

CITY OF SILVERTON
CITY COUNCIL MINUTES

Zoom Web Conference Platform

March 15, 2021 6:00 p.m.

I. OPENING CEREMONIES – Call to Order & Roll Call

Mayor Palmer called the special meeting to order at 6:00 p.m. Mayor Palmer explained this meeting is being held through Zoom pursuant to House Bill (HB) 4212.

Present	Absent	
<u> X </u>	<u> </u>	Mayor Kyle Palmer
<u> X </u>	<u> </u>	Council President Jason Freiling
<u> X </u>	<u> </u>	Jim Sears
<u> X </u>	<u> </u>	Jess Miller
<u> X </u>	<u> </u>	Dana Smith
<u> X </u>	<u> </u>	Elvi Cuellar Sutton
<u> X </u>	<u> </u>	Crystal Neideigh

Staff Present:

City Manager Pro Tem, Bob Willoughby; Chief of Police, Jim Anglemier; Finance Director/Deputy City Manager, Kathleen Zaragoza; Public Works Director, Petra Schuetz; Assistant to the City Manager/HR Coordinator, Elizabeth Gray; and Assistant to the City Manager/City Clerk, Angela Speier

II. APPROVAL OF MINUTES – None submitted

III. OATHS OF OFFICE/PUBLIC RECOGNITION – None scheduled

IV. PUBLIC COMMENT

Mayor Palmer noted the City Council received a number of written comments prior to the 3:00 p.m. deadline (attachment 1).

Karen Garst, Tenino Drive. Karen Garst said it is important to try and avoid problems. Given the fact a lot is happening across the nation regarding police it behooves the City to step back and be prepared to answer what the Police Department goals are and how they are measured each year. The City should decide what they want the police to achieve every year and then report the outcomes to residents yearly. The City should have measurable outcomes for every department. Ms. Garst noted she did this type of work at the Oregon State Bar and would be happy to assist in the effort. Lastly, she feels it would be worthwhile to create a citizen review committee, because of the size of the police budget.

Leo Allanach, Hobart Road. Leo Allanach voiced support for the creation of a citizen committee to look into the Police Department budget with the aim to redistribute the money to invest directly into the community. This could mean more money for affordable housing, schools and mental health resources such as the CAHOOTS model used in Eugene. Silverton is extremely white and cops target people of color. Oregon was created to be a racist utopia and modern Silverton is not safe for people of color as

there are an alarming number of white supremacists in the community. Police brutality in Silverton might not be as visible to those who are white and seem minor in the overall statistics, but that does not mean it is not there. Many high school students have spoken out after receiving abusive treatment from the police and their stories were shared at a local protest in November and with the Silver Falls School Board which shows police should be removed from schools. The City Council should not wait for the police to kill before removing their ability to do so. Piecemeal police reform efforts have proven ineffective and inefficient, because you cannot root out violent policing with narrow reforms. Additionally, police do not solve or prevent most of what is classified as criminal activity, for example thousands of rape test kits remain untested across the nation. Instead the police often escalate situations and operate primarily to threaten and abuse poor people and communities of color. Evidence has proven that crime and violence is reduced when police budgets are reallocated to help deal with the source of social issues, such as mental health concerns, poverty and homelessness. These are not things to be criminalized, but problems to be solved. Silverton is not exempt from the national discussion of how racism and policing are intertwined. If Silverton wants to be a welcoming town a citizen committee needs to be created immediately.

Councilor Cuellar Sutton asked if there are specific statistics directly related to Silverton. Mr. Allanach stated he did not have Silverton specific statistics.

Laurie Chadwick, Loan Oaks Loop. Laurie Chadwick voiced support for having a community engagement process. It would be interesting to find out if there are changes that could be made, such as mental health support instead of police having to answer some of those calls. By hiring an outside consultant the City could discover new ideas for improving police services.

Emily Fern Dayton, Mill Street. Emily Fern Dayton strongly supports an oversight committee to monitor and track the Silverton Police Department's actions and funding. In recent years there have been two instances where Silverton police officers have been involved in violent situations outside of work. Ms. Fern Dayton has spoken with BIPOC and LGBTQIA youth who have shared concerns about being stalked and bullied by officers. She encouraged City Council to look into Michael German's work as well as Reimagine Oregon. The City Council should look into using some of the police funding to fund transformative justice policies, support survivors of sexual violence and hire a social worker or mental health support workers.

