

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, February 11, 2020**

Mayor Kirsch opened the meeting at 6:30 PM with the flag salute. Councilors present were Brett Katlong, Dawn Plotts, Tony Trout, Steve Winn and Janet Zeyen-Hall. Staff members in attendance were City Recorder Stacie Cook, Public Works Supervisor Russ Foltz and City Attorney Jim McGehee.

Citizens in attendance were Ann Carey, Dennis Chamberlin, Roel Lundquist, Gary Olson, Beverly Thacker and Captain Kevin Guilford from LCSO.

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 Katlong**, to approve items a; Approval of Minutes of Regular City Council Meeting of January 28, 2020, b; Approval of Accounts Payable, c; Acceptance of Monthly Revenues & Expenditures Report, January, 2020, and d; Acceptance of Planning Commission Annual Report for 2019. Stacie Cook polled the Council. The motion passed unanimously (6:0).

CITIZEN COMMENTS AND QUESTIONS: None.

LINN COUNTY SHERIFF'S REPORT: Cpt. Guilford gave the monthly report for January 2020. With ongoing crime in the city, Cpt. Guilford said to lock your cars, watch your property and put your cans away where they can't be stolen.

Cpt. Guilford announced that he will be retiring next month. He thanked Council for their kindness over the past 25 years. Lt. Michelle Duncan was recently appointed the new Captain of the Patrol Division. Council congratulated the Captain and presented him with a card.

PUBLIC WORKS REPORT: Public Works Supervisor Russ Foltz gave a report on the following:

Pump Report: Loss is still in 30% range.

Public Works Shop Update: The paving of the parking area is complete. The concrete steps outside the man doors have been poured. Handicap parking still needs to be identified. Mrs. Cook is coordinating to get phone and IT installed.

Stop Sign Installations: There was a miscommunication pertaining to a request for the installation of a sign at SW 11th Ave. The SW 11th Ave. stop sign was meant to be a regular street sign. The regular numbered street sign has been installed, leaving the stop sign intact.

The SW Spring Street/SW 8th Ave. stop sign was installed because staff was trying to ensure all intersections were signed for safety purposes. It was suggested that the sign be moved to face the SW 8th Ave. dead end.

Roel Lundquist, SW Linn Blvd, questioned why there was no public notification about these stop sign installations.

City Attorney Jim McGehee said that notification should have been given, adding that he believes the Council must authorize new traffic control devices but, that he will need to research this to be sure. A resolution approving placement may be necessary.

Councilor Katlong moved and was seconded by **Councilor Plotts**, to Move the SW 8th Ave. Stop Sign to the West Facing Traffic on SW Spring Street at the Dead End. The motion passed unanimously, (6:0).

Sander Breakdown: The engine seized on the first day of trying to use the sander. A new engine was installed.

Budget Request - Water Lines: Mr. Foltz requested that replacing the old water lines become a budget priority with Council. A leak detection test was recently performed showing that SW Ivy Street is in dire need of repair.

Ann Carey, SW 1st Ave., stated that funds are available to begin engineering this line. Mrs. Carey suggested that future funds be earmarked for this project as new development will be taking place on this street.

Mr. Foltz said that his priority lines for repair or replacement are SW Ivy Street, SE 4th Avenue, and SE Grove Street.

Mr. Lundquist noted that the SW 8th Ave. water line needs to be repaired and should be done before the overlay with the TIGER Grant.

City Recorder Stacie Cook stated that there may be money to begin engineering but she does not know if it will cover the full amount as we don't have an estimate for this work.

Mayor Kirsch asked Mr. Foltz about the request for meter stabilization under New Business. Mr. Foltz said that the meter is set at an angle because of being at the top of a hill but it is stable. The prior plumbing line used was not flexible, which was the cause of the break.

PUBLIC HEARING: None Scheduled.

PRESENTATIONS: None Scheduled.

OLD BUSINESS

TIGER Grant Update: The Save Our Bridge committee has a meeting scheduled for Wednesday, February 12th, during which there will be an update on the status of the project elements, specifically the Railroad Bridge.

After walking the project area for the TIGER grant late last month, City Planner Dave Kinney, Linn County Engineer Daniel Malone, City Recorder Stacie Cook and a representative of Pacific Power, discussed the possibility of the main electrical utilities being placed underground, but there are a few challenging areas that will need to be looked at before proceeding. Decorative lighting within the project area was also discussed.

After this meeting, a teleconference was held with Alan Meyer, Pacific Power, to discuss what working with Pacific Power to complete this project would entail. After adoption of a resolution authorizing initiation of the investigation process the service area would need to be outlined. The Public Utility Commission must approve these plans.

