

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, November 13, 2018**

Mayor Kirsch opened the meeting at 6:30 PM with the flag salute. Councilors present were Brett Katlong, Penny A. Keen, Dawn Plotts and Tony Trout. Scott Baughman was absent. Staff members in attendance were City Recorder, Stacie Cook and City Attorney Jim McGehee.

Citizens in attendance were Douglas Bush, Ann Carey, Jeanette Denos, AddUpon, Councilor Elect Janet Zeyen-Hall, Sgt. Greg Klein, Linn County Sheriff's Office, Roel Lundquist, Gary Olson, Sierra Reynolds and Councilor Elect Steve Winn.

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 Plotts pulled item 'b' of the consent agenda.

Councilor Trout noted that there is a change to item 'h'. Mrs. Cook said that the notice of decision and map for the Ward Minor Partition application has been revised. The conditions of approval required the placement of setbacks on the survey plat. However, state ORS does not allow this so the conditions of approval and map needed to be revised to reflect following state law.

Councilor Trout moved and was seconded by **Councilor Katlong**, to approve items a; Approval of Minutes of Regular City Council Meeting of October 9, 2018, c; Acceptance of Monthly Revenues & Expenditures Report, October, 2018, d; Authorization of 1/2 –Day Paid Holiday on Monday, December 24, 2018 and Closure for Full Day, e; Authorization of Holiday Gift Certificates of \$40.00 for Each City Employee, f; Acceptance of Resignation of Phillip Adams from Position of Meter Reader, Effective October 22, 2018, g; Approval of Technology Team Services Agreement with NSSD Through June 30, 2019 in the Amount of \$3000.00 and h; Ratification of Planning Commission Approval of File No. 2018-08; Minor Partition, 512 SE Kingwood Avenue – Ward, of the consent agenda. Stacie Cook polled the council; the motion passed unanimously, (5:0).

Councilor Plotts asked about the Gardens Year Round payment is for. Mrs. Cook said that this is Bev Reding and she does some yard maintenance at the Reid House.

Councilor Plotts asked what the fine payment to the State of Oregon is for. Mrs. Cook said that the City sends a monthly payment to the state for fine disbursement on all municipal court fines that have been paid in full.

Councilor Katlong asked what Bev Reding does since Stewart's Lawn Care also does work at the Reid House. Mrs. Cook said that Ms. Reding does plant care whereas Stewart's does the mowing, leaf blowing, etc.

Councilor Plotts said that the bill this month from Stewarts was a lot. Mrs. Cook said that it is quite high this month and that is in part due to the cutting back of the hedge behind the building that sits between it and the Ivy Court Apartments.

Councilor Katlong asked how often Stewarts does work and what the schedule is. Mrs. Cook said that she is not aware of a schedule, just that work is done when needed, such as blowing leaves, which was done fairly often so far this year.

Councilor Plotts said that she knows that there was a discussion about continuing to keep the property to the standards of Mrs. Reid but we should really be looking at the costs. Mayor Kirsch noted that part of the reason Mrs. Reid left a very generous endowment is to ensure that the maintenance of the home continued.

Roel Lundquist, SW Linn Blvd, said that Councilor Plotts has a valid point and the time spent on the maintenance should be monitored. Mr. Lundquist said that public works could take on some of this work and cut back on outside help.

Councilor Trout noted that the annual expenses that were provided to the Council showed about \$10,000 for lawn maintenance so this is not out of line.

Ann Carey, SW 1st Avenue, asked if the City is being reimbursed for these costs. Mrs. Cook said that the City receives an annual distribution from Oregon Community Foundation based on the amount of the overall original endowment fund that remains. These distributions are provided around July.

Councilor Plotts moved and was seconded by **Councilor Trout** to approve item, b; Approval of Accounts Payable. The motion passed, (5:0).

LINN COUNTY SHERIFF'S REPORT: Sgt. Greg Klein gave the Linn County Sheriff's report for the month of October.

Sgt. Klein said that the house explosion on SE Ivy Street is still an open investigation but once information is known the City will be advised.

Councilor Trout asked about the crashes that have occurred recently and whether these are just fender benders. Sgt. Klein said that a lot of them are.

Councilor Plotts asked about the property on SW Cedar and S 1st Avenue and having officers park near there to work on reports when possible.

Councilor Keen asked about getting the speed reader board in town. Sgt. Klein said that there is a new one coming and it will be brought up as soon as possible.

Councilor Keen said that there needs to be a focus on getting vehicles to stop for children waiting to cross the street here on S 1st Avenue. Mrs. Cook said that the issue the deputies are having is that they need to have someone showing intent to cross and without that then there is not a violation by the driver. Mrs. Cook added that she would like to see a crossing guard at this crosswalk for students.

Councilor Keen asked what the curfew is for juveniles. Sgt. Klein said that it is 10:00 p.m. during winter and midnight in the summer.

