



City of Union

Agenda

Council Work Session Meeting

Monday, September 12, 2022 @ 6:00 PM

Leonard Almquist Council Chambers, 342 S. Main St,
Union, OR 97883

Page

1. **CALL TO ORDER AND ROLL CALL:**

Mayor:

Flint

Councilors:

Denton, Farmer, Hawkins, Cox, Richter
and McMillan

2. **PRESENTATIONS:**

2.1. Sheriff's Report

3. **UPCOMING BUSINESS DISCUSSIONS:**

3.1. Council Stipend

3.2. Integrator of Record

4. **COMMITTEE DISCUSSIONS:**

4.1. Fire/EMS

5. **ORDINANCE/CHARTER REVIEW:**

5.1. Ordinance Review 30-35

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[Ordinance Changes 30-35 \(tracked changes\)](#)

6. **OTHER:**

7. **ADJOURNMENT:**

ORIGINAL:

§ 30.25 REGULAR CITY COUNCIL MEETINGS.

The regular meeting date of the City Council of the City of Union shall be on the second Monday of each month, unless the Monday falls on a holiday as that term is defined by Oregon Revised Statutes. If the second Monday falls upon a holiday, the regular meeting of the City Council shall be held on the next succeeding Monday. The City Council, by resolution, may change the regular meeting date as it deems necessary. The Council shall, by resolution, establish the time and place of the regular meeting.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

CHANGE AS FOLLOWS:

§ 30.25 REGULAR CITY COUNCIL MEETINGS AND WORKSHOPS.

- A. Regular business meetings of the City Council shall take place on the second Monday of each month. If the second Monday falls upon a holiday, the regular meeting of the City Council shall be held on the day following the holiday. The City Council, by resolution, may change the regular meeting date, time and location as it deems necessary to conduct business.
- B. Work Sessions shall may be held in conjunction with a regular business meeting in the hour preceding the start of a regular business meeting and subject to the same holiday rules. A second work session may be added on the fourth Monday of the month shall as the Council and/or Mayor may deem necessary. Council may, by resolution, change or add a work session as necessary.
- ~~C.~~ The Mayor and Council during assembly any meeting or work session may discuss, deliberate, consider, review, gather, interview, and evaluate information concerning the issues of interest of the entire Council. However, during a work session the Council may not make a collective decision or take a vote on a motion, proposal, order, or ordinance or other such action that is required to be taken in a regular, special, or emergency business meeting as this is reserved to take place during a regular business meeting.

ORIGINAL:

§ 30.26 SPECIAL COUNCIL MEETINGS.

Special meetings of the Council may be called by the Mayor, or, in his or her absence or inability to act, by the President of the Council by giving 24 hours previous written notice to each member of the Council of the time of the meeting and the purpose of same. Special meetings may also be called upon the request of three or more members of the Council by giving 24 hours notice of the meeting to all members of the Council then in the city. Special meetings of the Council may also be held by common consent of all the members of the Council.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

§ 30.31 BUSINESS; SPECIAL MEETINGS.

At the special meetings of the Council, only the specified matters which prompted the call of the meeting shall be brought up for discussion. The order of business for special meetings shall always include provision for public comment.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

CHANGE AS FOLLOWS:

§ 30.26 SPECIAL COUNCIL MEETINGS.

- A. Special meetings of the Council may be called by the Mayor, or, in his or her absence or inability to act, by the President of the Council, by giving 24 ~~hours~~ hours' notice to each member of the Council and the City Administrator (?) of the time and purpose of the meeting ~~and the purpose of same~~. Special meetings may also be called upon the request of three or more members of the Council by giving 24 ~~hours~~ hours' notice of the meeting to all members of the Council and the City. All special meetings shall be subject to public notice as required by Oregon state statutes.
- B. At the special meetings of the Council, only those matters identified in the notice of the special meeting shall be the subject of any discussion and no other topics may be discussed. ~~the specified matters which prompted the call of the meeting shall be brought up for discussion.~~ The order of business for special meetings shall always include provision for public comment limited to the topic for which the special meeting was called and for no other items.

