

# HERMISTON CITY COUNCIL

Regular Meeting

September 14, 2020

Mayor Drotzmann called the regular meeting to order at 7:00pm and announced the meeting was streaming live on YouTube. Present were Councilors Hardin, Myers, Davis, Gutierrez, Primmer, Barron, and McCarthy. Councilor Smith was excused. In attendance were City staff to include: City Manager Byron Smith, City Attorney Gary Luisi, Assistant City Manager Mark Morgan, Chief Edmiston, Finance Director Mark Krawczyk, Planning Director Clint Spencer, and City Recorder Lilly Alarcon-Strong. The pledge of allegiance was given.

## **Citizen Input on Non-Agenda Items**

Becky Hayden, 309 W Laird Ave- Stated she has been in communication with code enforcement for the last six years regarding debris and rodents coming from a neighbor's property at 903 SW 4<sup>th</sup>. Mrs. Hayden asked that the Council help settle these unresolved code enforcement issues.

Maria Duron, 1280 W Madrona Ave- Introduced herself as an At-Large Council Candidate for the November election. Mrs. Duron stated she has lived in Hermiston for 28 years and served as a School Board Member with Mayor Drotzmann for 8 years. She believes it's important for Hispanics to help lead and bridge the gap and is excited to continue serving the City and community as a Latina and hopefully as a City Councilor.

## **Consent Agenda Items**

Councilor Davis moved and Councilor Hardin seconded to approve Consent Agenda items A-D, to include:

- A. Committee Vacancy Announcements
- B. Initiate annexation proceedings 4N2802BC TL 1900 - 315 E Theater Lane
- C. Public Notice of Election of City Officials on November 3, 2020
- D. Minutes of the August 24, 2020 City Council Meeting

Motion carried unanimously.

Mayor Drotzmann thanked all five council candidates that are running for the four At-Large Council seats.

## **Public Hearing- Zoning Amendment- 157.055 (B) Temporary Emergency Shelter (Ordinance No. 2308)**

Mayor Drotzmann read the hearing guidelines and after hearing no declarations of conflict of interest from the Council opened the hearing at 7:12pm.

Planning Director Clint Spencer gave information regarding a proposed text amendment to the zoning ordinance to allow temporary emergency shelters as conditional uses in the City's light industrial and heavy industrial zones, and among other things proposed, shelters must be at least 1,000 feet from a school, park or other shelter.

## **Proponents**

Allan Lambert, PO Box 1283- stated he is in favor of the proposed amendments requiring shelters to be away from parks and residential homes. He also wants to be clear with his prior statements, he has never been against helping homeless people who truly want to be helped, not those who just want to live off of handouts, and people should not be ridiculed because they don't support homeless shelters being next to parks. He knows first hand what it's like to be homeless as many years ago he too was homeless sleeping under bridges in the rain, living in a car and knows what it's like to be hungry. Mr. Lambert stated the amendments are good and encouraged the Council to approve them.

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Hearing no opponents or neutral parties who wished to address the Council, the Council agreed to close the hearing and record at 7:25pm.

Mayor Drotzmann stated Mrs. Cathy Lloyd, Stepping Stones Director, reached out to him and City Manager Smith to let them know she was unable to attend the meeting due to poor air quality caused by the fires.

City Manager Smith, Planning Director Spencer, and the City's Land Use Attorney Mike Robinson answered questions from the Council regarding the definition of school's being defined as public and private K-12 schools and does not include preschools or colleges, the small amount of land available in the light and heavy industrial zones, road safety for homeless traveling to potential sites as Hwy 395 is dangerous, and how Stepping Stones was clouded by the originally proposed location but their overall goal is to be given the option to build.

Councilor McCarthy moved and Councilor Hardin seconded to incorporate the project file in the record. Motion carried unanimously.

Councilor Davis moved and Councilor Myers seconded to approve the Findings of Fact as presented by Planning Director Clint Spencer. Motion carried unanimously.

Mayor Drotzmann thanked the community for voicing their views and participating in this challenging conversation and knows that everyone wants the best outcome for the community. Mayor Drotzmann thanked the Planning Commission and Planning Department for all of their work on this amendment.

## **Ordinance No. 2308- Zoning Amendment for Temporary Emergency Shelter**

City Manager Smith stated this information was presented during the Public Hearing.

Mayor Drotzmann requested that the first reading be by title only. Hearing no opposition, City Attorney Gary Luisi read the ordinance by title only. Mayor Drotzmann requested that the ordinance be put on for final adoption at this meeting and that the second reading be by title only. After City Attorney Gary Luisi read the ordinance by title only for the second reading. Councilor Myers moved and Councilor Gutierrez seconded that Ordinance 2308 be adopted and become effective 30-days after adoption by the City Council. 7 votes for; none against. Motion carried unanimously.

## **Ordinance No. 2309- Amending Chapter 139 of the Municipal Code, Entitled "Procedure to Obtain Administrative Warrant."**

City Manager Smith stated this amendment came to light as part of the extensive code review by the City, and, if approved, would allow specific authority for the Municipal Court to issue administrative warrants for issues like nuisance abatement.

