



City of Independence

Minutes

City Council Meeting
Tuesday, January 28, 2025

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1. **CALL TO ORDER.** Mayor Schwarzler called the meeting to order at 6:31pm.
 2. **ROLL CALL**
Mayor Schwarzler present

Council Present: Shannon Corr
Bill Boisvert
Kathy Martin-Willis
Marilyn Morton
Dawn Roden

Council Absent: None

City Staff Present: Kenna West, City Manager
Myra Russell, City Recorder
Rob Moody, Finance Director
Fred Evander, City Planner
Shawn Irvine, Assistant City Manager
Juventino Banuelos, Police Chief
Gerald Fisher, Public Works Director
 3. **MINUTES.** The minutes of the January 14, 2025, Regular Session were submitted in the agenda packet. City Recorder Russell had 2 minor corrections to the minutes.
13.3 Recorder had written "raining well". The correct spelling is Ranney well.
13.5 Changed Councilor Corr's question to reflect more precisely what was said after listening to the recording.

ACTION:

Councilor Morton moved to approve the corrected minutes of January 14, 2025, as received; Councilor Martin Willis seconded. Roll call vote. Motion passed 5-0-0:

AYES: Corr, Morton, Martin-Willis, Boisvert, Roden

NAYS: None.

ABSTENTIONS: None.

4. **VISITORS / PUBLIC COMMENTS.** None
5. **REPORTS / PRESENTATIONS**

5.1. Mayor Schwarzler reported: Thank you to CM West for OGEC required Training on Saturday January 25 here at City Hall with neighboring cities. Went to City Day at the Capital, productive meetings with representatives. Office Hours on Wednesdays at City Hall. Town Hall meeting this Saturday February 1, 2025, at the Heritage Museum at 1PM.

5.2. City Manager West: Council Vacancy applications will be emailed to the council for review after the meeting tonight. Mayor Schwarzler asked about dates for the process. February 4: councilors will get top 2 candidates to City Recorder by 3pm. February 11: prior to city council meeting, council will interview top 2 candidates and then in regular session, council will make decision.

5.3. Staff Irvine presentation on Grants: Highlighted some of the grants the City received in 2024. Federal freeze on grants will impact some of the City's grants. Councilor Corr asked for an update on status of Grants as Irvine learns more.

6. **UNFINISHED BUSINESS**

7. **NEW BUSINESS**

7.1. Finance Report-Q2 2024-2025. Moody explained information on Q2 financial report. The Public Safety fee starts on the January water bill which comes out in February, all funds earmarked for police Dept. Local Option Levy did not pass. Working through options for Budget preparation. Library, Museum and parks funded through end of fiscal year- June 30, 2025. Waiting for the independent Audit finalization. Will package for public when finished. Water Treatment plant financing is scheduled to close Jan 30, 2025. Councilor Corr asked when we would see options for funding the library, museum, and parks. Would it be before budget? CM said work session possibly second meeting in February.

7.2. Adoption of Resolution 25-1626 Authorizing Banking Signatures and Repealing Resolution 24-1603. Moody explained information as presented in agenda packet. With changes in the council, Mayor and staff, need to update current signers for City bank account. Councilor Morton pointed out that Council President is Martin-Willis, not Morton. Staff will make the correction.

ACTION:

Councilor Morton moved to adopt Resolution 25-1626 authorizing Banking Signatures and Repealing Resolution 24-1603, after corrections are made; Councilor Corr seconded. No further discussion.

Roll call vote. Motion passed 5-0-0:

AYES: Corr, Morton, Martin-Willis, Boisvert, Roden

NAYS: None.

ABSTENTIONS: None.

7.3. Proposed Resolution 25-1624, Requesting Polk County to Surrender Jurisdiction to City Over Certain County Roadways. Fisher explained information as presented in agenda packet.

ACTION:

Councilor Corr moved to adopt Resolution 25-1624 Requesting Polk County to Surrender Jurisdiction to City Over Certain County Roadways: Councilor Martin Willis seconded. No discussion. Roll call vote. Motion passed 5-0-0:

AYES: Roden, Boisvert, Martin-Willis, Morton, Corr

NAYS: None.

ABSTENTIONS: None.

7.4. Public Hearing Date for AX | 2024-04. Evander asked the City Council to set a date for a public hearing for annexing 6675 Corvallis Rd on March 11, 2025.

ACTION:

Councilor Corr moved to dispense with submitting the question on the proposed annexation to the electors of the city and set a date of March 11, 2025, for the Public Hearing on AX | 2024-04.; Councilor Martin-Willis seconded. No Discussion. Roll call vote. Motion passed 5-0-0:

AYES: Roden, Boisvert, Martin-Willis, Morton, Corr

NAYS: None.

ABSTENTIONS: None

7.5. Adoption of Resolution 25-1625, Adopting City Council Rules and Procedures and Repealing Resolution No. 12-1321. CM West: Council had work session on council rules previously, received input from Council, sent to Attorneys, bringing back to Council. Highlighted major changes. West emailed a section-by-section comparison to the Council. The new version is an update to current council rules from 2012 with minor meeting changes in 2017. Mayor Schwarzler mentioned that council rules have been a topic at League of Oregon Cities conferences, where cities were encouraged to update and review the document every 2 years as best practice. Councilor Roden asked CM West to define grandstanding. CM West read definition.

ACTION:

Councilor Roden moved to dismiss council rules to have an attorney review. Motion did not move forward from lack of second. Mayor Schwarzler asked for clarification that the rules had been reviewed by the City's attorneys. West said they had been reviewed multiple times by the attorneys. Councilor Morton glad to see serial meeting better defined.

Councilor Corr moved to adopt Resolution 25-1625, Adopting City Council Rules and Procedures and Repealing Resolution No. 12-1321; Councilor Martin Willis seconded. Discussion.

Councilor Roden has concerns and consulted with the State of Oregon Legislative Council Committee and received a document which she handed out to all councilors and CM West, then read passages of the document related to expression and first amendment rights. CM West reminded councilors that if questions are turned in ahead of time, staff will be able to have a response. CM West pointed out that the document referred to rules that are already in effect in the 2012 rules, not rules that were being changed with this update. CM West said council could move forward with the motion as it is, or adopt the rules but amend and remove 11.3, 11.4, 11.6. Council Martin-Willis mentioned that though the document says there's no Oregon statute that authorizes these proposed rules, it also doesn't prohibit. The council chooses to have rules. Council Morton asked if the council removed items, could they revisit to add items back

at a later date. CM West said yes. Councilor Corr asked how we would further review? It was already reviewed by the City Attorney. CM West said the City's legal counsel could review further at extra cost. CM West explained process for council to ask questions of city attorney and why questions must come from the council body not individual councilors. Councilor Boisvert related his experience in the military in regard to speaking on behalf of a body versus speaking on behalf of individual and he doesn't believe these council rules limit personal speech. Councilor Corr did not want to withdraw motion and Councilor Martin-Willis second stands. Councilor Morton called for the question.

Roll call vote. Motion passed 4-1-0:

AYES: Corr, Martin-Willis, Morton, Boisvert,

NAYS: Roden

ABSTENTIONS: None.

8. **COUNCIL ANNOUNCEMENTS**

8.1. Councilor Corr said she was unable to open Community correspondence-without installing adobe. Staff will look into this.

8.2. Councilor Roden read prepared comments about SEI investigation. Copy provided to staff.

9. **GENERAL INFORMATION** No action required on information contained in the agenda packet.

10. **ADJOURNMENT** There being no further business to come before the City Council, Mayor Schwarzler adjourned the meeting

Meeting adjourned at 7:49 pm

MAYOR KATE SCHWARZLER

ATTEST:

Myra Russell, City Recorder