Mica Miro, Madison Street. Mica Miro is supportive of a citizen oversight committee of the Police Department and would like to analyze the possibility of diverting some funds to homeless services and the food pantry in order to provide more support for low income community members. This would make a big difference to the health and safety of the Silverton community. In addition, this is a moment where the entire nation is looking at this issue and police violence is a fact of life throughout the nation no matter the size of the community. Silverton should take the time now to get ahead of the issue and not wait for an incident to occur. The City should make an effort to hear from people of color in the community to learn their perception of the Silverton Police Department and hear their experiences.

Councilor Cuellar Sutton thanked everyone who spoke about this issue. She does not see this as defunding the police, but it is a humanitarian issue and is an important discussion that needs to happen. She has a lot of faith in the new Chief of Police and in the police force. The City Council will look into the written testimony received as well. Councilor Freilinger thanked everyone who spoke and submitted written testimony on both sides of this issue.

Tiffany Wren, Hawk Drive. Tiffany Wren voiced support for the Police Department and noted its importance. Sometimes it feels like there is a knee jerk reaction to what is happening at the national level. First the City Council should look into the facts to determine if there is an actual problem.

V. SCHEDULED PRESENTATIONS – None scheduled

VI. PUBLIC HEARINGS – None scheduled

VII. DISCUSSION ITEM

7.1 Possible addition to the FY 2021-2022 City Council Goals – Silverton Police Department Community Engagement

Chief of Police Jim Anglemier thanked residents for their comments and said he has looked into the cost associated with hiring a consultant, but he would need City Council to identify what the focus would be. He said estimates range from \$10,000 to over \$100,000 depending on the scope of the study.

Councilor Freilinger expressed his faith in Chief Anglemier and the entire department. He said the City of Silverton has master plans and long term budgeting plans for a number of departments/funds, but none of them involve the Police Department. The City has state mandated committees like the Planning Commission and Budget Committee as well as City Council created committees and task forces. He has heard it stated the City Council is the body that oversees the Police Department, but it also oversees a lot of other functions of the City and yet has found it necessary to have a number of other citizen involvement committees. He also discussed the professional expertise on the City Council, but noted there is not expertise related to policing or social work. He has a deep level of respect for Chief Anglemier and the Police Department, but he has that same respect and trust for other department heads. However, the Public Works and Community Development Departments have greater oversight, have detailed plans, and often have to hire third party consultants to review various City projects and programs. He would like to see the same level of diligence for the Police Department as the City Council does for every other aspect of the City. He has been on City Council for eight years and there has never been a committee or long term budgeting plan addressing anything to do with the Police Department which represents one-third of the budget. Specifically he believes there needs to be a well-versed citizen committee to review the Police Department policies, training and recruitment and this same committee should also look at long term planning for the police budget. He is also looking for a short term project committee to make a recommendation for longer term citizen involvement in the Police Department and social issues that are happening in the community. As there are no experts on the City Council the Council should hire a third party consultant to be a part of this project and asked for it to be added to the next fiscal year budget.

Councilor Cuellar Sutton agreed a third party consultant is needed and noted as a member of the BIPOC community she has experienced issues with past officers and ran for City Council to serve as a voice for underrepresented groups. She asked how this assessment could be done in the most budget friendly way. Chief Anglemier said the Budget Committee reviews the budget line-by-line and would give direction on funding. He asked about the scope of the assessment and noted their policies are design by Lexipol, LLC. The department is accredited by the Oregon Accreditation Alliance for doing best practices and meeting 104 different standards. There are mental health and officer teams available through Marion County every day until 2:00-3:00 am and the department also has a Domestic Violence Advocate (DVA) program. He would like to know what the areas of concern are in order to be able to share that with a consultant. He said if there is a problem with an officer they deal with it. They police their own and will not put up with inappropriate conduct. He stressed turnover has been a big issue, Silverton hires officers to train them for 2-3 years and then they end up leaving to go to bigger agencies. Councilor Cuellar Sutton said she would like to see a top to bottom review of the department.

Councilor Smith recently heard a concern from a resident about the department's hiring practices. In order to follow up on the concern she met with the Chief and the City's HR Coordinator and was impressed with the level of professionalism in hiring and training of officers. She agreed if City Council chooses to hire a consultant it needs to be very specific on what they need to do. She does not disagree with Councilor Freilinger on the lack of expertise on City Council in terms of police oversight. This is a moment in time when City Council needs to make sure all citizens are comfortable with policies and procedures. She would support first pulling together a citizen committee to walk through what concerns they have and to identify what they see as the issues so those can be looked at more in-depth. She raised the concern of funding this in FY 2021-22, because the Chief is fairly new, the lack of in-person meetings, and the timing of the construction of the new Civic Center. She feels City Council should wait until FY 2022-23 in order to give the chief time to adjust, be able to meet safely in-person, and allow for the beginning of the Civic Center construction. What the department looks like today will evolve drastically over the next year.

Mayor Palmer has been struggling with the avalanche of similar comments City Council has received. He would like to hear what the community thinks broadly and is adamantly in defense of people who are marginalized and do not feel safe in the community. He said this is a community-wide issue and not necessary just associated with the police, but is also an issue in businesses and the school district. He said it is very troublesome which is why as a community it should be looked at broadly and why the City is expanding the Equity and Inclusion Task Force. This task force is an ideal body to look into this issue. He does not like to create new layers of government and said there are some instances where the City has to hire consultants i.e. for the audit and larger projects that cannot be completed in-house, but the City Council has never hired a consultant within the City to supplant supervision that is occurring already. He also noted the police budget is reviewed by the Budget Committee annually line-by-line. He has not been told about any specific problems within the Police Department that need to be addressed and therefore is not convinced the City Council needs to create another layer of government.

Councilor Miller thanked everyone who testified on this matter and voiced his support for the Police Department and their policies. He would like to see a consultant advise the City on what best practices could be in place to allow people to raise sensitive issues through a government entity without fear. For example if a person feels like they were targeted they would have a way to sensitively bring that up without revealing their identity if they chose not to and a process that would protect both parties until further investigation could occur. He asked about making the department's accreditation standards more visible to the public.

Councilor Freilinger explained his thoughts in terms of timing and budgeting for this project, which was the second half of FY 2021-2022. He does not want to wait another year and would like to see a \$50,000 placeholder for a consultant to begin work once people can gather again safely, which may mean it has to carry over to the next fiscal year as well. He would like to see the consultant look at hiring practices, training as it relates specifically to diversity and use of force, and how officers are prepared to deal with mental health issues in the city. He feels the Diversity, Equity and Inclusion Committee will have a lot on its plate outside of the policing issue. He reiterated he is not in favor of defunding the police, but is looking for best practices and improving performance.

Councilor Sears shared his appreciation for the Police Department and said they do an excellent job. He liked the concept Councilor Miller suggested and would like to look into developing a process where complaints could be handled discreetly in order to gauge if there is a problem. The budget process is the time to bring up issues with how the City's money is being allocated. He would not consider defunding the Police Department and is concerned about the cost of hiring a consultant. He said the City Council does not legislate how a department runs by a consultant review. He agreed with Councilor Smith on the timing and would like to see the chief be able to fully immerse himself in his role and be further along in the Civic Center project. He is supportive of holding a public meeting in order to hear from more community members about their concerns and where they would like to see policing go.

Councilor Smith likes the concept of getting public input to figure out if there is a problem with the department. She feels City Council would get more candid responses through an anonymous survey.

Councilor Neideigh agreed with Councilor Sears and voiced her concern with creating a committee is ensuring who is appointed to it and if the whole community is represented. She does not feel a committee is needed to oversee the Police Department, because City Council plays that role.

Councilor Sears suggested doing both a public meeting and an anonymous survey. The survey results could be reviewed during the public meeting. He said it could be time to do a citywide survey on multiple topics. Discussion ensued on whether the survey should be more narrowly focused or more broad and which avenue would garner the most participation.

Councilor Freilinger made a motion asking staff to bring back options on a survey based on the City Council discussion tonight. Councilor Miller seconded the motion. Councilor Smith proposed an amendment to the motion asking staff to come back with a specific procedure for how to move forward

with specific steps or a flow chart of how to get to where the community is comfortable with what is happening. Councilor Freilinger and Councilor Miller were agreeable to the amendment. There was no further discussion and the motion passed unanimously (7-0).