PUBLIC WORKS REPORT: Public Works Supervisor Russ Foltz was not in attendance. Mrs. Cook said that Public Works Supervisor Russ Foltz wanted to be sure the Council was aware that the pump for the Spring Street Pump Station has arrived and has been installed. Mayor Kirsch added that the back up pump may need to be repaired.

CITIZEN COMMENTS AND QUESTIONS: None.

PRESENTATIONS: None.

PUBLIC HEARING: Adoption of FY 2018-2019 Supplemental Budget

Mayor Kirsch opened the Supplemental Budget at 7:02 p.m.

Staff Report: Resolution No. 832, which outlines changes to the fund numbers within the City of Mill City finance system, was included for Council review and consideration. As we have moved forward with our finance consultant, Jeanette Denos, it has been discussed that there will be changes to the fund and line item number in order to make a more cohesive and fluid financial system.

There are no changes to the budget dollars, only the fund numbers, and within the line item numbers. A crosswalk for the conversion was provided for review.

To complete the conversion of fund numbers and comply with state budget law, a resolution must be passed adopting the changes.

Jeanette Denos, AddUpon, said that the fund numbers and line items have been modified in order to keep a streamlined financial process and conform better to GAP. The funds now track expenditures and revenues based on activity rather than individual items.

This change consolidates all reserve accounts into one fund and keeps them separated through internal numbers.

Making these changes allows for more flexibility in expenditures throughout the year.

Payroll accounting is now easier for reconciliation and end of year as well.

Questions from Council: Councilor Plotts said that it is her understanding that this is easier for the audit process. Mrs. Denos said that it will make the audit process easier and cleaner and will allow for a clearer audit trail.

Public Testimony: Roel Lundquist, SW Linn Blvd, said that reserves need to have a resolution adopting them that needs to be revisited every ten years and asked how this change affects this requirement. Mrs. Denos said that she would check with the auditor to make sure that the process is followed correctly.

Mr. Lundquist said that on the reports that are generated there are numbers for the funds but they should also state which funds they are. Mrs. Denos said that she believes she can fix this within the financial software.

Close of Hearing: Mayor Kirsch closed the public hearing at 7:14 p.m.

Mrs. Cook said that a motion to adopt the budget is needed to finalize the process.

Councilor Trout moved and was seconded by **Councilor Keen** to Approve the Supplemental Budget as Presented and to Adopt Resolution No. 832 – Adopting a Supplemental Budget for the Street, Water, Sewer, RR Bridge, Skatepark, Canyon Journeys, Housing Rehab, Equipment/general Facilities/Sewer/Street and Water Reserves and the Bonded Debt Funds, and Making Appropriates for the 2018-2019 FY. The motion passed unanimously, (5:0).

OLD BUSINESS

Public Works Building Update: A non-mandatory pre bid meeting was held November 1, 2018. Three contractors attended. A brief tour of the building site and of the existing public works building was taken. We have also had contact by two additional contractors to date who have voiced interest in our project.

Proposals must be submitted by November 30, 2018 at 5:00 PM.

Software Update: The new software has gone live for both finance and utility billing. The November water/sewer billing was done in the new software and went well. There are a few minor items that need to be adjusted within the system, which Utility Billing Clerk Kimberley Johnson is working with Accela to get done.

This version of the software is much more detailed than our prior version so it may take time to fully understand the inner workings of the product. However, we have not run across any major issues at this point.

Security Cameras: Steve Burkleo, NSSD, and crew, came to City Hall on Friday, November 2nd to begin the installation of security cameras for the City. Mr. Burkleo identified camera locations and ran the necessary wiring for both inside and outside of the building. Mr. Burkleo came back on Friday, November 9th to install the inside cameras. Once the remaining cameras for City Hall have been installed and the system is up and running correctly then they will move on to the next location, likely Kimmel Park.

Mayor Kirsch said that with these cameras installed every time someone walks into City Hall now they will be on camera.

Councilor Plotts asked how long the recordings will be kept. Mrs. Cook said that they are indefinite at this point but should be changed for a more reasonable retention.

Mrs. Cook asked if a sign needs to be posted stating that there are cameras. Mr. McGehee asked if audio is being recorded. Mrs. Cook said that it is. Mr. McGehee said that a sign should be posted advising of this.

Public Works Staffing: With the Council's acceptance of Phillip Adams' resignation from the position of meter reader staff would generally request directive to advertise the position opening so that applications could be accepted and the position filled. However, since the Council has been considering staffing options for the City Mrs. Cook felt it prudent to withhold requesting the directive at this time.

The vacancy of the meter reader position is a good opportunity for the Council to make a smooth transition, should it be the decision to do so, to creating a new public works position. This would be the time for a full review of the existing positions, drafting of a new position description and modification of any that need to be modified.

