

**City of Lowell, Oregon
City Council
Regular Meeting Minutes
July 16, 2024**

The Lowell City Council held a regular meeting on July 16, 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, Tim Stratis, Maureen Weathers

City Councilors absent:

Gail Harris, Jimmy Murray

Staff/others present:

CA Caudle; Public Works Director Max Baker (via Zoom)

Approval of the agenda:

CA Caudle requested:

- Removal of #1 under new business, "Consideration of Amendment 1 to the City Administrator Employment Agreement. – Discussion/ Possible action."
- Addition of "City Administrator explanation of vacation accrual issue" under other business.

Consent agenda:

1. May 21, 2024 regular meeting minutes
2. June 4, 2024 regular meeting minutes
3. June 18, 2024 regular meeting minutes
4. July 2, 2024 regular meeting minutes
5. June 2024 check register

Councilor Stratis moved to approved the consent agenda, which Councilor Weathers seconded.

Mayor Bennett: YES; Stratis: YES; Weathers: YES.

APPROVED: 3-0.

Public comments:

Jerry Oltion. Secretary of Eugene Astronomical Society. 750 Brookside Drive, Eugene. Provided suggestions on how better to enforce the city's "dark sky" ordinance.

Council comments:

None.

Staff reports:

1. City Administrator
 - Continued training on ePermitting through Building Code Divisions.
 - The library intends to sell the bookshelves at the old City Hall during its annual book sale during Blackberry Jam Festival. The estimated value of each shelf is \$25, with a total estimated value of less than \$500 for all bookshelves. Since the total estimated value is less than \$500, the City

Administrator intends to dispose of the surplus property using whatever means is advantageous to the city.

- Interviews are scheduled for the new Public Works position.
- DEQ completed review of the wastewater treatment master plan.
- The Oregon Department of Emergency Management did not recommended approval of the city's cybersecurity grant application for funding.
- After an informal consultation with the school district on a restroom facility construction, staff determined that the project is a Type I ministerial process that can go straight to building permit application.
- Met with the Hyland Lane developers on the parking lot proposal.
- Met with a citizen who's interested in starting a food truck business.
- Met with the Sunset Hills development team to wrap up that project.
- Received a hillside development application approval, as well as a final inspection.
- Contacted a vendor who provides minutes taking services.
- Prepared property tax certifications and turned in to the Lane County Assessor. Turned in shared revenue certification. Need to turn in compiled budget document to Lane County Clerk.
- Received 3 complaints, which were detailed in the report.
- Recognized Mike Cobiskey for pressure washing and repainting Rolling Rock Park sidewalks.
- The keycards for the City Hall/library locks are working now.

2. Public Works

- Fire restrictions are in effect.
- Park restrooms remain closed due to vandalism.
- The latest testing indicates a "non-detect" for algae toxins.
- Water production is at its highest levels.
- Staff met with OHA regulators to discuss the Lookout Point drawdown and the possibility of using the wells as an emergency measure.
- The Public Works Director explained ways to mitigate debris around the water intake given that the airburst retrofit was removed from the ECWAG proposal.
- Annual maintenance is underway for the wastewater collections system.
- Review of applications for the Utility Worker Trainee position is underway.

3. Library

- Report provided in packet.

Old business:

1. Correction to the "Financial and accounting consultation services" agreement with Layli A. Nichols approved on July 2, 2024. –Discussion/ Possible action

CA Caudle explained that at the July 2 meeting, City Council approved a contract for financial and accounting services. After the meeting, however, staff discovered an error in the compensation section. The monthly services cost in the original contract was \$27,106, and the audit services cost was listed as \$5,000. However, these amounts are incorrect. The correct amount for monthly services is \$32,104, and the correct amount for audit services is \$5,250. These are the amounts that are entered in the FY 2025/2025 budget.

Councilor Weathers moved to rescind the July 2, 2024 approval of the "Financial and accounting consultation services" agreement with Layli A. Nichols, and to approve the corrected contract as presented, which Councilor Stratis seconded.

Mayor Bennett: YES; Stratis: YES; Weathers: YES.

APPROVED: 3-0.

New business:

1. Review “Request for coverage” for annual benefits contract renewal with CIS. – Discussion/ Possible action

CA Caudle explained that the city must submit its request for coverage to CIS by July 23. This is for the annual renewal of our health, dental, vision, and life insurance benefits. Since this is for a contractual arrangement that is expected to exceed the City Administrator's spending authority of \$5,000, this is placed on the City Council's agenda for approval. Per Sec. 2.101(8) of the city procurement code, contracts for employee benefit plans are exempt from the competitive bidding procedures specified elsewhere in the code. CA Caudle recommends no changes to the plans and coverages.

Councilor Weathers moved to authorize the City Administrator to submit a ‘Request for coverage’ with CIS for the 2025 plan year for the employee benefits as presented, which Councilor Stratis seconded.

APPROVED: 3-0.

2. Review resignations from city committees. – Discussion/ Possible action
 - a. Sherry Carter – Library Committee
 - b. Brenda Sirois – Library Committee
 - c. Shannon Fassbender – Parks and Recreation Committee

Councilor Stratis moved to accept the committee resignations as presented, which Councilor Weathers seconded.

APPROVED: 3-0.

Other business:

CA Caudle explained an error related to his vacation accruals as follows:

- At his 3-year anniversary, the City Administrator and Contract Accountant were set to update the CA’s vacation accrual to the higher level per the personnel policy.
- At that time, both the CA and Contract Accountant discovered that the CA had already been entered at that higher level. It was unknown why the CA had been entered at that higher accrual level, resulting in over-accrual over a 3-year period of vacation time.
- Upon discovering this error, the CA sent a memo to the City Council explaining the issue and stating that an analysis and proposed resolution of the matter would be shared at a future council meeting.
- The CA and Contract Accountant completed that analysis recently. The CA then presented the Contract Accountant’s analysis of vacation accrual that he should have accrued versus what he actually accrued. He actually accrued 527.10 hours while he should have accrued 291.20 hours, resulting in an over-accrual of 235.90 hours.
- Between now and his hire, the CA took 317 hours of vacation time, resulting in 25.80 hours of vacation time that was taken but not earned.

- To remedy this issue, CA Caudle proposed: manually adjusting the payroll system to reflect the deficit of vacation time; and until the CA accrues a positive vacation balance, any vacation time is to be unpaid.

Councilor Weathers suggested, at a minimum, quarterly review of payroll liabilities to ensure errors are caught in a timely manner.

Councilor Stratis stated that it was good this was caught before the deficit accumulated to an unmanageable level.

A discussion ensued among the council on when to review leave reports for all city employees.

Mayor comments:

None.

Councilor comments:

Non.

Community comments:

None.

The regular meeting adjourned at 8:08 pm.

APPROVED:



Don Bennett, Mayor

ATTEST:



Jeremy Caudle, City Recorder