

March 7, 2023

**CITY OF UMATILLA
City Council (Copy)
March 7, 2023**

1) MEETING CALLED TO ORDER

Mayor Sipe called the meeting to order at 7:00 p.m.

2) ROLL CALL

PRESENT: Corinne Funderburk, Daren Dufloth, Ashley Wheeler, Roak TenEyck, Dennis McMillan, Katie McMillan, and Caden Sipe

ABSENT: None.

3) PLEDGE OF ALLEGIANCE

4) APPROVAL OF AGENDA

Daren Dufloth moved to approve by amending it by adding Serial Meeting and Potential Breach of Contract to New Business. . Ashley Wheeler seconded the motion. Voted: 6 - 0. Motion carried.

5) CITY MANAGER'S REPORT & GENERAL ANNOUNCEMENTS

5.1) General Announcements

Martha's House had a 10-year anniversary on March 10th at 12 p.m. Everyone was invited.

Friday at 10:15 a.m. Senator Merkley's staff would be doing a tour with several organizations out here. So, if any Council members were available they would be starting at City Hall.

April 11th would be the next Rock the Locks. There would be a mailing to every household in McNary as well as cross posted on our City website, and so on to get information out.

End of the month, we are sponsoring the Walleye Tournament. We are excited to host that.

The Recreation Spring Guide was out. There was a section called Special Events. We would be hosting a special event down at the Marina during spring break.

There were construction crews down at the Umatilla River. We had a very limited in-water work days available and it was sort of a mad-dash to get work done.

On April 15th, there will a community yard sale, and the weekend after that will be the community spring cleanup. The idea is that people can sell their stuff and what they can't sell they can get rid of the following weekend.

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On March 17th the Library would be hosting a wine and art event from 6 - 8 p.m.

The Business Center RFP will be going out toward the end of April or early May. It needed to be approved by the EDA.

Annual evaluations for City Manager Stockdale need to be returned by the 13th because the Personnel Committee was meeting the following week.

Statement of Economic Interest filing would open up on March 15th and close on April 14th. Councilors needed to get that completed.

5.2) Project PATH Update

[PATH 2nd Quarter Report FY23.pdf](#)

Jesalyn Cole was there to give a general update on Project PATH. She was the new Executive Director for one month. They had just hosted their advisory meeting, and she was caught up to speed on the things that were happening before she started. At the current location, in January, there was a headcount total of 502, which was compared to 388 in December. The unduplicated guests in December and January were 81. There was overnight staff, but most were covered by volunteer staff. There were 124 shifts total by 32 different volunteers. They have been able to offer a warm meal every night with donations.

5.3) Library Semi-Annual Report, July - December 2022

[Semi-Annual Library Report July - December 2022.pdf](#)

The Library had tremendous success with the Summer Reading Program. The previous year was 145. This year it was 382. That was the most signups that they have had in their history. The anime club was really popular. They have continued to try to add events for adults. Wine and art event have been popular with adults. They have an updated events and program calendar on the website on the Library's page. There is a new drama club.

6) PUBLIC COMMENT

Yesenia Leon Tejeda at 259 Oreille Street talked as the President of the Umatilla Chamber of Commerce. She spoke about all the things the Chamber had been working on and updating the Council for the next year. She expressed her concern about the lack of funding in regards to Umatilla Landing Days because they used those projected revenues that were already accounted for the fiscal year. She also talked about her concern about the TRT committee being removed.

Heidi Sipe at 120 Rio Senda finished speaking about the Umatilla Chamber of Commerce. The total between the Landing Days payment and contract was less than \$70,000. They were not something that needed to be cut for something else. They were valuable, too.

7) CONSENT AGENDA

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7.1) February Paid Invoices

[February 2023 Paid Invoices.pdf](#) 

7.2) February 7, 2023 Council Minutes

[CM 02.07.2023.docx](#) 

Roak TenEyck moved to approve Consent Agenda. Dennis McMillan seconded the motion. Voted: 6 - 0. Motion carried.

