

**City of Lowell, Oregon
City Council
Regular Meeting Minutes
February 6, 2024**

The Lowell City Council held a regular meeting on February 6, 2024. The meeting location was Lowell Rural Fire Protection District Fire Station 1 at 389 N. Pioneer Street, Lowell, OR 97452. Mayor Bennett called the meeting to order at 7:02 pm.

City Councilors present:

Mayor Don Bennett, Gail Harris, Maureen Weathers, Jimmy Murray

City Councilors absent:

Tim Stratis

Staff/others present:

City Administrator Jeremy Caudle

Approval of the agenda:

CA Caudle asked to remove the Public Works report and City of Oakridge Police Report.

Consent agenda:

1. December 19, 2023 regular meeting minutes
2. January 2, 2024 regular meeting minutes
3. January 3, 2024 joint City Council/Planning Commission minutes
4. January 16, 2024 regular meeting minutes
5. December 2023 check register
6. December 2023 financial statement

Councilor Weathers moved to approve the consent agenda, which Councilor Harris seconded. APPROVED: 4-0.

Public comments:

None.

Council comments:

Mayor Bennett likes the new simplified financial statements as a supplement to the detailed financial statements.

Staff reports:

City Administrator's report

Highlights from the report:

- The FY 24/25 budget process is underway.
- RAIN's community survey was included in the packet.
- The wastewater master plan is nearing completion.

- The city's cybersecurity grant, with LCOG's assistance, is working through the process.
- Staff continue to work on various financing and grant options for water treatment projects.
- Impacts to city government from the January ice storm were minimal.
- Meetings with the Parks Committee and LCOG personnel services.
- Staff do not anticipate applying for parks grant funding this year.
- 3 new land use applications are working through the review process.
- CA Caudle spent much of January working on the camping ordinance.

CA Caudle reported the following:

The City Council approved Resolutions 806 and 809 on June 27, 2023. Resolution 806 made supplemental appropriations due to unforeseen circumstances. This resolution included two interfund loans. One in the amount of \$76,200 from the Sewer Fund to the General Fund. The other is in the amount of \$20,342 from the Sewer Fund to the General Fund. Resolution 809 authorized these interfund loans, to be repaid on or before June 30, 2024.

As explained in the recitals sections of both resolutions, staff projected revenues shortfalls in the General Fund and Water Fund, in turn requiring the interfund loans. After the close of the 2022-2023 fiscal year, however, the actual activity of the General Fund and Water Fund showed that these two funds to be in better financial condition than projected. For that reason, staff did not enter the interfund loans for the General Fund and Water Fund, as they were unnecessary.

Resolutions 806 and 809 stated that the interfund loans were authorized. In staff's interpretation of the resolutions, this did not necessarily mean that staff were directed to enter the loan. As such, we exercised our discretion in a way that we believe makes administrative and financial sense.

Presentations:

1. Presentation by Umpqua Valley Financial LLC of the 2022-2023 fiscal year audited financial statements.

Presenters: Steve Tuscherer, CPA – President; Josh Huffman – Vice-President – General Management & Senior Audit Associate; Ashraf Farishta Lakhina, CPA – Senior Tax & Audit Associate; Savannah Halter – Communications Manager & Audit Associate; Layli Nichols – contact accountant (all via Zoom).

Steve Tuscherer discussed the FY 22/23 audit process. His company's opinion gave the city an "unqualified report." Tuscherer discussed the modified cash basis of accounting and the types of reports found in the annual financial statements, among other topics.

Budget Committee member John Petrie was in the audience. He stated that the government-wide reports provided a financial picture similar to what he's used to in private sector accounting.

Budget Committee member Bill George was also in the audience. He asked about why it's necessary to account for depreciation.

Tuscherer complimented Layli Nichols on her work on preparing the annual financial statements.

New business:

1. Review draft Ordinance 312, “An Ordinance to Comply with HB 3115 by Repealing Ordinance 240; Adopting Time, Place, and Manner Regulations for Camping; Amending Regulations Regarding Hauled Wastewater Discharging to Accommodate RV Camping on Residential Property; and Repealing the Offense of Vagrancy from Title Five of the Lowell Revised Code.

CA Caudle presented a draft of the ordinance. The council is ready to schedule a first reading.

2. Motion to approve a “Grant Agreement” with the Oregon Business Development Department for project number C2023830 in the amount of \$306,420 and to authorize the Mayor to sign.

Councilor Harris moved to approve a “Grant Agreement” with the Oregon Business Development Department for project number C2023830 in the amount of \$306,420 and to authorize the Mayor to sign, which Councilor Murray seconded. APPROVED: 4-0.

3. Motion to authorize the City Administrator, City Clerk, and Councilor Harris to request payments from the Oregon Business Development Department for project number C2023830.

Councilor Murray moved to authorize the City Administrator, City Clerk, and Councilor Harris to request payments from the Oregon Business Development Department for project number C2023830, which Councilor Weathers seconded. APPROVED: 4-0.

