

# MINUTES

COUNCIL MEETING DECEMBER 18, 2024



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Date: December 18, 2024

Time: 6:00 pm

Meeting called to order by: Mayor Anderson at 6:01 p.m.

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## IN ATTENDANCE

Mayor Anderson, Councilor Berry, Councilor Campbell, Councilor Cannon, Councilor Wright, Councilor Estes Staff – City Manager Rogers, City Attorney Westmeyer, Finance Director Morris, Special Projects Coordinator, Coleman Presenters: Main Street Mosier Members: Andrea Weinman, Bob Cushman, Greg Dearholt, Juliana Foster Audience: Teunis Wyers, Gary Lindemeyer

**AGENDA ADDITIONS:** None

**APPROVAL OF Dec 4, 2024, MINUTES:** Mayor noted a correction to the 12/04/24 Minutes—that Lydia Koerner was elected, not appointed and Brenna made motion to approve Lindemeyer's appointment. Councilor Campbell moved to approve 12/04/24 minutes as corrected. Councilor Cannon seconded, all in favor.

## OPEN MEETING

### 1) **Public Comment –**

- Mr. Wyers questioned the timelines for publishing dates of recent Council agendas. City attorney Westmeyer confirmed that they have been published on time within public notice law requirements. Mr. Wyers added concerns for Ms. Bennett's health and went on with defense of her character throughout her time as city manager in Mosier.
- Mayor Anderson noted that Mr. Wyers comments would be addressed in Executive session.

### 2) **Main Street Mosier (MSM) Presentation –** Andrea Weinman introduced the presentation, noting that the intent of the presentation is to seek City Council support for MSM to become an affiliated member of the Oregon Main Street program. She was joined by her MSM colleagues Bob Cushman, President, Juliana Foster, Executive Director and Greg Dearholt. She continued with her colleagues' input through the following:

- Overview of Main Street Program: Nationally, regionally and locally, funded publicly, privately and foundation. MSM primarily works with Oregon Main Street, which is part of OPRD Heritage Dept.
- 2019 - Main Street methodology was put in place.
- Bob Cushman describes the four-pillar approach to doing what they do: Promotion, Design, Economic vitality and Organizational outreach

- Promotion Committee
  - Puts on Spring Fest, Mosier Fest and Winter Festivals
  - 575 Volunteer Hours (2024)
  - 26 small businesses supported (event vendors)
- Design Committee
  - Projects around town
- Green Space Gardeners
- Skate Park Committee
- Joint projects with MCS students
  - Art Restoration
  - Green Chair project
- MSM has very active Committee and Subcommittee Members who put in 600 Volunteer Hours in 2024
- Greg Dearholt describes the Economic Vitality Committee
  - Main Street America and Oregon Main Street provided in-depth economic vitality workshops
  - Mosier Walkathon
  - 25 Business Members from just Mosier
  - 13 Women owned businesses
  - 3 Minority owned businesses
  - 6 Active Committee members
  - 245 Volunteer Hours 2024
- Goals are to further connections throughout Mosier
- Stargazing event and Community Walk and Talk
- Summary
  - 1820 Volunteer Hours
  - \$34,800 Outside Financial Investment (2024)
  - 66 Businesses, Artists and Vendors supported by Main Street Mosier

Mayor Anderson congratulated Main Street Mosier for the work they've put into making Mosier a better place. Mr. Cushman noted that it is a beneficial partnership. Mr. Dearholt added that most of the Main Street organizations started from small towns.

Discussion ensued regarding the outstanding benefits of Main Street Mosier for the City and Ms. Rogers brought forward the Resolution to become an affiliation of Oregon Main Street

- a. **Motion:** Councilor Cannon moved to adopt resolution 2024-12: To Endorse a Local Main Street Program and Apply to the State of Oregon to become a Local Main Street Community. **Councilor Campbell wholeheartedly seconded.** All in favor. Unanimous

- 3) 6:35pm Executive session was convened under ORS 192.660(2)(f) *To consider information or records that are exempt by law from public inspection.*
- 4) Executive Session was held (24 minutes).
- 5) 6:59 p.m. Reconvened public meeting; hearing was held and was open to the public. City Atty Westmeyer recommended that she provide initial background for the public hearing based on **ORS 192.660(2)(b)** *To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who requests an open hearing.*
- 6) **City Attorney's Background Summary:** Ms. Westmeyer provided background on the subject for this hearing and subsequently discussed the city's financial issues, specifically the unauthorized use of city funds by Jayme Bennett, the City manager. Ms. Bennett was placed on paid administrative leave in

October 2024, and the city discovered a significant number of separate unauthorized transactions from 2019 to 2024. The City requested documentation to verify these expenses as city business, but Ms. Bennett did not respond. The City council held several executive sessions to discuss the matter, and Ms. Bennett was given another opportunity to respond to the request. However, she still has not provided any response or documentation. The purpose of the current meeting is to provide one final opportunity for Bennett to provide a response or any documentation. Ms. Westmeyer then noted it was time for Mr. Wyers' response.