8) PUBLIC HEARING

8.1) Chapter 12 Transportation TSP Update (PA-1-23)

[PA-1-23 PC Report & Recommendation](#) 

[Exhibit A- Chapter 12 Draft Text Change](#) 

[Exhibit B- Transportation System Plan \(2023\)](#) 

[Exhibit C-Transportation Systems Plan Appendices\(Including IAMP & Ped & Bike Plan\)](#) 

[TSP Goals Red Line.docx](#) 

Daren Dufloth moved to free form open the Public Hearing on Chapter 12 Transportation System Plan Update (PA-1-23). Katie McMillan seconded the motion. Voted: 6 - 0. Motion carried.

The proposed text amendment will adopt and implement the new transportation system plan (2023) into Chapter 12 of the Comprehensive Plan by reference. As well as adopt by reference the previously adopted Interchange Area Management Plan (2011) and Pedestrian and Bicycle Master Plan (2003). The amendment will also remove the old transportation system plan (1999), Interchange Area Management Plan (2010), and Pedestrian and Bicycle Master Plan (2003) in Chapter 12 of the Comprehensive Plan. The Planning Commission held a public hearing at their February 28th, 2023, meeting and has made a recommendation of approval to the City Council.

There was no testimony presented against, in favor, or neutral for the Plan Amendment.

Dennis McMillan moved to free form Close the record. Daren Dufloth seconded the motion. Voted: 6 - 0. Motion carried.

Daren Dufloth moved to approve Chapter 12 Transportation System Plan Update (PA-1-23). . Corinne Funderburk seconded the motion. Voted: 6 - 0. Motion carried.

Daren Dufloth moved to approve Closing the Public Hearing. Dennis McMillan seconded the motion. Voted: 6 - 0. Motion carried.

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9) NEW BUSINESS

9.1) City of Umatilla Arbor Day Proclamation and Grant

[Proclamation Arbor Day 23.docx](#)

[UMATILLA - 2023 OCT Oregon Arbor Month Booster Grant Agreement.pdf](#)

One requirement to maintain status as a Tree City USA member is to annually recognize and proclaim Arbor Day for the City of Umatilla. This year, Arbor Day will be celebrated on Friday, April 28 with tree planting and education. Trees will be planted at the Big River Golf Course. Volunteers will assist in the planting. 5th Grade classes from McNary Heights Elementary School have been invited to come learn about trees and participate in the Arbor Day celebration.

To support the tree planting and celebration, Noemy Vega, Recreation Coordinator, applied for and received the Oregon Community Tree's Oregon Arbor Month Booster grant for \$750.

Daren Dufloth moved to approve Mayor Sipe's Arbor Day Proclamation and to accept a grant in the amount of \$750 from the Oregon Community Tree's Oregon Arbor Month Booster Grant. Corinne Funderburk seconded the motion. Voted: 6 - 0. Motion carried.

- 9.2) Adoption of Ordinance No. 865- An ordinance proclaiming the annexation of tax lot 3200 on assessors map 5N2817CA, known as 328 Tucker Avenue, Umatilla, OR 97882, withdrawing said property from Umatilla county sheriff's law enforcement district; accepting written application for annexation from all of the owners of the area; making findings; setting the final boundaries of the property to be annexed; and setting the comprehensive plan map and zoning designation for the annexed property as City Single Family Residential.

[ORD 865.docx](#)

[Notice map.pdf](#)

[Signed Tejada Waiver of Remonstrance 328 Tucker Ave.pdf](#)

Dennis McMillan moved to approve Ordinance No. 865 - An ordinance proclaiming the annexation of tax lot 3200 on assessors map 5N2817CA, known as 328 Tucker Avenue, Umatilla, OR 97882, withdrawing said property from Umatilla county sheriff's law enforcement district, accepting written application for annexation from all of the owners of the area; making findings; setting the final boundaries of the property to be annexed; and setting the comprehensive plan map and zoning designation for the annexed property as City Single Family Residential. Katie McMillan seconded the motion. Voted: 6 - 0. Motion carried.

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- 9.3) Resolution No. 27-2023 - A resolution authorizing the City Manager to exercise a municipal water pipeline easement agreement from Onyx Land Company, LLC, to establish a municipal water pipeline easement.

[Resolution 27-2023.docx](#) 

[20230303101143.pdf](#) 

Daren Dufloth moved to approve Resolution No. 27-2023- A resolution authorizing the City Manager to exercise a municipal water pipeline easement agreement from Onyx Land Company, LLC, to establish a municipal water pipeline easement. . Corinne Funderburk seconded the motion. Voted: 6 - 0. Motion carried.