Mrs. Cook has spoken with Public Works Supervisor Russ Foltz and he indicated that his preference would be to withhold hiring a meter reader and explore the creation of a third full time public works position. This would provide ample time to train someone in all areas of public works and begin the process of implementing a succession plan.

Mayor Kirsch said that current staff will have to take on meter reading at this time. David Kinney outlined some options for staffing a few months ago and is taking the information from the previous meeting into consideration while putting together the next group of information for Council to review.

Mr. Lundquist said that he is supportive of a third public works person and eliminating the meter reader position. However, things work very slowly and it will take time to put together a new position description. Mr. Lundquist would recommend bringing on a meter reader for now so that current staff does not have to do this work until such time as Council decides how to proceed with staffing.

Councilor Plotts noted that the meter reader position could be advertised as temporary.

It was asked how many applications we had last time the position was advertised. Mrs. Cook said that there are generally very few applicants and the unfortunate part about this position is that we do not get quality applicants who want to stay because the position is extremely limited hours with no benefits and only pays minimum wage. This kind of position is conducive to a retiree who only wants a few hours a month or a high school student who can only work limited hours.

Councilor Katlong suggested opening the position up for a six month temporary position and looking at extending the time if a decision hasn't been made about public works staffing by then.

Councilor Plotts asked about the possibility of using a meter reader that only works part time at another City. Mrs. Cook said that the issue with trying to share employees is that should the person go over 600 hours with the combined positions, then both cities pay PERS.

Councilor Keen moved and was seconded by **Councilor Trout** to advertise a one year meter reader position.

Councilor Plotts asked if a full year is needed. Councilor Keen said that the year would allow another person to train if necessary should a third public works employee be hired.

Janet Zeyen-Hall said that the position could be advertised as six months with the possibility of going a full year.

Mayor Kirsch called for the vote. The motion passed, (4:1) with Councilor Plotts voting nay.

280 NE Santiam Lease: The City's lease on the property at 280 NE Santiam Blvd expires January 2, 2019. The sub-lease with Santiam Hearts to Arts expires December 31, 2018. As indicated at prior meetings, staff feels it would be appropriate to send a letter to Hearts to Arts reminding them of their lease expiration and what, if any, items need to be taken care of, repaired, replaced or returned to the original state before they leave the building.

Mrs. Cook will review the lease language and, if necessary, confer with City Attorney Jim McGehee on language for the letter.

Skatepark Update: Melinda Flatman, President of Santiam Hearts to Arts, contacted Mrs. Cook earlier this week about the process for moving ahead with the design of and site plan for the skatepark. Ms. Flatman has asked for confirmation that the City will process invoices for the remaining design work in a timely manner as well as what is still needed for the site plan to be considered complete.

Mrs. Cook requested that the bid estimate for the design work be provided to the Council so that it can be reviewed and a refresher of the scope of work could be given. This was included in the packet along with a draft site plan that has been provided to Dreamland for use as they complete the final site plan and the first invoice from Dreamland, which the Council authorized payment for in early summer.

With the initial payment of \$2485.00, there is an outstanding balance of \$6515.00 for the design services. It is staffs understanding that Dreamland will be doing progress billings as they move forward with design. Ms. Flatman has been advised that as they move forward with the scope of work Dreamland should submit invoicing to the City in time for the bi-monthly meetings so Council can review and approve the invoices.

Mrs. Cook said that it is also her understanding that members of the board of SKATE would like to schedule a meeting to discuss next steps and continuing on the path to a groundbreaking at some point. With the change in Council that will take place in January this seems like a reasonable request so that both parties are on the same page with what will happen on the

skatepark project. Mrs. Cook is working with City Planner David Kinney to set a meeting with SKATE at this time.

Councilor Trout asked about the notation in the memo stating that with the change in Council SKATE is requesting a meeting and said that the likelihood of breaking ground before January is low so that seems like a non-issue. Councilor Trout asked why Mr. Kinney is being requested to be involved in the meeting as until this goes back to the Planning Commission his part should be done. Mrs. Cook said that she is unsure of what the actual concerns are as she is not ever included in any of the correspondence requesting meetings. Councilor Katlong said that it was made very clear that City Hall should be the hub when doing anything on the skatepark project and that everything should go through Mrs. Cook. Mrs. Cook will include notice to SKATE of Council's direction to go through the City Recorder for any meetings or correspondence.

Consensus of the Council to process Dreamland invoices with the regular accounts payables process as long as the invoices are to the City in a time and manner which allows staff to process them with the bi-monthly payables.

NEW BUSINESS

Request for Relief – Water Charges; Black, Robert: Council was provided a letter from Robert Black, tenant at 400 NW 7th Avenue outlining his concerns with the consumption shown on his water meter during the time period between August 2017 and May 2018. The normal use for Mr. Black, looking back, averages three units. During the first six months of the time frame in question, the consumption rose to between four and six units. The remaining time was between six and 13 units. Mr. Black feels that the meter or readings were faulty and is requesting a credit to his account for the additional use that he was charged for during the six months in question.