7) **Mr. Wyers Summary:**

- a. Mr. Wyers discussed the treatment of a public servant, Ms. Bennett, who had been placed on administrative leave after speaking out about the misuse of public funds. Wyers argued that the city's actions were invalid and further traumatized Ms. Bennett, who was dealing with a personal health issue. Wyers also questioned the city's handling of Ms. Bennett's retirement benefits and the reimbursement policy for city managers. He suggested that many of the expenditures in question fell under the reimbursement policy or were caught up in an issue with the city's auto-pay system. Mr. Wyers also addressed the issue of a check to Freeman Motors, stating that it was intended as a mileage reimbursement for Ms. Bennett and not the city's money. Mr. Wyers also discussed the treatment of a public servant, Ms. Bennett, who had been placed on administrative leave after speaking out about the misuse of public funds. Mr. Wyers argued that the city's actions were invalid and further traumatized Ms. Bennett, who was dealing with a personal health issue.
- b. Mr. Wyers discussed the administrative leave action and the informal meeting at the Mayor's residence. He highlighted the hiring of family members and consultants during emergencies, and the use of city funds for Covid relief. Wyers also addressed the issue of commingling of accounts, stating that there was no intentional use of city funds. He suggested that some expenditures, such as restaurant purchases, were related to Covid relief or city events. Mr. Wyers also mentioned the use of personal funds to cover any unauthorized expenditures. He concluded by stating that the city council should have known more about the city's operations and not made assumptions based on inferences.
- c. Mr. Wyers expressed concerns about the city's handling of employee advances and the potential misappropriation of funds. He also raised issues about the city's past bookkeeper, who was accused of mislabeling checks. Mr. Wyers defended Ms. Bennett, who was accused of forgery, stating that she was directed to sign on behalf of others. Mr. Wyers also criticized the city's handling of personnel matters, suggesting that the city should have involved its insurers' counsel. He warned that the city could face further potential liability and suggested that the city should have dealt with personnel matters through its insurers. Mr. Wyers also mentioned that Ms. Bennett had received a lot of support from the community. He concluded by stating that he would make records requests and that the city should maintain all public records.
- d. Transcript: see transcript via formal public records request.

8) In response to Mr. Wyers, the City attorney noted that public notices for this meeting were posted on Mailchimp and the City's website on December 11, 2024 and for the previous two meetings and the October 16, 2024, she confirmed were posted on Mailchimp and the city website with timing consistent with public notice laws. She also stated again that this public hearing was convened in accordance with **ORS 192.660(2)(b)** *To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who requests an open hearing.*

9) 8:07pm Adjourned open meeting and convened in executive session to consult with counsel under ORS 192.660(2)(f) *To consider information or records that are exempt by law from public inspection.*

10) Executive Session was held (26 minutes). (Ms. Westmeyer to provide minutes)

11) 8:33 pm Reconvened open public meeting. Mayor Anderson addressed Mr. Wyers' defense of Jayme with claims of illness and mistakes brought up during the public comment period at Council and again in Executive Session.

- 12) Mayor Anderson expressed concern about Jayme's health and the unauthorized use of city funds. He disagreed with Jayme's explanations for the expenditures and suggested moving forward with termination. Other council members echoed Mayor Anderson's sentiments, expressing regret and disappointment in the situation. They agreed that the lack of proper bookkeeping and documentation was a significant issue. The Council members also acknowledged their responsibility in the situation and expressed their desire for Jayme to thrive and be happy.
- 13) Mayor Anderson proposed a motion to terminate Jayme Bennett's employment as city manager, effective immediately, contingent on consultation with the city's insurer. The Council agreed to this motion, with the understanding that the termination letter would be drafted in consultation with the city's insurer. The Council also discussed the reasons for the termination, which included the misuse of city funds and authority, and the misuse of city taxpayer dollars. The Council acknowledged the emotional impact of the situation and expressed hope for a positive future for all parties involved.
- 14) **Mayor Anderson's Motion:** I move to terminate the employment of City Manager, Jayme Bennett effective today for the reasons discussed at the Council meeting tonight. And to direct the city attorney to draft the termination letter in consultation with the city insurer. **Mayor Anderson** Any discussion? None. **Seconded:** Councilor Wright **All in favor.**
- 15) Mayor Anderson and all Council members expressed deep regret and concern as well as some responsibility weighing on their shoulders. See transcripts for all Councilor's full comments.
- 16) Mayor Anderson allowed Mr. Wyers to comment again. Wyers spoke in defense of Ms. Bennett's character, claiming that her mistakes were unintentional.
- 17) 9:06 pm Meeting adjourned.