REPEAL 30.31

Commented [ps1]: I really would like you to have some established limits and rules on public comment.

ORIGINAL:

§ 30.28 AGENDA.

The City Administrator shall prepare an agenda of the business to be presented at a regular Council meeting. The Council shall consider at the meeting only matters that appear on the agenda for that meeting or the items as are introduced by a Council member or the Mayor. Council members and the Mayor shall endeavor to have subjects they wish considered submitted in time to be placed on the agenda.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

§ 30.30 ORDER OF BUSINESS; REGULAR MEETING.

The order of business for each regular meeting of the Council shall be as follows:

- (A) Roll call and taking of attendance;
- (B) Hearings and appointments;
- (C) Public comments and communications;
- (D) Old business;
- (E) New business;
- (F) Consent agenda;
- (G) Reports of officers and committees;
- (H) Suggestions for future agendas; and
- (I) Adjournment.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

§ 30.32 ALTERING ORDER OF AGENDA.

With consent of the Council, the Mayor may alter the order of the agenda.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

CHANGE AS FOLLOWS:

§ 30.28 AGENDA.

~~A.~~ The City Administrator shall prepare an agenda of the business to be presented at a regular Council meeting. The Council shall consider at the meeting only matters that appear on the agenda for that meeting or ~~other the items that as~~ are introduced by a Council member or the Mayor. ~~Council members and the Mayor shall endeavor to have subjects they wish considered submitted in time to be placed on the agenda. A member of the Council who wishes to have an item placed on the agenda should do so at least one week prior to the meeting except in an emergency.~~

~~A.~~
B. The agenda for a regular meeting shall include the following:

Commented [ps2]: What about special and emergency meetings?

When do you want the agenda and materials to be made available to the Council? To the public? I suggest you provide that only Admin/Council can add items to the agenda or determine what goes in the Council packet (ie, Willard Bertrand)

Commented [ps3]: I recommend a bit more teeth than "shall endeavor" otherwise there's no point in including it. I suggest you set a preferred time frame and then allow for exceptions when necessary.

- a. Roll call and taking of attendance.
- b. Hearings and appointments.
- c. Public comments and communications.
- d. Old business.
- e. New business.
- f. Consent agenda.
- g. Reports of officers and committees.
- h. Suggestions for future agendas.
- i. Adjournment.

Commented [ps4]: More on this later, but I recommend at the end of the meeting.

i.C. The agenda, once created, may only be altered through the consent of the Council.

REPEAL 30.30 & 30.32

ORIGINAL:

§ 30.33 ORDER OF DELIBERATIONS.

In all matters to be heard by the Council, the City Administrator may introduce the subject, after which the Mayor will first invite those persons and parties who are proponents of any matter to be considered by the Council to speak thereon. Then, the opponents of the proposal will next be afforded an opportunity to speak thereon. Then, the City Administrator or members of the staff of the city may speak thereon or answer questions from members of the Council or the public. Then, the members of the Council shall discuss the matters and act thereon.

(Ord. 404, passed 7-13-1987; Ord. 482, passed 2-14-2005)

CHANGE AS FOLLOWS:

§ 30.33 ORDER OF DELIBERATIONS.

In all matters to be heard by the Council, the City Administrator shall introduce and give report on the subject, after which the Mayor and Council will ~~discuss and then~~ invite the public to speak ~~to the Council thereon~~. ~~The Mayor, Council, City Administrator, or staff members of the City may answer questions from members of the Council or the~~

~~public but are not required to do so.~~ Once public comment has been closed by the Mayor or ~~by a recognized call for question from the Council~~ Council President, the members of the Council shall ~~discuss the matters and~~ act thereon.

Commented [ps5]: I dislike this intensely. It basically turns every item on the agenda into a public hearing -- and is not required by law. You can make it discretionary instead of mandatory

ORIGINAL:

§ 31.05 CHECKING SYSTEM.

All disbursements of money by the city from any city funds shall be by written checks drawn upon appropriate checking accounts to be established with an authorized banking institution. It shall be the duty of the Treasurer to enter in a book to be kept for that purpose, an abstract of all checks drawn upon any funds of the city, showing the date, number and name of the claimants, the amount claimed, the amount allowed thereon and from which fund to be paid. All checks issued shall be signed by both the Treasurer and the Mayor of the city, or their designees.
(Ord. 488, passed 3-14-2005)

CHANGE AS FOLLOWS:

§ 31.05 CHECKING SYSTEM.

All disbursements of money by the city from any city funds shall be by written checks drawn upon appropriate checking accounts to be established with an authorized banking institution. It shall be the duty of the Treasurer to enter in a book to be kept for that purpose, an abstract of all checks drawn upon any funds of the city, showing the date, number and name of the claimants, the amount claimed, the amount allowed thereon and from which fund to be paid. All checks issued shall be signed by two authorized signors as ~~allocated~~ designated by the Council.

ORIGINAL:

§ 31.40 CHIEF OF POLICE.

(A) There is hereby created the Office of Chief of Police whose duty it shall be to see that the ordinances of the city are strictly enforced. He or she shall promptly serve all processes issued to him or her out of the Municipal Court or coming into his or her hands from any other competent legal authority. He or she shall exercise a careful surveillance over all vagrants, tramps, suspicious or idle persons loitering about the city. He or she shall be the general peace officer of the city, and as such shall arrest on complaint, or otherwise, anyone violating the city ordinances, or laws of the state, or anyone guilty of a breach of the peace. He or she shall be under the supervision of the Mayor and perform other duties as the Mayor or Council may from time to time determine.

(B) He or she shall give a bond for the faithful performance of his or her duties in the sum as the Council may, by ordinance, require.

(Ord. 214, passed 5-21-1941; Ord. 293, passed 10-21-1974)

§ 31.42 STREET COMMISSIONER.

(A) There is hereby created the Office of Street Commissioner, who shall see that the streets and sidewalks are kept in repair and free from all obstructions and rubbish which in any manner may affect the health, safety or convenience of the inhabitants of the city. In performing the duties, he or she shall first notify the abutting property owner personally, or by registered mail, of the disrepair, obstruction or rubbish, and if the same is not remedied within 48 hours after service of the notice to the property owner, the Street Commissioner shall have the same corrected and the cost of the same shall become a lien against the property.

(B) He or she shall superintend the building of all sidewalks ordered by the Council and not constructed by the property owners. When ordered by the Council, he or she shall open or improve any public street or alley and build or erect any sidewalks or crosswalks at the expense of the city. For that purpose, on behalf of the city, he or she may contract for the purchase of the necessary material for the improvements or repairs, employ necessary labor and build the same. Bills for the construction, endorsed "Correct" by the Street Commissioner, shall be presented to the Council for payment by the parties furnishing the material or performing the labor. He or she shall supervise and direct the laying of all water mains or water pipes, telegraph or telephone poles and wires upon or under the streets or alleys of the city. He or she shall make the necessary water connections for prospective users when requested by the Water Commissioner. He or she shall perform the other duties as the Mayor or Council may from time to time determine.

(C) He or she shall give a bond for the faithful performance of his or her duties in the sum as the Council may by ordinance require.

(Ord. 214, passed 5-21-1941; Ord. 293, passed 10-21-1974)

QUESTION: SHOULD THESE BE REPEALED AS WE NO LONGER HAVE A CHIEF OF POLICE AND STREET COMMISSIONER FALLS UNDER THE DUTIES OF OUR PUBLIC WORKS LEAD JOB SDESCRIPTION?

| Yes

ORIGINAL:

§ 31.61 POWERS AND DUTIES.

The powers and duties of the Administrator shall be as follows:

(A) To attend all meetings of the Council, unless excused by the Council or Mayor; to attend meetings of the individual Council committees, if requested by the committee; and to make reports, upon request of the Council, of all the affairs and departments of the city. The Administrator shall be directly responsible to the City Council as an entity.

(B) To act as purchasing agent for all departments of the city.

(C) To ensure that all laws and ordinances are enforced, except the provisions of any laws or ordinances which involve criminal violation; the responsibility in these cases shall be the duty of the police department. To administrator and enforce the policies, rules, procedures, and resolutions duly adopted by the Mayor and Council, and to make such recommendations concerning the affairs of the city as deemed desirable. The Administrator has no vote in the deliberations of the Council.

(D) To be responsible for preparing the general operating budget of the city.

(E) To meet with private citizens and interested groups seeking information or bringing complaints and to attempt to resolve problems and complaints fairly or report them to the City Council.

(F) To prepare the official agenda of the City Council meetings.

(Ord. 402, passed 7-13-1987)

CHANGE AS FOLLOWS:

§ 31.61 POWERS AND DUTIES.

The powers and duties of the Administrator shall be as follows:

A. To attend all meetings of the Council, unless excused by the Council or Mayor; to attend meetings of the individual Council committees, if requested by the committee; and to make reports, upon request of the Council, of all the affairs and departments of the city. The Administrator shall be directly responsible to the City Council as an entity.

B. To act as purchasing agent for all departments of the city.

C. To ensure that all federal, state, and local laws and ordinances are enforced, except the provisions of any laws or ordinances which involve criminal violation, the responsibility for which shall lie with the designated; the responsibility in these cases shall be the responsible law enforcement agency. To administrator administer and enforce the policies, rules, procedures, and resolutions duly adopted by the Mayor and Council, and to make such recommendations concerning the affairs of the city as deemed-desirable-he or she may determine to

Commented [ps6]: Minutes, parliamentary for meetings, public records, notice for public meetings

| be in the best interests of the city. The Administrator has no vote in the deliberations of the Council.

- D. To be responsible for preparing the general operating budget of the city.
- E. To meet with private citizens and interested groups seeking information or bringing complaints and to attempt to resolve problems and complaints fairly or report them to the City Council.
- F. To prepare the official agenda of the City Council meetings.

ORIGINAL:

§ 31.62 SUPERVISION.

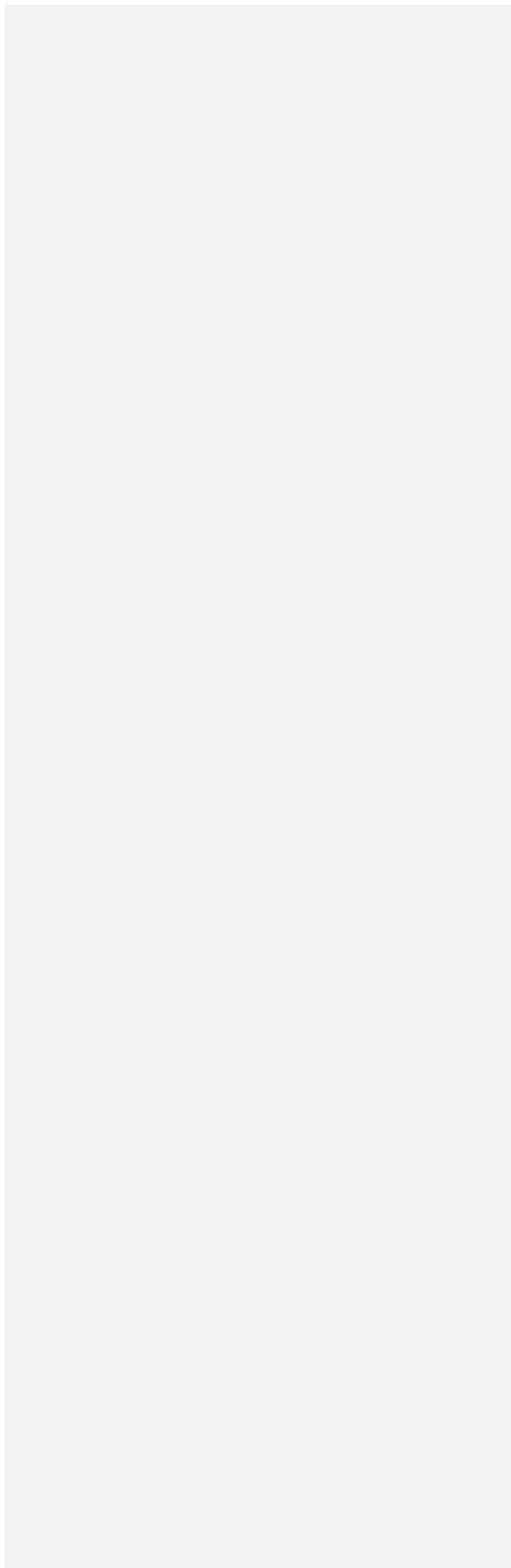
The Administrator shall have, in exercising general charge, supervision and control over all non-elective city employees and their work. The City Council may, by motion, resolution, or ordinance, provide rules under which the Administrator shall exercise general supervision. The Administrator shall report to the Mayor and City Council, for their action only, any recommendations for hiring and discharging employees; except that the Administrator is granted the power to hire additional temporary employees whose services are necessary in the event of emergency.