4. Motion to approve an “Engineering scope of services” with Civil West Engineering in the amount of \$4,179.00 for a “Water treatment plant CT study 2024” and to authorize the City Administrator to sign.

CA Caudle stated that this project could increase the city’s production capacity for drinking water. The project will start in spring.

Councilor Murray’s motion to approve an “Engineering scope of services” with Civil West Engineering in the amount of \$4,179.00 for a “Water treatment plant CT study 2024” and to authorize the City Administrator to sign was seconded by Councilor Harris. APPROVED: 4-0.

5. Motion to approve an “Oregon Cooperative Procurement Program” agreement with the Oregon Department of Administrative Services, Enterprise Goods and Services Division, Procurement Services in the amount of \$500 and to authorize the City Administrator to sign.

CA Caudle stated that this program would allow the city to purchase goods and services on state contract. With this program, could save time and money by not having to obtain competitive bids for many types of procurement needs.

Councilor Murray's motion to approve an "Oregon Cooperative Procurement Program" agreement with the Oregon Department of Administrative Services, Enterprise Goods and Services Division, Procurement Services in the amount of \$500 and to authorize the City Administrator to sign was seconded by Councilor Weathers. APPROVED: 4-0.

6. Motion to authorize the City Administrator to pay \$25,000 into the trust account held with Thorp, Purdy, Jewett, Urness & Wilkinson, PC pursuant to the "Contract for legal services" approved on August 1, 2023 for litigation versus Charter Communications and C-2 Utility Contractors.

CA Caudle reported that the trust account with the city's outside legal counsel regarding the E. 1st Street litigation has been exhausted. He referenced a summary of legal expenses in the packet. This would replenish the trust account for the next stage in the case.

Councilor Murray's motion to authorize the City Administrator to pay \$25,000 into the trust account held with Thorp, Purdy, Jewett, Urness & Wilkinson, PC pursuant to the "Contract for legal services" approved on August 1, 2023 for litigation versus Charter Communications and C-2 Utility Contractors was seconded by Councilor Harris. APPROVED: 4-0.

7. Motion to authorize the City Administrator to sign and submit a support letter for land use application #2024-02 submitted by applicant TYJB LLC for a parking lot located on the city-owned vacant lot identified as map and tax lot 19-01-14-24-07100.

CA Caudle reported that the letter is intended to document the city's consent for a private party to submit a land use application on the city's behalf. Since the private party is doing the construction work on city property, CA Caudle advised that the city's consent for the project should be documented in the land use application record.

Councilor Harris's motion to authorize the City Administrator to sign and submit a support letter for land use application #2024-02 submitted by applicant TYJB LLC for a parking lot located on the city-owned vacant lot identified as map and tax lot 19-01-14-24-07100 was seconded by Councilor Murray. APPROVED: 4-0.

8. Motion to approve Resolution 825, "To correct a miscalculation in Resolution 818 thereby ensuring an accurate amended budget for the library department."

There was discussion about the need for a supplemental budget. CA Caudle showed the Oregon Department of Revenue's "Local Budgeting Manual" on the TV. CA Caudle reviewed the "Budgeting Manual's" explanation of when a supplemental budget is required for contingency transfers.

Councilor Harris moved to approve Resolution 825, "To correct a miscalculation in Resolution 818 thereby ensuring an accurate amended budget for the library department," which Councilor Murray seconded. APPROVED: 5-0.

9. Motion to approve Resolution 826, "To correct a miscalculation in Resolution 819 thereby ensuring an accurate amended budget for the library department."

Councilor Murray moved to approve Resolution 826, "To correct a miscalculation in Resolution 819 thereby ensuring an accurate amended budget for the library department," which Councilor Harris seconded. APPROVED: 4-0.

10. Motion to approve Resolution 827, "A resolution authorizing the transfer of appropriations within funds." – Discussion/ Possible action

Councilor Harris moved to approve Resolution 827, "A resolution authorizing the transfer of appropriations within funds," which Councilor Murray seconded.

As the decision was not unanimous following a voice vote, Mayor Bennett asked CA Caudle to call the roll.

Mayor Bennett: YES, Councilor Harris: YES, Councilor Weathers: NO, Councilor Murray: Yes.

ARPPROVED: 3-1.

Other business:

1. Meeting reminder: Thursday, February 29 at 6:00 pm – Public information session on Lookout Point dam drawdown

Mayor comments:

None.

Councilor comments:

None.

Community comments:

John Petrie. Marina Vista Drive. Asked about the 15% maximum contingency transfer requirement discussed earlier. His question was if the 15% applies to one transaction allowing multiple 15% transfers.


CA Caudle responded that the 15% limit applies to cumulative transfers of contingency.

Petrie also asked if the Planning Commission would review the parking lot proposal.

Various members of the council responded, "Yes."

Adjourned at 8:24 pm.

APPROVED:



Don Bennett, Mayor

ATTEST:



Jeremy Caudle, City Recorder

APPROVED AS AMENDED