

City of Vale
City Council Minutes
June 25th, 2019

I. Call to Order Meeting called to order at 7:00 PM by Mayor McLaughlin

Councilors: Cm Williams, Cw Phillips, Cm Ault and City Attorney Sullivan were present.

II. Pledge of Allegiance was led by Mayor McLaughlin

III. Corrections or Additions to the Agenda

Mayor McLaughlin inquired about corrections or additions to the agenda. Cm Williams *motioned to accept the agenda as written. Cm Ault seconded the motion. The motion passed unanimously.*

IV. Approval of Minutes of June 11th, 2019

Cm Ault motioned to approve the Minutes of June 11th, 2019 as written Cw Phillips seconded the motion. The motion passed unanimously

V. Payment of Bills:

Cm Williams motioned to pay the bills in the amount of \$17,944.51 with Cw Phillips seconding the motion. The motion passed unanimously.

VI. Reports & Council Action on Reports.

No City Manager Report CM LAMB is in HAWAII

VII. Reports & Council Action on Reports.

- A. Airport Committee- *No meeting was held.*
- B. Public works- *Cm Ault reports Dave Roberts is still moving towards a project purposing different plans to Annex the property from 17th and Elsworth St, Oregon Heath authority, and public works needs a new pickup to replace the failing one.*
- C. Parks & Recreation – *Member not present.*
- D. EMS – *No meeting was held*
- E. Beautification Grant- *No new applications.*
- F. Library – *No meeting was held.*

VIII. Public Comment/Presentation

IX. Old Business

1. School Water Line Up-date

Moved to executive session

2. Senior Center Agreement

Mayor McLaughlin opens the discussion reviewing provided documents to spark discussion for the council. Cw Phillips questions from provided documents the intention of the city, after the five-year period ends is the city to transfer the deed to the seniors? Larry states, the letters from Barton do not speak for all of council, they are grandfathered and were wrote in 2006 before any final decisions were made. Oregon law does require before the city donate any property to a nonprofit organization they must include a reversionary clause stating that property should come back should it no longer be used for a public purpose. In which a senior center would be included. Who is going to have ownership? Larry suggests something should be done in writing to provide a course for the future. The council does not have to decide right away and may wait until they have enough documents to support their decisions. Larry suggests having something in writing now, the city could extend the current agreement with the senior center until one party gives notice to terminate and at that time a new arrangement would be worked out.

Phillips to seniors, how do you feel about the community using the facility?

President Ray- we were waiting for it to be ours, so we have the authority to offer it to the community. Has the current agreement been good? We've abided by the agreement, from past council discussion the seniors have been under the impression that after the 5-year period the facility would become theirs and they would willingly open it to the community with guidelines and regulate how renters operate. To insure the protection of their facility that they have put their time and money in to.

Kim Recla – the previous documents and letters have left the seniors under the impression after the 5-year period that the property would be deeded over to them. They are ready for the property to be deeded over as it was agreed to before. It seems the current city council is changing the rules of the game in the 3rd quarter.

CM Williams- was on the council, and the facility is to be used as a community center. At the end of the 5 years, the city was to take over and open it to the community. It was never an intent to take it away from the seniors but to ensure that it will be open to the community center.

CM Williams – concern is should the property be deeded over to the seniors and say they will open I to the community but once they get the deed then what would stop them from closing the doors to the community.

Recla – seniors agree to open it to the community. Should something be in writing stating the seniors will abide by that and then hand over the deed to the seniors?

CM William would rather see the deed in the city possession and continue letting the seniors manage and operate the facility. The city would then be able to ensure that it would stay open to the community.

Mayor McLaughlin – how would the seniors feel with Attorney Sullivan's suggestion to continue the current agreement?

Recla- why should it drag on they are ready to take it over.

An agreement should be made up with a statement that the facility would be used for both a senior center and community center both parties get together with lawyers to represent both sides and come to an agreement.

Sullivan suggests - The council could do a 99-year lease that would impose those sorts of requirements. There are a lot of other options that will allow seniors control. The purpose of these meetings is to allow council and public to review these options.

Sullivan – should a major repair need to take place at the facility can the seniors cover that.

Senior member - The seniors always have the Woods Grant to fall back on, but they could come up with the funds to manage the repairs. They have taken care of the repairs far. As well as insurance policies, the seniors have obtained their own insurance coverage along with the required insurance from the city.

The seniors have put their own personal money into the facility, they most likely wouldn't have done so if they were not under the impression the property would be deeded over to them at the end of the five-year period. Seniors feel they could meet all the requirements by the city to have it deeded over with a contract including council requirements.

CW Phillips- the seniors have made the facility what it is and has no problem deeding over the property with a contract including council requirements not excluding the community.

CM Williams- Never opposed to the seniors operating the facility, biggest concern is that it doesn't get locked down to strictly just seniors. Will feel more secure when something is provided in writing.

Recla - It is to the senior's advantage to open the facility to the community. It was never the senior's intent to not allow other age groups to use the facility. The five-year contract is what held them up to open it to the community. The seniors have worked hard for the facility and they want it to be theirs.

Council discusses the option of a 99-year lease as the next best thing to the seniors obtaining the deed, with an incredibly low annual fee. The City would still have liability on the facility, so they would need to continue providing insurance. It would be cheaper for the City to deed over the property rather than continue paying insurance, the seniors already have their own insurance as well.

With two council members not present, the council feels they should be included in the final decision. Council ends the discussion with the options off a 99-year lease and or deed over the property with a contract. The Council wants the seniors to have the facility. They have earned it, they deserve it. The facility will be the seniors the council feels they have to find the best way to protect both sides.

X. New Business

1. Request approval for 36 new 95-gallon carts for \$2,457.72.

Cw Phillips motioned to approve the request for 36 new 95-gallon carts for \$ 2,457.72 with Cm Ault seconding the motion. The motion passed unanimously.

2. Resolution 19-05 expense transfers

Cw Phillips motioned to accept Resolution 19-05 A resolution to recognize unanticipated expenses and effect to a transfer of appropriations for the fiscal year 2018-2019 with Cw Williams seconding the motion. The motion passed unanimously.

3. Sheriff's contract

Council reviews the provide document Annual Exhibit for July 1, 2019 – June 30, 2020. Cm Ault addresses his concern with the no backfilling. Should two employees quit who would fill that position? The council does not want to be left with no one to fill the position. Cm Williams addresses his confusion towards the \$26,000 for overtime. Mayor McLaughlin informs council that is something CM Lamb was already in the process of looking into that matter. Council will wait to obtain answers to theses questions before a motion is carried out, as the contact will continue for another year.

4. \$5,000.00 approved for a pickup for Public Works, have submitted the application for the Idaho surplus
Cm Ault motioned to approve the City to spend up to \$5,000 to replace the failing public works pickup with Cw Phillips seconding the motion. The motion passed unanimously.

XI. Other Matters

XII. Executive Session; YES; Pursuant to ORS 192.660 (2) (h)

XIII. Adjourn to Tuesday July 9th, 2019 Council at 7:00PM

Cm Ault motioned to adjourn Tuesday July 9th, 2019 at 7:00 PM with Cm Williams seconding the motion. The motion passed unanimously.


Mayor McLaughlin