(Ord. 402, passed 7-13-1987)

CHANGE AS FOLLOWS:

§ 31.62 SUPERVISION.

The Administrator shall have, in exercising general charge, supervision and control over all non-elective city employees and their work. The City Council may, by motion, resolution, or ordinance, provide rules under which the Administrator shall exercise general supervision. The Administrator shall report to the Mayor and City Council, for their action only, any recommendations for hiring and discharging employees; except that the Administrator is granted the power to hire additional temporary, seasonal, or part-time employees whose services are necessary and budgeted.



ORIGINAL:

§ 32.02 TERM OF OFFICE.

(A) Members of the Library Board at the time of enactment of this subchapter shall hold office as follows:

- (1) One member shall initially hold office for one year;
- (2) One member shall initially hold office for two years;
- (3) One member shall initially hold office for three years; and
- (4) Two members shall initially hold office for four years.

(B) All terms shall commence from July 1, in the year appointed.

(C) Succeeding appointees shall hold office for a term of four years from July 1 in the year of their appointment. At the expiration of the term of any member of the Board, the Mayor, with City Council approval, shall appoint a new member or may reappoint a member for a term of four years.

(D) No person shall hold appointment as a member for more than two full consecutive terms, but any person may be appointed again to the Board after an interval of one year.

(E) Any vacancy shall be filled for the remainder of the unexpired term as original appointments are herein provided.

(Ord. 323, passed 11-14-1977) Penalty, see § 10.99

CHANGE AS FOLLOWS:

§ 32.02 TERM OF OFFICE.

A. Members of the Library Board at the time of enactment of this subchapter shall hold office as follows:

1. One member shall initially hold office for one year;
2. One member shall initially hold office for two years;
3. One member shall initially hold office for three years; and
4. Two members shall initially hold office for four years.

B. All terms shall commence from July 1, in the year appointed.

C. Succeeding appointees shall hold office for a term of four years from July 1 in the year of their appointment. At the expiration of the term of any member of the Board, the Mayor, with City Council approval, shall appoint a new member or may reappoint a member for a term of four years.

D. Any vacancy shall be filled for the remainder of the unexpired term as original appointments are herein provided.

ORIGINAL:

§ 32.22 COMPENSATION.

The volunteer Fire Department shall be paid for its services by the tenth of the month following the date the services were rendered at a rate mutually agreed upon by the Council and the Fire Department, but not to exceed \$4,000 in any one fiscal year.

(Ord. 297, passed 10-21-1974)

CHANGE AS FOLLOWS:

§ 32.22 COMPENSATION.

The volunteer Fire Department shall be paid for its services by the tenth of the month following the date the services were rendered at a rate mutually agreed upon by the Council and the Fire Department.

ORIGINAL:

§ 32.44 SECRETARY.

The Commission shall elect a Secretary who need not be a member of the Commission. The Secretary shall keep an accurate record of all Commission proceedings. The Commission shall, on December 1 of each year, make and file with the City Recorder a report of all its transactions.

