

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, January 28, 2019**

Mayor Kirsch opened the meeting at 6:30 PM with the flag salute. Councilors present were Janet Zeyen-Hall, Dawn Plotts, Tony Trout and Steve Winn. Brett Katlong was excused. Staff members in attendance: City Planner David Kinney

Citizens in attendance were Ann Carey and Roel Lundquist.

DECLARATIONS OF POTENTIAL CONFLICTS OF INTEREST: Mayor Kirsch stated that anyone who felt they may have a potential conflict with anything on tonight's agenda may say so at this time or at any time during tonight's meeting.

CONSENT AGENDA

Councilor Trout moved and was seconded by **Councilor Plotts**, to approve items a; Approval of Minutes of Regular City Council Meeting of January 8, 2019, b; Approval of January 18, 2019 Email Authorization of Accounts Payable, c; Approval of January 18, 2019 Email Ratification of Planning Commission Approval of Land Use File No. 2018-12, Minor Partition (Block 100-200 SE Fairview East of City Hall), d; Approval of January 18, 2019 Email Ratification of Planning Commission Approval of Land Use File No. 2018-13, LUANSR Site Plan Review – Two Single Family Homes (Block 100-200 SE Fairview East of City Hall), and e; Ratification of The Reid House Committee Recommendation to Appoint Yvonne Hanna and Maryann Meredith to the Two Vacant Seats, of the consent agenda. David Kinney polled the council; the motion passed unanimously, (5:0).

LINN COUNTY SHERIFF'S REPORT: None.

PUBLIC WORKS REPORT: None.

CITIZEN COMMENTS AND QUESTIONS: None.

PRESENTATIONS: None.

PUBLIC HEARING: No public hearings were held.

OLD BUSINESS

Public Works Building Update – Notice of Intent to Award: The Notice of Intent to Award that Mrs. Cook released on January 11, 2019 was provided for review. The interview committee reached a unanimous decision to offer the Public Works Building Design/Build Project to Andy Medcalf Construction and AC+CO Architecture.

Overall, the interviewers felt that we had two great options to choose from. However, it was also the general feeling that the City would have more opportunity to see cost savings for this project by contracting with Andy Medcalf Construction. A number of options for analyzing the building site and layout as well as elements of the project that our employees can complete, which will provide a savings to the City, were discussed.

AC+CO Architecture has begun drafting a contract for consideration by the City. If the Council accepts the committee recommendation then a motion to award the project contract must be made. The services contract will be brought back to Council for approval prior to moving forward.

Mr. Medcalf was very excited about our project and indicated that he would be ready to jump into the project as soon as he was notified of the ability to do so. If everything goes well, we are hopeful that the building can be ready for use by early summer.

Mayor Kirsch said that

Councilor Plotts moved and was seconded by **Councilor Trout** to Award Mill City Public Works Building Design/Build Project to Andy Medcalf Construction and AC+CO Architecture. The motion passed unanimously, (5:0).

Ordinance No. 397 – Amending the Comp Plan Map and Rezoning Two Parcels: Ordinance No. 397 amends the Comprehensive Plan Map and rezones two parcels of land owned by William Kelley from R-1 to CC. The ordinance was read for first reading by title only at the January 8, 2019 meeting. To finalize the land use decision and complete the comp plan and zone change a motion to read for second reading by title only and a second motion directing the mayor to sign the ordinance as enacted must be passed.

Councilor Trout moved and was seconded by **Councilor Zeyen-Hall** to Read Ordinance No. 397 for Second Reading by Title Only. The motion passed unanimously, (5:0).

Mr. Kinney read Ordinance No. 397 by title only.

Councilor Trout moved and was seconded by **Councilor Plotts** to Enact Ordinance No. 397 and to Direct Mayor Kirsch to Sign the Ordinance as Enacted. The motion passed unanimously, (5:0).

Mr. Kinney said that because this is a land use ordinance, there is a 21-day appeal period in which someone could appeal the decision to LUBA. However, no one testified against this application.

NEW BUSINESS

Resolution No. 83X (833) – PW Maintenance Worker I Job Description/Wages: The Council gave direction in December to create a job description for the Public Works Maintenance Worker I position that was being considered for creation. A draft job description was provided for review at the January 8th City Council meeting. There was only one concern about the job description outlined during the meeting; language regarding certification. This has been addressed by including the language suggested by Councilor Zeyen-Hall; certifications desired but not required, at the end of the educational and training requirements section. The certification for water has also been changed to reflect what is actually necessary in Mill City, Water Distribution I/II.

One other item of concern discussed was pre-employment drug screening. Mrs. Cook checked with CIS and was advised that only safety sensitive positions can be required to do so. A PowerPoint CIS uses is included for more information.

Resolution No. 83X or 833 if approved, creates the position of Public Works Maintenance Worker I and outlines the salary scale of \$16.61 to \$21.87 per hour. If the Council has no additional concerns with the job description or salary scale then a motion to approve the resolution is needed to formalize the position.

Mayor Kirsch said that he and Mrs. Cook discussed the wage scale for this position due to there being so many ways that other cities handle them. The final decision was to use the existing maintenance worker wage scale, which was the simplest option. Councilors Trout and Zeyen-Hall agreed that simplification is appropriate.