Requesting a meeting with an estimator would start this process. Items for consideration when determining whether to move forward with the project include:

- Meter conversion to underground service – who pays?
- Upfront costs to be incorporated into project repayment? Design fee?
- Timing – Can this be done in conjunction with current projects?

Linn County Engineer Chuck Knoll, Linn County Sheriff's Office Sgt. Greg Klein and Fire Chief Leland Ohrt met within the last couple of weeks to discuss how to address emergency services when the traffic bridge is closed for repairs. Mr. Knoll advised that they would like permission to park two emergency vehicles at Mill City Falls Park in order to assist with emergency response on the north side of town. Mr. Kinney and Mrs. Cook looked over the plan and made suggestions to allow for access by Mill City Public Works while still accommodating the emergency vehicles.

Mrs. Cook has requested that notification go out to the public as early as possible concerning the bridge closure over the summer months. Mr. Knoll plans to release notification in March. A notice was also released by the Mill City Rural Fire Protection District of the closure and resulting delay in emergency response time.

Mayor Kirsch said that since the release of the Fire Department's notification, citizens have called City Hall asking about the closure and noted that it will be an inconvenience to all, but the bridge needs to be repaired and painted. The bridge cannot be temporarily opened to allow any vehicles to cross after it is enclosed and work begins.

Beverly Thacker, SW Spring Street, questioned whether the railroad bridge was going to be open on the 4th of July. Ms. Thacker's concern was that the bridge closure will impact those wanting to visit during the annual celebration and suggested that a shuttle be used after visitors park on the north side of the river and cross the railroad bridge.

Mayor Kirsch said that good communication and planning is key to this issue. Advance notice to vendors and visitors would be very helpful. This is an option the 4th of July Committee needs to explore.

Mrs. Cook stated that if there is any way the City can help in advertising the bridge closure for the 4th of July please bring it to her attention.

NEW BUSINESS

Development Agreement – SCSD: Mrs. Cook presented Council with a draft development agreement between the City and Santiam Canyon School District for public improvements to be constructed as a condition of approval for development of the new School Facility Improvements at the high school and elementary school. This document has been provided to City Attorney Jim McGehee and City Engineer John Ashley for review and comment.

At this time, Staff is still awaiting receipt of the outline of costs for the services to be provided by Locke Engineering as well as the outline of overall costs for the project. Mrs. Cook said that it is imperative that this document move forward in order to assist the district in their desire to have the site ready for school this coming September, as permits cannot be issued until it has been fully executed and recorded.

City Attorney Jim McGehee stated that he had two concerns; cost commitment to the city and, an arbitration clause concerning sub-contractors, something he has never seen before. Mr. McGehee said he has concerns with the validity of this clause and will look into it further.

Mr. Lundquist asked who will pay for the curb, sidewalk and ADA ramp improvements at the NE corner of SW 2nd Avenue and SW Evergreen Street, stating that he feels that if this must be changed to meet ADA requirements, the school should pay for these changes as it on their property.

Mrs. Cook said that she was not involved in the meeting where this was discussed and has not yet received the outline of costs for this project but, will look into the decision.

Request for Reduction of Leak Charges/Meter Stabilization; 628 S. 1st Avenue: Lynn Minton submitted a letter requesting a reduction in her water bill after discovery of a big leak. In addition, Ms. Minton has asked that her meter location be looked at for possible stabilization.

After inspection by Public Works Supervisor Russ Foltz, Mrs. Cook and Councilor Katlong, it was noted that the meter box was installed at a slight angle in order to accommodate the terrain. However, it does not show any instability. It is the concurrence of Staff and Councilor Katlong that there is not a need for maintenance, repair or moving of the meter.

The current leak was caused by a break in the water service line at the meter connection. Mr. Foltz has indicated that he believes the break happened due to the type of plumbing line that was used during the last repair. The most recent leak was fixed as quickly as possible by a licensed plumber, who installed a flexible line to allow for the steep hillside down which it runs.

Ms. Minton had a very large leak (291 units) in March of 2019, which was fixed quickly. Because the Council authorized a leak adjustment in April 2019 to the highest consumption in the previous twelve months, staff has brought this new request before Council for review.

Councilor Katlong moved to Authorize an Adjustment to the Highest Consumption in the Last 12 Months.

Mrs. Cook said that there was a large leak during this time so another time frame should be used.

Councilor Katlong moved and was seconded by **Councilor Trout**, to Authorize a Leak Adjustment for the Same Month as Last Year for 628 S 1st Avenue. The motion passed unanimously, (6:0).

Request for Use – Old Fire Hall Site; SCSD Construction Staging: A request was recently submitted by Ryan McAlister of Gerding Builders to use the Old Fire Hall site for staging during the construction of the new school buildings. The site would be needed between February 17, 2020 and August 1, 2021.

This site has been dedicated for a skate park at some point in the future. There is no set timeline for when construction or site work will begin. If Council is willing to allow usage of this parcel for staging, this should be conditioned on placement of secure fencing and submittal of a certificate of insurance and statement of hold harmless. The Council may, at its discretion, require a monthly rental and/or lease agreement and fee for the use of the parcel. This parcel is preferred for staging over other areas as it is a packed gravel site with some asphalt which would support heavy equipment.

Ms. Thacker, SKATE representative, stated that having the site occupied will not work as SKATE intends to begin construction this year. Ms. Thacker stated that SKATE has the funds for the first stage of development.

Councilor Plotts asked how construction will begin this year when there is a lot of planning and paperwork to be submitted still. Councilor Plotts noted that the first phase must include fencing and street improvements. Mrs. Thacker stated the Committee is prepared to submit the appropriate plans to the Council next month.

Mrs. Carey, Planning Commission Chair, said the skate park plans were not completely approved as the Committee needs to resubmit their final plans with changes.

Councilor Katlong said that this site has been promised to the skate park but he felt it was possible to have the construction staging at this site until SKATE is ready to break ground. Council could then ask the School to have the staging moved to a different location. This could be a month to month agreement.

Ms. Thacker said that she would be concerned that the site would not be cleared if requested. Councilor Trout asked if the site can be used for something else with the MOU in place. Mr. McGehee will review the MOU.

Mayor Kirsch suggested that Council offer use for 90 days so that the project can move forward. Councilor Katlong thinks that letting them use the lot for staging would be the 'neighborly' thing to do to support the school. Councilor Trout said that he would like more information about how the site will be used before a decision is made.

Ms. Thacker respectfully requested that Council hold off from making a decision until the Committee can be present at a meeting to discuss the issue.

Mrs. Cook will contact Gerding Construction to request additional info.

Councilor Zeyen-Hall requested that SKATE attend more meetings to keep Council up to date on their activities and plans. She also requested a copy of their minutes. Councilor Zeyen-Hall thanked Ms. Thacker for all the new information tonight.

STAFF/COMMISSION REPORTS:

City Reorder Report

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

City Limits: Staff received a map requesting verification of annexations/City limits. It was noticed that City limits along the northeast portion was incorrect. Planner Dave Kinney requested that the map be reviewed by Linn County GIS, who checked with Marion County on the northeast section.

It was found that a 1973 annexation brought a complete parcel of land owned by the City into the City limits. The parcel, a portion of which staff knew was in the City limits, runs parallel to the river just south of the old railroad.

Trust Management Services Grant: Mrs. Cook said that she is currently working on a small grant from Trust Management Services for The Reid House. This grant opportunity only comes through specific counties every three years and this is Linn and Marion counties' time. The deadline is February 15, 2020 and Mrs. Cook plans to submit an application. The grant funds things like arts and culture, education, community service, youth activities and historic preservation. The grant application is very basic and should not take long to complete. There is no cost to the city.

City Attorney Report

City Attorney Jim McGehee has drafted a right of first refusal contract for a piece of property adjacent to Kimmel Park. This will ensure that the city has first chance at purchasing this property if the owners decide to sell in the future.

BUSINESS FROM MAYOR & CITY COUNCILORS

Councilor Winn will be providing his fire truck to the Fire Department for their use when the bridge is closed. Mayor Kirsch recognized and thanked Councilor Winn for his generosity.

Councilors Katlong, Plotts, Trout, and Zeyen-Hall had nothing to report.

Mayor Kirsch said that he attended the Commissioners Breakfast this morning in Stayton. The upcoming bridge closure was discussed. Mayor Kirsch provided the Commissioners pictures of the crack under the bridge.

Last night the City of Gates held a special workshop to fully explain the benefits of the proposed Joint Sewer Project. Gates will vote on this soon.

Marion County Commissioners are still on board with this project and have agreed to provide \$400,000 towards engineering. This will also include the capacity study.

Mayor Kirsch reminded Council of the March 14th Santiam Scholarship Banquet, which is to be held at the Parrish Hall in Stayton. Discount tickets are available until Friday, February 21st.

EXECUTIVE SESSION

At 8:26 PM Mayor Kirsch adjourned into executive session under ORS 192.660(2)(e) to Conduct Deliberations With Persons You Have Designated to Negotiate Real Property Transaction and under ORS 192.660 (2)(h) – to Consult with Legal Counsel Regarding Current or Pending Litigation that is more likely than not to be filed.

At 9:02 PM Mayor Kirsch reconvened into regular session.

ADJOURNMENT

The meeting was adjourned at 9:03PM.

Prepared by:

Approved by:

Stacie Cook, MMC

Tim Kirsch