(Ord. 259, passed 4-11-1966)

CHANGE AS FOLLOWS:

§ 32.44 SECRETARY.

The Commission shall be provided a Secretary, as assigned by the City Administrator, who need not be a member of the Commission. The Secretary shall keep an accurate record of all Commission proceedings.

ORIGINAL:

§ 32.46 RULES AND REGULATIONS; SPECIAL MEETINGS.

(A) The Commission may make and alter rules and regulations for its government and procedure consistent with the laws of this state and with the City Charter and city ordinances.

(B) It shall meet at the times and at the places as may be fixed by the Commission or as is requested by the City Council. Special meetings may be called at any time by the President or by three members by written notice served upon each member of the Commission at least three hours before the time specified for the proposed meeting.

(Ord. 259, passed 4-11-1966)

CHANGE AS FOLLOWS:

§ 32.46 RULES AND REGULATIONS; SPECIAL MEETINGS.

- A. The ~~Commission~~ ~~Council~~ Commission may make and alter rules and regulations for its government and procedure consistent with the laws of this state and with the City Charter and city ordinances.
- B. It shall meet at the times and at the places as may be fixed by the ~~Commission~~ ~~Council~~ Commission or as is requested by the City Council. Special meetings may be called at any time by the President or by three members by notice served upon each member of the ~~Commission~~ ~~Council~~ Commission and the city at least 24 hours before the time specified for the proposed meeting.

Commented [ps7]: Isn't this already encompassed in Sec. 30.26?

Commented [DW8R8]: This is under the Planning Commission heading

ORIGINAL:

§ 33.02 SUCCESSION OF EMERGENCY AUTHORITY AND DECLARING AN EMERGENCY.

(A) *Vesting of authority; order.* In civil defense or other emergency matters requiring immediate action in behalf of the City of Union, authority to so act shall vest in the following officials in the following order:

- (1) Mayor;
- (2) President of the Council;
- (3) Chairperson of Police Committee;
- (4) Chairperson of Fire Department and Ambulance Finance Committee;
- (5) Public Relations Committee;
- (6) Street Committee; and
- (7) Water and Sewer Committee.

(B) *Succession.* In the event that the Mayor is unavailable in any emergency or civil defense matter, then the next available city official, in the order specified in division (A) above, shall succeed to the powers and duties of the Mayor in taking the required emergency action.

(Ord. 278, passed 12-8-1969)

CHANGE AS FOLLOWS:

§ 33.02 SUCCESSION OF EMERGENCY AUTHORITY AND DECLARING AN EMERGENCY.

A. *Vesting of authority; order.* In civil defense or other emergency matters requiring immediate action in behalf of the City of Union, authority to so act shall vest in the following officials in the following order:

1. Mayor.
2. President of the Council.
- ~~3. Three most Senior Council Members.~~
- 4.3. City Administrator.
- 5.4. Fire Chief.
- 6.5. Public Works Lead.

B. *Succession.* In the event that the Mayor is unavailable in any emergency or civil defense matter, then the next available city official, in the order specified in division (A) above, shall succeed to the powers and duties of the Mayor in taking the required emergency action.

ADD:

§ 33.05 DECLARING AN EMERGENCY.

- A. A State of Emergency may be declared by the Mayor or successor as defined in Code Section 33.02 during any civil defense emergency, public health emergency or other public safety matter that risks imminent harm to property or life within the City.
- B. Once a State of Emergency is declared, a public meeting must be held within four hours. This meeting shall:
 - a. Define the State of Emergency.
 - b. Establish modifications to the City's business.
 - c. Be reviewed by Council within 30 days for continuation.
 - i. Council may extend emergencies for no more than 90 days at a time.

DOES CHAPTER 34 (34.01 – 34.13) EVEN NEED TO EXIST? No, and I would repeal City Elections and add those provisions to this Chapter. But depending on whether you have rules for trial in municipal court you may need to adopt some.

CHAPTER 34 (34.31-34.32) NEEDS UPDATED TO REFLECT CURRENT O.R.S.