- 9.4) Resolution 28-2023. A Resolution approving the First Amendment Agreement for Long-Term Rural Enterprise Zone Tax Abatement with Amazon Data Services, Inc. (West Wanapa).

[Resolution 28.2023 Amazon Enterprise Zone Agreement PDX121.docx](#) 

[DRAFT - PDX121 - Updated First Amendment to PDX 121 LTREZ Agreement.DOCX](#) 

Roak TenEyck moved to approve Resolution 28-2023 - A Resolution approving the First Amendment Agreement for Long-Term Rural Enterprise Zone Tax Abatement with Amazon Data Services, Inc. (West Wanapa). Dennis McMillan seconded the motion. Voted: 6 - 0. Motion carried.

- 9.5) Resolution 29-2023. A Resolution approving the First Amendment Agreement for Long-Term Rural Enterprise Zone Tax Abatement with Amazon Data Services, Inc. (PDX 194).

[Resolution 29.2023 Amazon Enterprise Zone Agreement PDX194.docx](#) 

[Draft - PDX 194 - Amendment to LTREZ Agreement\(1\).DOCX](#) 

Daren Dufloth moved to approve Resolution 29-2023 A Resolution approving the First Amendment Agreement for Long-Term Rural Enterprise Zone Tax Abatement with Amazon Data Services, Inc. (PDX 194), and Resolution 30-2023 - A Resolution approving the First Amendment Agreement for Long-Term Rural Enterprise Zone Tax Abatement with Amazon Data Services, Inc. (PDX 260).. Katie McMillan seconded the motion. Voted: 6 - 0. Motion carried.

- 9.6) Resolution 30-2023. A Resolution approving the First Amendment Agreement for Long-Term Rural Enterprise Zone Tax Abatement with Amazon Data Services, Inc. (PDX 260).

[Resolution 30.2023 Amazon Enterprise Zone Agreement PDX260.docx](#) 

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[Draft - PDX 260 - Amendment to LTREZ Agreement\(1\).DOCX](#)

- 9.7) Resolution 31-2023. A Resolution adopting City Council Rules, Policies and Procedures and repealing Resolution No. 39-2021.

[RES 31.2023 Council Rules Policies and Procedures.docx](#)

[Umatilla Council Rules Effective 3.7.23.docx](#)

Daren Dufloth moved to approve Resolution 31-2023 - A Resolution adopting City Council Rules, Policies and Procedures and repealing Resolution No. 39-2023 with the stipulation of adding items C and D under Order and Decorum with an extension until the end of April. . Ashley Wheeler seconded the motion. Voted: 6 - 0. Motion carried.

- 9.8) Resolution 32-2023. A Resolution adopting the 2023-2025 City Council Goals & Strategic Plan

[RES 32.2023 Council Goals and Strategic Plan.docx](#)

[2023.2025 City Council Goals and Strategic Plan.docx](#)

Daren Dufloth moved to approve Resolution 32-2023. A Resolution adopting the 2023-2025 City Council Goals & Strategic Plan with the caveat that we look at the emergency preparedness section at a later date.

. Dennis McMillan seconded the motion. Voted: 0 - 0. Motion failed.

- 9.9) Memo from Recorder Sandoval

[Serial Meeting Memo.docx](#)

Daren Dufloth moved to free form Move to Accept the City Recorder Sandoval's Memorandum and adopt its findings as the Council's own with the additional purpose to serve as the public's official notice and record of the occurrence of an improperly noticed serial meeting violation.. Katie McMillan seconded the motion. Voted: 6 - 0. Motion carried.

- 9.10) Serial Meeting and Potential Breach of Contract

Councilor Dufloth was asking the Council for permission to contact City Attorney Jon Stride in regards to Serial Meeting and Potential Breach of Contract to see where their liability was and limit the liability and unintended consequences.

Roak TenEyck moved to approve Councilor Dufloth to contact the City Attorney, Jon Stride, to have a discussion about limiting liability. . Dennis McMillan seconded the motion. Voted: 6 - 0. Motion carried.

