PRESIDING: Mayor Lynn Ewing

COUNCIL PRESENT: Lynn Ewing, Dennis Ross, Suzanne Knapp, Tom Troutman

COUNCIL ABSENT: Carol Rager, Jon Helquist, Randy Bechtol

STAFF PRESENT: Recorder DeOra Patton, Attorney Paul Sumner,

Visitors Present: Cristie Amaral, Karen DuPuis, Judy Sumner, Donna Henderson

CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE. The meeting was called to order by Mayor Ewing at 6:30 p.m. Roll call of Council and staff was conducted by Recorder Patton. Mayor Ewing led council and audience in Pledge of Allegiance.

CONSENT AGENDA: A) Minutes of January 25, 2017 Meeting; B) Mayor/Councilor Monthly Finance Report; C) Payment of Invoices for January 2017. It was moved by Councilor Ross, seconded by Councilor Ewing, and unanimously passed; the Council approves consent agenda as presented.

OPEN AGENDA. none

REPORTS.

Chamber. A written report by Chamber Coordinator Amaral was presented telling of a new chamber member, past and future events and meetings, and upcoming SBDC Business Education Classes.

Planning Commission. Recorder Patton reported the Commission, at its February meeting, approved a Partition on the former mill site land and a Site Plan by Tim Thornton to relocate his raft business. Also, the Commission is moving forward to work on the rezoning of areas in town.

Mayor. Mayor Ewing reported on the meeting with BNSF Railroad, meeting with Rick Leibowitz for classes on best use of broadband for business, update on broadband project work, incident of a main water line break, schedule for bid opening under Q-Life for in-town broadband work, recent City Hall Day at the Capital with Senators & Representatives and proposed bills of interest, interviews completed for WW Operator and Utility Billing Clerk, Bakeoven Creek cleanup work by the County, and the Regional Solutions meeting moved to March 22. He reported Sara Morelli wants okay from Council to raise money to replace the Legion Hall front & side doors and install a window where the swamp cooler was.

DRAFT

Library: A written report by Librarian Stephenson was presented reporting on a Taiko drumming performance in April, wifi hotspots donated by Google, and replacement of office desk and shelves in the library.

Public Works. A written Public Works Report covering the period of 1/26/17 – 2/21/17 was presented. Councilor Troutman reported on plans to bring in an ODOT person to assess city streets for developing a 5-10-year street repair/improvement plan, and in the matter of the SCA Street Paving Project, the City is waiting on project documents by Tenneson Engineering. Staff is also going to start working on an infrastructure plan.

Legislation/LOC. Councilor Knapp reported she and Councilor Helquist sat in on the January 12th CIS webinar on "Top Employment Law Resolutions Every Employer Should Keep", and she presented and reviewed her notes to that session. She reported she is going to attend the CIS Conference via video broadcast. She attended the Broadband consortia meeting last Friday. She announced she does not think the mayor has power to make assignments to elected officials without elected officials having discussed it at the table and approved, and stated she is not going to address this Legislation/LOC Committee assignment unless proven otherwise.

Capital Projects /Economic Development / Intergovernmental Relations. Councilor Ross acknowledged to Councilor Troutman of the City's Capital Improvement Plan prepared by Bradley Bobbitt for Public Works to use as a starting point in developing the infrastructure and street repair/improvement plans. He reported on meetings of South Wasco Alliance, Wasco County Economic Development, Mid-Columbia Economic Development, ODOT Region 4 Transportation, and City Hall Day at the Capital with visits to Senators Ted Ferrioli & Betsy Johnson and Representatives John Huffman & Greg Smith.

Attorney. Attorney Sumner reported on receipt of a proposed Amendment to the Q-Life Intergovernmental Agreement. Relative to requests by City Planner, he reported engagement of his services should come from the mayor. He disclosed conflict, should any legal matter arise, of having engagement of services with Matt Kemper.