Staff went through the usual processes of double-checking reads input into the computer, confirming there were no misreads and checking for possible leaks. In addition, we are advised that the property manager and owner inspected the residence and found no evidence of leaks. In May 2018 the meter was changed out. Since this time the water consumption has ranged from three to five units.

Councilor Trout said that he would be in favor of refunding the amount above the highest consumption as our policy has been. However, should this happen again, there would be no relief given.

Councilor Plotts moved and was seconded by **Councilor Keen** to Authorize a Credit of 20 Units at \$2.85 Per Unit and to Direct Staff to Write a Letter Advising Mr. Black that This is a One Time Action. The motion passed unanimously, (5:0).

Request for Support – Santiam Youth Peer Court: The city received a letter requesting support for the Santiam Youth Peer Court. When the peer court was active within the community the City provided financial support on an annual basis. However, this ceased when the peer court program left our area.

Mrs. Cook has reached out to the school district to see if they are again participating in the peer court program but has not received a response at this time. If the Council would like to consider supporting peer court again we can either review the budget to see if funding is available or include the request in our budget figures for the next fiscal year.

Mr. McGehee said that if the program is being used to send juveniles from our school district he would recommend supporting it. This is a great program that is used for early intervention and the participants learn a lot from it.

Mayor Kirsch asked that this be tabled until more information can be obtained about if and how this is being used in our district.

City Hall Security Assessment: In late May staff from CIS conducted a security assessment of City Hall. The assessment is included for Council review.

Overall, there aren't too many issues that were identified. Of those that were, we have already addressed three; panic buttons have been installed and indoor/outdoor security cameras are in the process of being installed.

Most of the remaining items can be addressed but may take time and funding to complete. These include:

- Install generator
- Connect fire alarm to alarm company
- Create exterior lighting maintenance schedule
- Purchase AED
- Provide training for AED
- Develop evacuation plan
- Increase front counter protections

Staff will use this security assessment during budget planning to try to address each of the remaining items in future years.

Councilor Katlong said that he feels it would be a good idea to purchase an AED for City Hall. Even though we sit next to the Fire Hall there is no guarantee anyone would be there during evening hours if something were to happen at a meeting taking place at City Hall.

STAFF/COMMISSION REPORTS

City Recorder Report

List of On-Going Old Business Items: The current list of on-going old business items was provided to Council.

Draft Audit: The draft audit has been provided to staff for review. We are looking at some minor issues that need to be addressed and sent back to Accuity for the audit to be finalized. Once the audit is complete Mrs. Cook will schedule Accuity to attend a Council meeting to present the findings. However, those items noted in the audit were very minor and most have already been addressed.

Preliminary Election Results: The preliminary results for the November 6, 2018 election show the following:

Mayor:	Tim Kirsch	(419)
	Write In	(61)
Councilor:	Tony L. Trout	(403)
	Steven A. Winn	(398)
	Janet Zeyen-Hall	(355)
	Write In	(56)

Official results will be provided by the County Elections Officials by next month. At that time, Mrs. Cook will provide a formal notification to the candidates of their election and request written acceptance of the respective positions.

Elected Essentials Training: Mrs. Cook said that the elected essentials training that is offered each year by the League of Oregon Cities is open for registration. If any sitting Council members wish to attend please advise staff so they can get registrations done. The council-elect has been advised of the trainings and are providing Mrs. Cook with dates to attend.

City Attorney Report

424 SW Cedar Street Update: The lawsuit has to be dismissed because the death certificate has been received. The attorney working with the family is trying to get the title cleaned up and the property cleared.

SE 3rd Avenue Update: The property on SE 3rd has been cleaned up. Now that this has been done a determination will need to be made on what the fine will be. Mr. McGehee said that if the fine could cover his costs to reimburse the City then that would be his recommendation.

Councilor Trout asked about the property on SE Fairview Street. Mr. McGehee said that there was no court today so this will be addressed on the 27th and a report will be given to Mrs. Cook to advise Council on the status.

Councilor Keen said that the people that moved from SE 3rd Avenue went directly to the property next to the phone company building. Mrs. Cook said that this property has been provided notice of violations and will be given to Mr. McGehee for processing as soon as the deadlines have passed.

BUSINESS FROM MAYOR & CITY COUNCILORS

Mayor Kirsch and **Councilors Katlong, Plotts** and Trout had nothing to report.

Councilor Keen said that there was a car in Kimmel Park in the early mornings recently but has not been there the last couple of days.

EXECUTIVE SESSION: No Executive Session.

ADJOURNMENT

The meeting was adjourned at 8:28 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor