

**CITY OF MYRTLE POINT  
CITY COUNCIL MEETING MINUTES  
Regular Meeting  
Tuesday, July 5, 2022 – 7:30 p.m.,  
Flora M. Laird Memorial Library Meeting Room  
435 Fifth Street, Myrtle Point**

**Council Members**

**Present in Meeting Room:**

Samantha Clayburn, Mayor  
Leif Schrader, City Councilor

Daniel Martin, Council President  
Gary Sullivan, City Councilor

**Absent:**

Michael Hogan, City Councilor  
Mike Wood, City Councilor

Stephanie Martell, City Councilor

**Staff and Others**

**Present in Meeting Room:**

Scott Robinson, Chief of Police  
Darin Nicholson, City Manager  
Gail Mueller  
Heidi Roe  
Bob Love, Public Works (~7:45 p.m.)

Nate Harris, Police Sergeant  
Lori Gunther, Flora M. Laird Mem. Library  
Linda Kirk  
Julie Huff

**Attending Remotely:**

Ginny Groce, Accountant  
Wayne Ramsey, Public Works

Kathy Lewis

**CALL TO ORDER**

Mayor Clayburn called the City Council meeting to order at 7:30 p.m. and led those present in the Pledge of Allegiance.

**ROLL CALL**

Mayor Clayburn asked the City Council members to state their names for the roll.

**CONSENT ITEMS**

- A. Minutes of June 6, 2022 Regular Meeting – Mayor Clayburn announced the Minutes of the June 6, 2022 Regular Meeting. Councilor Sullivan moved to receive, accept and approve the minutes of the June 6<sup>th</sup> meeting as submitted. Councilor Schrader seconded the motion which carried unanimously.
- B. Minutes of June 23, 2022 Special Meeting – Mayor Clayburn announced the Minutes of the June 23, 2022 Special Meeting. She asked for clarification whether or not Rose Hogan was present as indicated in the minutes. Julie Huff indicated that she had seen Rose at the meeting. Councilor Martin then moved to approve the minutes as submitted. Councilor Sullivan seconded the motion which carried unanimously.

**ACTION/DISCUSSION ITEMS**

**A. Resolution to Establish a Complaint Resolution Committee – Gail Mueller**

Mayor Clayburn announced the Resolution to Establish a Complaint Resolution Committee. Based on a question from Councilor Sullivan, Manager Nicholson indicated that he had not

provided a cover sheet as he had no recommended action on the matter. Mayor Clayburn called on Gail Mueller for background. Ms. Mueller briefly explained that she had worked with Linda Kirk and Heidi Roe on the resolution and they wish to make Myrtle Point a more welcoming place to live and work. Mayor Clayburn called on Kathy Lewis for comments. Ms. Lewis stated that usually complaints generated by employees are handled by a Human Resources Department. She said, since the city does not have one, she felt the committee could fill that role. She then noted the following concerns:

- 1) She indicated that she did not believe the city should get involved in problems between residents or equitable treatment of all residents and visitors. She stated that she believes that is the job of the ADL and the ACLU, and if needed, the local Police Department and the court system.
- 2) Regarding Purposes and Objectives, the document states, *"Work with elected city officials and city manager to provide a forum for people to present complaints and work toward resolution."* Ms. Lewis asked if this isn't already the purpose of the City Council meetings.
- 3) Regarding membership, Ms. Lewis stated that she felt that each member should receive appropriate training so that inappropriate actions or statements are not made. She also stated that if the committee is dealing with city employees, only city residents should be involved.
- 4) Regarding the City Manager serving as the staff liaison, Ms. Lewis asked what would occur in the event of a complaint filed against the City Manager.

Councilor Sullivan asked if the proposal is geared toward city employees exclusively. Mrs. Mueller indicated that it is not. Councilor Sullivan then asked how broad the scope is. Ms. Roe explained that the group had been considering circumstances where there could potentially be some misunderstanding. Ms. Roe also stated that it could involve city employees, but it also could include others, such as a visitor to the community to whom a disparaging comment is made. Councilor Sullivan asked Ms. Roe if she was personally aware of any such situations. Ms. Roe indicated that she was. She also commented that as Myrtle Point grows, in terms of the diversity of its population, she believes we need to be sensitive to differences. Ms. Roe said that the group had some scenarios they have considered. There was some other discussion.