VIII. CONSENT AGENDA

Councilor Smith noted her surprise that the one position did not have a good enough job description or people on staff to help with the training in the Public Works Department. City Manager Pro Tem Bob Willoughby explained this is a new hire that is relatively inexperienced and is in need of some specialized training which has been hampered by the ice storm.

Councilor Freilinger made a motion to approve the consent agenda consisting of agenda item 8.1. Councilor Sears seconded the motion. There was no discussion and the motion passed unanimously (7-0).

8.1 Authorize the hiring of three temporary positions in Public Works

IX. CITY MANAGER UPDATE

City Manager Pro Tem Willoughby said there is a street tree issue related to the McClaine Street project. Public Works Director Petra Schuetz explained the landscape architect does not believe street trees would be viable long term in some of their proposed locations due to the bedrock. They are suggesting the planting of shrubs and tall grasses in place of the trees predominantly in the middle of McClaine Street on the north side (in front of Loco Ono). Another suggestion was the installation of some vertical artwork in that area. Discussion ensued on the type of vegetation and ensuring it is native so they are drought tolerant. Councilor Sears voiced some concern about the grasses flaring out and to make sure they do not impede pedestrian traffic or obstruct the sight distance of driveways. Council was agreeable to move forward with alternative planting and artwork if possible.

City Manager Pro Tem Willoughby announced the second Housing Virtual Open House will be taking place on April 1, 2021 at 6:00 p.m. He provided an overview of the items that will be included in the proposed budget which were discussed during the February 10th modified goal setting session. The following projects will be included in the FY 2021-2022 budget:

1. The police survey if needed.
2. Goal 3.7 related to the South Water Street project.
3. Goal 3.9 related to the pavement condition of Second Street.
4. Goal 3.4 related to safe routes to school and the crossing at Highway 214 and Jefferson Street. Staff has asked Marion County for a jurisdictional transfer on Western Avenue and a project is being designed for Western and James. In addition, Director Schuetz is working with the state to do a speed study on Highway 214.
5. Goal 5.2 related to the replacement of the Water Treatment Plant.
6. A survey to explore the feasibility of increasing the local gas tax which could help fund four of the City Council transportation related goals.

He provided an update on the chipping of the debris pile at Eugene Field and noted firewood and wood chips will be made available to the public. He said some key City facilities will be compromised by having just one source of power during the Pudding River bridge work scheduled for April 19 through May 29, 2021.

Councilor Smith voiced her concern with speeding on South Water Street at the Wesley Street crosswalk and requested the City perform a speed study at that location as well. Councilor Sears noted the steam coming off the debris piles and wanted to ensure the crew is managing the piles. City Manager Pro Tem Willoughby has talked with Maintenance Supervisor Travis Sperle about the issue and they are working with the Fire District.

X. COUNCIL COMMUNICATIONS

Councilor Cuellar Sutton said the Women of Color Collective with George Fox University went really well.

Mayor Palmer reminded the City Council to file their Statement of Economic Interest with the Oregon Government Ethics Commission.

XI. EXECUTIVE SESSION

Mayor Palmer read the script and City Council entered into Executive Session under ORS 192.660(2)(a) to consider the employment of a public officer, employee, staff member or individual agent at 7:50 p.m. City Council returned to regular session at 8:35 p.m.

11.1 If necessary, take action on any matter discussed or deliberated on during the Executive Session

Councilor Miller made a motion to extend an offer for the position of City Manager to Ron Chandler and to appoint a negotiating team to carry out negotiations and bring back a full contract to the Council. Councilor Sears seconded the motion. There was no discussion and the motion passed unanimously (7-0).

Councilor Smith made a motion for the negotiating team to consist of Mayor Kyle Palmer and Council President Jason Freiling. Councilor Sears seconded the motion. There was no discussion and the motion passed unanimously (7-0).

XII. ADJOURNMENT

Councilor Smith made a motion to adjourn. Councilor Sears seconded the motion and Mayor Palmer adjourned the meeting at 8:37 p.m.

Respectfully submitted by:

/s/Angela Speier, Assistant to the City Manager/City Clerk