Mayor Drotzmann requested that the first reading be by title only. Hearing no opposition, City Attorney Gary Luisi read the ordinance by title only. Mayor Drotzmann requested that the ordinance be put on for final adoption at this meeting and that the second reading be by title only. After City Attorney Gary Luisi read the ordinance by title only for the second reading. Councilor Primmer moved and Councilor Barron seconded that Ordinance 2309 be adopted and become effective immediately after adoption by the City Council. 7 votes for; none against. Motion carried unanimously.

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## **Acceptance of Councilor Douglas Smith's Resignation**

City Manager Smith stated Councilor Douglas Smith submitted a letter of resignation, effective September 4, 2020, for his City Councilor position, for personal reasons. The Charter states the Council must vote on whether or not they choose to accept the resignation. If they Council accepts the resignation they must decide on how to move forward filling the vacancy, which will be discussed after Council action is taken.

Councilor Gutierrez moved and Councilor McCarthy seconded to accept the resignation of Councilor Douglas Smith. Motion carried unanimously.

Mayor Drotzmann thanked Councilor Smith for the almost six years he served as a Councilor and the work he did to represent everyone in the City, not just as a City Councilor, but as a retired law enforcement officer as well.

City Manager Smith stated the Council has a few options:

- Take no action
- Wait until the March 2021 Special Election to fill the vacancy
- Immediately, after all noticing requirements are met, appoint a candidate to fill the vacancy until the March 2021 Special Election
- Follow another path for appointment

After some discussion, Councilor McCarthy declared a conflict of interest as he lives in Ward IV and could be considered a future candidate for this position. Councilor Primmer moved and Councilor Myers seconded to direct staff to follow a process to appoint a candidate, after the November 3<sup>rd</sup>, General Election to serve as Ward IV Councilor until the Special Election in March 2021. Motion carried 6-1 with an abstention from Councilor McCarthy.

## **Committee Reports**

Stepping Stones Board (not a City Committee)- Councilor Hardin stated the Board will meet next week.

Public Infrastructure Committee- Mayor Drotzmann stated Councilor McCarthy has volunteered to replace Councilor Kirwan on this Committee but now needs another volunteer to replace Councilor Smith. All committee appointments will be reviewed and appointed in January 2021. Councilor Primmer volunteered.

## **Mayors Report**

Mayor Drotzmann spoke regarding:

- Funland Park progression, which is to be completed in the Spring of 2021 due to COVID-19 and weather delays. The public is also encouraged to watch the construction progress, in real-time, online.
- Encouraged the Council to register for the League of Oregon Cities (LOC) Annual Conference in October and spoke regarding the People of Color Caucus that Councilor Barron represents.

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## **Council Reports**

Councilor Barron stated he recently visited Mexico for a family funeral, while there, he was able to see how Mexico is doing with similar COVID restrictions and the same hurdles the US is experiencing. Although no system is perfect, he is thankful for the US and the different perspective he was able to obtain by visiting Mexico.

Councilor Gutierrez thanked all first responders and stated they should be kept in our prayers, and thanked the quick responses to help fight the fire in Umatilla.

Mayor Drotzmann stated he is thankful Hermiston is not having the catastrophes that other communities are currently facing.

## **Manager's Report**

City Manager Smith spoke regarding:

- Lifeways, Aspen Springs facility, received state approval to open and starting today, is welcoming patients
- The City received recognition for the effective and efficient water meter project
- Construction progress continues for the Library, however, due to area fires, the plumbing construction crew has been delayed and the project completion date may be postponed
- Will have new proposed exterior renderings of City Hall available for Council review and comment in October

## **Presentation- Hermiston School District Updates**

Human Resources Director, Jake Bacon, gave updates to include:

- Student enrollment for the first week of school is down compared to the same time frame last year and in spring of 2020. Part of this is due to kindergarten parents deciding to hold off enrolling their children until next year, due to COVID and distance learning, as well as families enrolling students in the School Districts home school program
- Nelson Construction was awarded the Softball Complex construction bid. Sept 29<sup>th</sup> has been tentatively scheduled for a ground-breaking ceremony
- At today's meeting, the School Board chose the name Loma Vista for the new Elementary School off of Theater Lane.

Mayor Drotzmann stated he was disappointed to learn school was cancelled today due to the poor air quality and spoke regarding the City continuing to advocate for higher broadband internet speed.

Mr. Bacon stated school was cancelled for the second half of the day only, so students were able to have instruction time with their teachers the first half of the day, as usually scheduled. Mr. Bacon stated larger families are still experiencing internet issues and are being encouraged to call the school for assistance.

Councilor McCarthy thanked Jeff Kelso and other IT School District staff for contacting families, in-person, to help them with distance learning and any other issues they may be experiencing.

Mayor Drotzmann thanked the community for social distancing, wearing masks, and washing hands as COVID numbers continue to decline so kids can get back to in-person school.

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## **Adjournment**

There was no other City business and Mayor Drotzmann adjourned the regular meeting at 8:15pm.

SIGNED:

/s/Dr. David Drotzmann

Mayor

ATTEST:

/s/Lilly Alarcon-Strong, CMC

City Recorder

DRAFT