Councilor Schrader asked if there is already a policy in place to deal with issues as they arise. Manager Nicholson indicated that there is not a committee dedicated to hearing disputes, other than the City Council. He said that often times, issues are brought to his office first and then may be referred to the City Council. Councilor Schrader noted the following concerns about the proposal:

- 1) Membership – he was concerned about the appropriateness of including non-residents as they aren't eligible for other city offices. Mrs. Kirk stated that they were thinking about the model of the Library Board, but she wasn't sure if that was a good model. Councilor Schrader indicated that he understood that the library serves more than just city residents and therefore non-residents have an interest in its operations. However, he also noted that library staff members are city employees. There were some related comments.
- 2) Hurt feelings – he stated that he did not know how the city could legislate that people speak in a way which does not offend others. Unfortunately, people have the right to be jerks if they choose to be. Ms. Roe commented on an imagined scenario in which a volunteer at the Logging Museum makes an inappropriate comment, such as a racist comment. Councilor Sullivan commented that racial things and hate crimes are already addressed in the civil law and criminal law. Ms. Roe agreed but

indicated that resolution, in terms of a complaint, isn't addressed. She went on to say that it deals more with a tone and temperament issue. There was some related discussion.

Councilor Martin said he was trying to think of an instance where the City Council failed to address certain issues. The City Council provides a forum for citizens, non-citizens and employees to address concerns. It is the job of the City Council to set policy and make decisions on matters after determining the validity of a complaint. He indicated that he sees it as a problem for non-residents to serve on a committee that would address City of Myrtle Point issues. He mentioned that there are other boards and levels of government which have their specific purposes. Councilor Martin made some other comments and concluded by stating that he did not see the proposed committee fitting with our character if we are friendly and open.

Ms. Roe responded to Councilor Martin and invited a collaborative effort to figure out how to deal with indicated type of issues. She also expressed concern that she believed the City Council was "shutting it down carte blanche."

Mayor Clayburn stated that she didn't intend to shut it down but she felt it needed to be run by legal counsel. She noted concern about employer/employee complaints which residents are not privy to and even the City Council is not privy to. She also commented that she had checked into the Human Rights Commission. Her understanding is that the commission would review policies proposed by a City Council through their lens, and give advice or suggestions on ways to make them more inclusive. There was some additional related discussion. Mayor Clayburn indicated that the topic would be tabled until feedback could be obtained from the City Attorney. Councilors Martin and Schrader indicated their agreement. Councilor Sullivan indicated that he was undecided and felt it was appropriate to get feedback from the City Attorney. There was some additional discussion. Mayor Clayburn closed the matter and asked the City Manager to send the proposed resolution to the City Attorney. Ms. Roe provided email addresses for the members of the group in order to receive notifications.

**B. Library Board Appointment – Trudy Sefers**

Mayor Clayburn announced the Library Board Appointment of Trudy Sefers. Manager Nicholson reported that Karen Young's term on the Library Board had expired on June 30, 2022 and she was not eligible for reappointment. Therefore, the board recommended appointment of Trudy Sefers to the vacant position for a four-year term. Mayor Clayburn appointed Trudy Sefers to serve a four-year term on the Flora M. Laird Memorial Library Board succeeding Karen Young. She called for a vote of support from the City Council. Support was unanimous.

**C. Library Board Reappointment – Debbie Bushnell**

Mayor Clayburn announced the Library Board reappointment of Debbie Bushnell. Manager Nicholson reported that Debbie Bushnell's term on the Library Board had expired on June 30, 2022 and she is eligible and willing to serve another term. Mayor Clayburn appointed Debbie Bushnell to serve another four-year term on the Flora M. Laird Memorial Library Board. She called for a vote of support from the City Council, which was unanimous.

**D. Contract for Library Services**

Mayor Clayburn announced the Contract for Library Services. Manager Nicholson reported that the contract is an annual requirement which lays out the provisions for operation of the

library as well as disbursement of tax monies received by the library service district. Councilor Schrader moved to approve the 2022-23 Contract for Library Services and authorize the City Manager to sign the contract. Councilor Sullivan seconded the motion which carried unanimously.

**E. ODOT Small City Allotment Program Changes**

Mayor Clayburn announced the ODOT Small City Allotment Program Changes. Manager Nicholson stated that the city had been approved for a \$100,000 grant for improvements to Harris Street from 5<sup>th</sup> Street to the highway. He also explained that due to escalating construction costs and the challenges cities are having completing projects, ODOT is now allowing grant recipients to forfeit their existing grants and reapply for grants up to \$250,000. Manager Nicholson indicated that while the city could apply for additional funds for improvements to Harris Street, there is no guarantee it would be approved for a grant if it reapplied. An updated preliminary cost estimate of approximately \$220,000 was provided for the project. Councilor Schrader asked Manager Nicholson if he had any idea on the city's chances for approval if it were to forfeit the existing grant and reapply. Manager Nicholson didn't have much information but stated he believed there would be fewer grants awarded due to the higher maximum amount. Mayor Clayburn noted that with project costs going up so much, the city would have to scale back the project significantly if the existing grant funds were used. Manager Nicholson estimated that the existing grant would cover about two blocks worth of improvements. There was some discussion about the options. Councilor Sullivan then moved to forfeit the existing SCA Grant in the amount of \$100,000 and reapply for additional funds in order to complete the planned project on Harris Street. Councilor Martin seconded the motion which carried unanimously.