RELOCATION PLAN – LIBRARY & CITY HALL. Mayor Ewing reported on estimated cost for temporary relocation, and reported the Council will look at some alternatives, creative solutions.

NEW WWP OPERATOR AND NEW CLERK. Mayor Ewing gave a status report on the applications process, progress, and plan to move forward to make job offers.

COMMUNICATIONS. Recorder Patton reported she will be attending the CIS Conference in Salem this Thursday and Friday. She reported on a SAIF Corporation audit conducted February 15th, and everything is in compliance.

DRAFT

EXECUTIVE SESSION PER ORS 192.660(2)(h) TO CONSULT WITH COUNSEL. At 7:20 p.m., Council retired from regular session to go into executive session, and reconvened the regular meeting at 7:47 p.m. There were no decisions to be made at this time.

NEXT MEETING. On inquiry, discussion was held on having a second meeting each month, and recognized a second meeting would be held if needed. It was further discussed and agreed to add "Suggested topics for next meeting" to the agenda after Communications. Councilor Knapp requested to add "Employee Handbook" and "City Charter" to the next meeting agenda.

Next Meeting: March 22, 2017

ADJOURN. Mayor Ewing adjourned the meeting at 7:55 p.m.

Respectfully submitted by
DeOra M Patton, Recorder

SIGNED: _____
Lynn Ewing, Mayor

ATTEST: _____
DeOra M. Patton, Recorder

DRAFT

RESOLUTION NO. 03222017
A RESOLUTION OF THE CITY OF MAUPIN
CITY COUNCIL
RECOMMENDING RESTORING RECREATIONAL IMMUNITY RIGHTS

WHEREAS, in 1995, the Legislative Assembly declared it to be the public policy of the State of Oregon to encourage landowners to make their land available to the public for recreational purposes by limiting their liability toward persons entering thereon for such purposes, and;

WHEREAS, recreations purposes includes, but are not limited to, outdoor activities such as hunting, fishing, swimming, boating, camping, picnicking, hiking, nature study, outdoor educational activities, water sports, winter sports, viewing or enjoying historical, archaeological, scenic or scientific sites or volunteering for any public purpose project, including the above aforementioned activities, as well as: gardening, woodcutting and for the harvest of special forest products, and;

WHEREAS, the Public Use of Lands Act has increased the availability of land for free recreation by citizens and visitors alike by limiting liability to cities, counties, park districts, irrigation districts, schools and private landowners, including property-owner associations, farmers and timber companies that, by virtue of this act, allow members of the public to use or traverse their lands at no charge for recreation purposes, and;

WHEREAS, for twenty years, the Public Use of Lands Act has been broadly interpreted to extend this immunity from liability to apply not only to landowners but also to the landowner's employees agents, and volunteers, and;

WHEREAS, in *Johnson v. Gibson*, the Oregon Supreme Court held that when the Legislature passed the Public Use of Lands Act, it intended to immunize only the landowner, otherwise the Legislative Assembly would have included employees, agents and volunteers in the Act, and;

WHEREAS, this ruling effectively undermines a landowner's recreational immunity from tort liability under the Act because public employers are statutorily required to represent and indemnify their employees and most, if not all, landowners who allow access to their lands free of charge will ultimately be responsible for the negligence of their employees that results in injury to a member of the public or property, and;

WHEREAS, landowners will likely face substantially increased insurance premiums for this new risk exposure and/or have to close their property or amenities to Oregonians trying to recreate due to the result of this decision.

NOW, THEREFORE, let it be known that the **City of Maupin** supports legislation in the 2017 Oregon Legislative Assembly promulgated to restore recreational immunity to

landowners and their officers, employees, agents or volunteers who are acting within the scope of their employment or duties so to allow Oregonians to access their lands for recreational use and enjoyment.

ADOPTED by the City Council of the City of Maupin on March 22, 2017.

_____

Lynn Ewing, Mayor

Attest:

_____

DeOra M Patton, City Recorder