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10) PUBLIC COMMENT

No public comment was presented.

11) DISCUSSION ITEMS

- 11.1) Umatilla Chamber of Commerce & Visitor Center and City of Umatilla Personal Services Agreement

[Chamber Personal Service Agreement \(July 2020\).pdf](#)

Staff was looking for direction on updates to the Personal Service Agreement between the Chamber and the City. They explained that up until 2016 the Chamber would have to come request funding through the Transient Room Tax Grant. Council decided at that time that rather than having them come ask for funding every time they were having issues; the City would allocate a certain percentage from the TRT fund and the general fund contribution. The City went from \$10,000 - \$12,000 a year to around \$40,000 and since they have done that the TRT fund has only continued to increase. The hotels are always full and there was a lot of development going on. Between the two pots of money, the contribution was around \$60,000, which did not include Landing Days money. There has been an obvious support for the Chamber.

The consensus was to continue supporting the Chamber, but the contract needed to be adjust and tailored to the Chamber.

- 11.2) Draft of Ordinance No. 866- An ordinance amending Ordinance No. 563 to remove the definition of the Transient Room Tax Review Committee, amending Title 2, Chapter 5, and repealing Ordinance No. 596, Ordinance No. 761, and Ordinance No 763 in their entirety.

[Draft Ord 866.docx](#)

This draft ordinance was an attempt to update the code by cleaning up the language to allow the City Council to review Transient Room Tax Fund expenditures.

- 11.3) Community Center Lease

[Community Center Lease.pdf](#)

Staff wanted to take over the management of the Community Center to expand recreational programs. The agreement runs through June of next year. So, they were looking at doing some improvements, like updating windows, replacing the roof, and parking lot improvement. The goal was to continue providing senior meals and availability for usage by the general public.

12) MAYOR'S MESSAGE

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Mayor Sipe was proud of the work the City was currently doing. He was proud to continue doing some of things that were important to the community. Supporting the Chamber of Commerce, continuing supporting the senior meals, and getting the rules in alignment, and goals to a place where they actually make sense, and having a council that are coherent. They are getting to a spot where they are moving forward. They were in a spot where they had an opportunity to make a change and they were on a good path. He encouraged the community to hop on board and join them.

13) COUNCIL INFORMATION & DISCUSSION

Councilor Funderburk thanked everyone for coming. Thanked Staff for all they do.

Councilor Dufloth was excited about all the engagement. For many years, he sat at the dais and nobody talked to them. There to a point now where they are building trust and there is engagement with the community. He appreciated the engagement and everyone being there.

Councilor K. McMillan thanked everyone. She thanked the Chamber for fighting for what they though was right. She thanked the Staff for all they do.

Councilor Wheeler had some questions about the community yard sale. Could people start bringing stuff? What was the location? Parks and Recreation Director Wait stated there would be a map so people could see who was hosting one. People would also have an opportunity to bring stuff to Village Square Park to set up there. She wanted to know the location for the April 11th Rock the Locks meeting? Manager Stockdale stated it would be in Council Chambers. Councilor Wheeler wanted to know about the ribbon cutting location. Manager Stockdale stated it 256 E Hurlburt in Hermiston. She asked about the OMSI exhibit. Finance and Administrative Services Director Ince stated that there would be an exhibit for 10 days and then they would come and do one big event.

Councilor D. McMillan thanked everyone for showing up and thanked Staff for all they do.

Councilor TenEyck was amazed when they were breaking records. It was awesome when they were pulling on the rope in the same direction.

14) RECESS TO EXECUTIVE SESSION

Daren Dufloth moved to adjourn to executive session. Roak TenEyck seconded the motion. Voted: 6 - 0. Motion carried.

15) EXECUTIVE SESSION

15.1) Executive Session - ORS 192.660 (2)(e) authorizes the executive session to consider a real property transaction.

16) RECONVENE

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Dennis McMillan moved to reconvene. Daren Dufloth seconded the motion. Voted: 6 - 0.
Motion carried.

17) ADJOURN

Daren Dufloth moved to adjourn at 9:58 p.m. Katie McMillan seconded the motion. Voted: 6 - 0.
Motion carried.

Caden Sipe, Mayor

ATTEST:

Nanci Sandoval, City Recorder