**F. Option to Prohibit the Establishment of Psilocybin-Related Businesses**

Mayor Clayburn announced the Option to Prohibit the Establishment of Psilocybin-Related Businesses. Manager Nicholson explained that, if the City Council wished to prohibit the establishment of psilocybin-related businesses within the city limits, the matter would have to be referred to the voters. He indicated that the question was being presented because there is paperwork that must be filed with the elections office in order to get a measure on the ballot. There was some discussion on the matter. Councilor Martin moved to establish a permanent ban on the establishment of state licensed psilocybin product manufacturers and service centers within the corporate limits of the City of Myrtle Point, and to refer the question to the electors at the November 8, 2022 Statewide General Election. Councilor Sullivan seconded the motion. Mayor Clayburn stated that she thought it best to refer the matter to the voters as was previously done with marijuana. There was some related discussion. Police Chief Robinson and Sergeant Harris answered questions about problems related to increased availability of marijuana since its legalization. There also was discussion about use of psilocybin, how it affects a person, how prevalent its use is, and how it likely will be controlled by the state. Following discussion, Mayor Clayburn called for a vote on the motion to establish a permanent ban on the establishment of state licensed psilocybin product manufacturers and service centers within the corporate limits of the City of Myrtle Point, and to refer the question to the electors at the November 8, 2022 Statewide General Election. The motion carried unanimously.

**G. League of Oregon Cities Legislative Priorities**

Mayor Clayburn announced the League of Oregon Cities Legislative Priorities. Councilor Martin requested that the matter be tabled until the next regular City Council meeting in order to allow time to review the options set forth. There was some discussion and others agreed. Mayor Clayburn stated that the topic would be deferred until the August 1<sup>st</sup> meeting.

### **PETITIONS FROM THE AUDIENCE**

Mayor Clayburn called for petitions from the audience. There were none.

### **UPCOMING MEETINGS AND EVENTS**

- A. Myrtle Point Town Wide Garage Sale – Saturday, July 9, 2022, 9:00 a.m. – 4:00 p.m.
- B. Flora M. Laird Memorial Library Board Meeting – July 12, 2022, 11:00 a.m.

### **INFORMATION ITEMS**

- A. Flora M. Laird Memorial Library Special Board Meeting Agenda – June 7, 2022
- B. Flora M. Laird Memorial Library Special Board Meeting Minutes – June 7, 2022
- C. Myrtle Point Public Library Foundation Monthly Meeting Agenda – June 7, 2022
- D. Flora M. Laird Memorial Library Board Meeting Agenda – June 14, 2022
- E. Flora M. Laird Memorial Library Board Meeting Minutes – May 10, 2022

### **OTHER COMMUNICATIONS**

- A. Staff Reports:
  - 1. Manager Nicholson reported on the following:
    - a. Heimer Statue – An update on the status of the Elgin Heimer statue was requested a couple of months ago. I received the email on the following page from Julie Groves. It appears that the statue will not be completed for several months, minimum.
    - b. Library Director Position – Manager Nicholson reported that he had met with the Library Board on June 14<sup>th</sup> and they indicated that it was their desire that he seek to reach terms in which Shanna Allen could be reinstated. He explained that he had reached out to her but an agreement was not reached. He then reported that the Library Director position has been advertised on the city website and on Indeed. Several applications had been received. Manager Nicholson also reported that he has been in contact with one of the applicants from three years ago and she was still interested in the position. An initial application deadline of July 15<sup>th</sup> was identified.
    - c. Diversity, Equity & Inclusion Training – Manager Nicholson reported that there are 20 different DEI training courses on the CIS website and that he has completed two of the courses. His goal was to identify appropriate courses for staff to complete. He also indicated that he had checked the League of Oregon Cities website but did not find any applicable training there.
  - 2. Accountant Groce had nothing to report.
  - 3. Senior Maintenance Worker Ramsey reported that a dog waste bag dispenser had been obtained and asked where the City Council would like it placed. There was discussion about possible locations on Spruce Street. After some discussion, Mayor Clayburn asked if the Fairgrounds would be a better location. Several agreed. Sr. Maintenance Worker Ramsey said he would talk to Fairgrounds staff about placing it there.
  - 4. Police Chief Robinson reported that there were six applicants for the vacant position in the Police Department and that they would begin conducting interviews later that week. There was some discussion about the challenges in hiring Police Officers.
- B. City Council Concerns & Comments
  - 1. Councilor Sullivan stated that he thought it might be worthwhile to explore the idea of retention bonuses for Police Officers.
  - 2. Mayor Clayburn thanked everyone for attending the meeting.

**ADJOURNMENT**

Having no further business for the City of Myrtle Point, Mayor Clayburn adjourned the Regular Meeting at 8:38 p.m.

08/01/2022

---

Samantha Clayburn, Mayor  
City of Myrtle Point