Councilor Zeyen-Hall moved and was seconded by **Councilor Trout** to Approve Resolution No. 833 – Adopting the Job Description for the Position of Public Works Maintenance Worker I, Including the Salary Schedule. The motion passed unanimously, (5:0).

Ordinance No. 39X – Nuisance Code Revisions: A draft of Ordinance No. 39X – Amending Title 8, Health and Safety (Nuisance Code), was provided for review. The bulk of the document is the same as what was presented at the January 8th meeting, with minor language changes. However, as stated by City Attorney Jim McGehee, there needed to be inclusion of a new definition for “person in charge of real property” (page 4) as well as an alternate remedies section under enforcement (page 17). Both of these items have been added to the document and are highlighted in yellow for easy review. In addition, the notations and highlighting/strikethrough have been left in case there are questions about the changes being enacted.

If the Council is ready to move forward with the adoption of Ordinance No. 39X a motion to read for first reading by title only is needed. The Ordinance will be brought back to the February 12, 2019 meeting for final reading and enactment in the final cleaned up format.

Councilor Trout moved and was seconded by **Councilor Zeyen-Hall** to Read Ordinance No. 39X for First Reading by Title Only. The motion passed unanimously, (5:0).

Mr. Kinney read Ordinance No. 39X by title only.

Ordinance No. 39X – Amending Zoning Map and Annexing Property: Planner David Kinney provided a memo outlining the background for Ordinance No. 39X, which annexes 18.16 acres of land into the City of Mill City. This is the second phase for Mill City Land Use File No. 2017-02 – Mill City UGB Adjustment, Comprehensive Plan Map Amendments, Zone Change and Annexation. The UGB Adjustment, Comp Plan Map Amendment and Zone Change was approved by the City Council at their May 9, 2017 meeting and the Ordinance adopting this decision was approved on June 27, 2018.

The applicant then had to go through the land use process with Linn County, which was finalized with a Notice of Decision on October 19, 2018.

The next step in the process is to complete the annexation of the property. The City has notified DLCD of the Mill City and Linn County decisions and DLCD has acknowledged both amendments. The Oregon Department of Revenue (DOR) must approve the legal description and maps for the annexation. These have been provided for their review. Once we receive the go-ahead from DOR we can finalize adoption of this ordinance with the second reading and enactment.

If the Council is ready to proceed with this phase in the process then a motion to read for first reading by title only is needed.

Mr. Kinney said that this is the final ordinance to complete this land use process. There are still some outstanding bills which need to be paid by the application prior to finalizing the process. The first reading can be done this evening and a note will be sent to the applicant advising of the need to pay the final billings prior to the second reading and enactment.

Councilor Trout moved and was seconded by **Councilor Plotts** to Read Ordinance No. 39X for First Reading by Title Only. The motion passed unanimously, (5:0).

Mr. Kinney read Ordinance No. 39X by title only.

STAFF/COMMISSION REPORTS

City Recorder Report

City of Mill City
Minutes of the City Council
January 28, 2019

List of On-Going Old Business Items: A list of the on-going old business items was provided for review.

Safe Routes to School Grant: We were notified late last week that we were not funded for the Safe Routes to School Grant. However, we did find that our application ranked just below the funding cutoff, which is a good indication of how competitive it was. Planner David Kinney, SCSD Superintendent Todd Miller and Mrs. Cook will be meeting in the near future to discuss how to move forward with an application in the next funding cycle.

Mr. Kinney noted that there were about 90 applicants for this funding with around 15-18 recipients. The ranking committee got down to four applications that there were considering and Mill City was one of those four. There was not enough money left to cover the \$1.4 Million that Mill City requested so the committee jumped to proposals below in order to find projects that fit within the available funds.

Mr. Kinney said that there may be an opportunity for funding that could pay for some of the storm drainage work in this area, which would then reduce the amount needed in the SRTS grant and may increase the City's change for award in the next funding round.

Mr. Kinney said that there likely will be an agreement between ODOT, Linn County and the City to transfer the jurisdiction of the highway bridge to Linn County at the February meeting. The City will be transferred the north 100' of the bridge and Linn County has agreed to maintain the abutment.

BUSINESS FROM MAYOR & CITY COUNCILORS

Mayor Kirsch had nothing to report.

Councilor Zeyen-Hall said that she is buying cards for staff birthdays and work anniversaries. The first birthday is coming up next month so there will be a card for all of Council to sign.

Councilor Plotts said that there are no lights on the pedestrian bridge that are working right now. Councilor Plotts also noted that on February 13th at 7:00pm there will be a meeting at City Hall for people interested in working with the Canyon Catalysts.

Councilor Trout asked if there is any update on the TIGER grant beyond what Mr. Kinney spoke of earlier. Mr. Kinney said that we are still waiting for the FHWA grant agreement. The SOB Committee is working on organizing a centennial celebration.

Councilor Winn had nothing to report. Ann Carey, Planning Chair, said that it would be nice if Councilor Winn could attend planning meetings when there are no hearings.

EXECUTIVE SESSION: No executive session held.

ADJOURNMENT

The meeting was adjourned at 7:05 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor