by title only for the first reading. Mayor Charles Rostocil, City Councilor Tyler Thomas, City Councilor James Audritsh, City Councilor Michelle Dodge, and City Councilor Robert Prinslow were in favor. Ordinance adopted unanimously.

Mayor Charles Rostocil read Ordinance No. 369-2020 by title only for the first reading.

MSA/City Councilor Robert Prinslow/City Councilor James Audritsh moved to read Ordinance No. 369-2020 by title only for the second reading. Mayor Charles Rostocil, City Councilor Tyler Thomas, City Councilor James Audritsh, City Councilor Michelle Dodge, and City Councilor Robert Prinslow were in favor. Ordinance adopted unanimously.

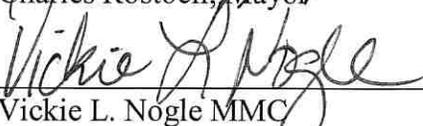
Mayor Charles Rostocil read Ordinance No. 369-2020 by title only for the second reading.

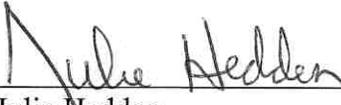
MSA/City Councilor James Audritsh/City Councilor Michelle Dodge moved to adopt Ordinance No. 369-2020. Mayor Charles Rostocil, City Councilor Tyler Thomas, City Councilor James Audritsh, City Councilor Michelle Dodge, and City Councilor Robert Prinslow were in favor. Ordinance adopted unanimously.

**ADJOURNMENT - (NEXT REGULAR CITY COUNCIL MEETING IS AUGUST 11, 2020, AT 7:00 P.M.)** MSA/City Councilor James Audtrish/City Councilor Tyler Thomas motioned to adjourn the meeting. City Councilor Robert Prinslow, City Councilor Tyler Thomas, City Councilor James Audritsh, City Councilor Michelle Dodge, and Mayor Charles Rostocil were in favor. Meeting adjourned at 10:18 p.m.

ATTEST

  
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Charles Rostocil, Mayor

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

  
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Julie Hedden  
Administrative Assistant / Court Clerk  
Transcribing