

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, February 12, 2019**

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

Citizens in attendance were Scott Baughman, Ann Carey, Bryce Foster, Pacific Power, Lynda Harrington, Gale Holfort, Sgt. Greg Klein, Linn County Sheriff's Office, Karen Lucas, Rex Lucas, Roel Lundquist, Alan Meyer, Pacific Power and Gary Olson.

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

Mrs. Cook said that there are two needed changes to the consent agenda; addition of item 'g' Approval of a Temporary OLCC Liquor License for Trio Tavern for a Comedy Show/Pot Luck at Stewart's Hall – 158 SW Broadway Street on February 23, 2019 Between the Hours of 7:00 PM and 12:00 AM; and the addition of "subject to submittal of certificate of liability naming the City as an additional insured" to item 'f'.

Councilor Trout moved and was seconded by **Councilor Zeyen-Hall**, to approve items a; Approval of Minutes of Regular City Council Meeting of January 28, 2019, b; Approval of Accounts Payable, c; Acceptance of Monthly Expenditures Report, January 2019, d; Acceptance of Mill City Planning Commission 018 Annual Report, e; Approval of Reduction of Leak Charges to the Highest Compensation in the Past Twelve (12) Months for 155 SE Hazel Street – Martin, David, f; Approval of Request for Waiver of Park Reservation Fee and Noise Ordinance and Authorization to Serve Alcohol in Kimmel Park for Santiam Hearts to Arts/NS Chamber River City Music & Art Jamboree, June 22, 2019 Between 10:00 AM and 9:00 PM, Subject to Submittal of a Certificate of Liability Naming the City as an Additional Insured, and g; Acceptance of Resignation of Dorothy Keasey From The Reid House Committee, Effective March 19, 2018, g; Approval of a Temporary OLCC Liquor License for Trio Tavern for a Comedy Show/Pot Luck at Stewart's Hall – 158 SW Broadway Street on February 23, 2019 Between the Hours of 7:00 PM and 12:00 AM, of the consent agenda, as amended. Stacie Cook polled the council; the motion passed unanimously, (6:0).

Mayor Kirsch left the room at 6:36 PM and turned the meeting over to Council President Trout.

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

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

Mayor Kirsch retook his seat at 6:39 PM.

Pump Report – The report shows a little high for this past month but that may work itself out next month.

Councilor Katlong asked how many applicants we have for the public works position so far. Mr. Foltz said that we have eight so far; one with experience in the field.

Councilor Katlong volunteered to sit on the interview committee when it is time. Councilor Trout also volunteered.

CITIZEN COMMENTS AND QUESTIONS: Rex Lucas, Aumsville, handed out a packet of information showing a City-owned parcel. Mr. Lucas said that when he bought the adjacent property from the fire department they were unaware of the City's ownership of this small portion of land, which is six one hundredths of an acre. This portion of land is within the subdivision this is being proposed. At the time that the property transfers were being done between the fire department, Mr. Lucas and Mr. Erdman, this section became an issue because it stopped access from Remind Road to adjacent property. There was a deed drafted by the title company transferring the portion of land from the City to Mr. Lucas. Mr. Lucas said that the deed was provided to Dave Kinney about six months ago, that Mr. Baughman spoke with Mr. Kinney several times about the deed and that Mr. Kinney advised Scott Baughman last week that he can't sign the deed, the Mayor must do so. Mr. Lucas said that if this matter isn't addressed then the City will have to sign off on their subdivision plat and asked that the deed be signed so it can be recorded.

Mrs. Cook said that it is her understanding that Mr. Kinney informed Mr. Lucas and Mr. Baughman that the piece of property would be dealt with at the time the subdivision is applied for.

Mr. Baughman said that if an application is applied for and this isn't taken care of then the City becomes an applicant for the subdivision.

Mr. Lucas asked if the City has a copy of the deed. Mrs. Cook said that she does not have a copy.

Mrs. Cook suggested that this be placed on the next agenda since Mr. Kinney will be here and it can be discussed further.

Gale Holfort, Lyons-MC Dr, said that he made a request of the Council in December to waive costs for the land use applications for parking lots that the school is considering constructing and an answer still has not be given.

Mayor Kirsch said that the Council asked that a written request be provided from the School Board stating their desire to have the fees waived as well as their agreement that the parking lots will be moving forward. This has not been provided. In addition, the Superintendent stated that one of the parking lots may be constructed in the future but the other is not even within his radar at this time.

PRESENTATIONS: EV Charging Stations – Pacific Power; Alan Meyer & Bryce Foster

Alan Meyer gave a brief presentation on electric vehicles, stating that Pacific Power is proposing Level 3 fast charging stations be installed in Mill City. These chargers will charge a vehicle in between 20 and 40 minutes. Pacific Power would like to be strategic about placement and Mill City is a good central point before Bend for siting. The charging stations do provide an economic benefit as those charging generally look for things to do while the charging is occurring.

Mayor Kirsch declared a potential conflict of interest, stating that he made \$35 off of the charging stations on his property last year.

Councilor Katlong asked if there will be a charge for these stations. Mr. Meyer said that the people who use the stations will have to pay as used.

Bryce Foster stated that there are four Level 3 charging stations proposed along with a single Level 2 station.

Lynda Harrington, Santiam Pointe, said that it is her understanding that within the next few years the electric vehicles will be instant charge and asked how this impacts the economic aspect. Mr. Foster said that instant charge will still require five to 20 minutes to charge so there is still the potential for an economic impact.

Councilor Katlong asked if the City will receive any profits from these stations. Mr. Meyer said that the technology doesn't allow for this to happen so the City's benefit would be the potential economic benefit. The charge for use will only cover what it costs to produce.

Mayor Kirsch said that he thinks these stations will be a benefit to the City.

Mrs. Harrington said that the Historical Society has been working to make this a historical district and would likely want to weigh in on whatever is being considered.

Ann Carey, SW 1st Avenue, asked if the detail work for the parking would be done by the Planning Commission.

Mrs. Cook said that a land use application will be required for this use should the Council decide to move forward with the charging stations.

Roel Lundquist, SW Broadway Street, asked if there are any other locations that may be considered.

Councilor Katlong said that he would like to hear from the Historical Society and is concerned with the possibility of the spaces being used by vehicles other than electric, therefore causing an enforcement issue, as Mr. McGehee suggested earlier.

Councilor Trout said that he likes electric cars and thinks the world is moving to them.

Mayor Kirsch said that he likes the idea and feels it is a very progressive thing for the City.

Scott Baughman, SE Whitten Street, asked if the City would give the land to Pacific Power or sell it to them. Mayor Kirsch said that the City would retain ownership of the land. Mr. McGehee said that he would suggest entering into a long term lease for the use.

Gary Olson, SW Spring Street, said that he likes the idea of having the charging stations off of the main drag and agreed that there are many people who have no idea that Mill City is off of the highway.

Mr. Lundquist said that he doesn't think we should give something away for nothing, which is what is happening with the charging stations. This could be something similar to the City being paid a franchise fee.

Mrs. Harrington said that the question for the Council is, is this the right location for a charging station?

Mr. Lundquist said that the county is probably going to want to use this park for staging as the Tiger Grant moves along so this may be a timing conflict that should be taken into consideration.

Councilor Katlong said that he would like to send this to the Planning Commission and more detailed discussion can be held at that level. Councilors Zeyen-Hall and Winn agreed.

Councilor Trout moved and was seconded by **Councilor Katlong** to Send the Charging Station Application to the Planning Commission for a Public Hearing. The motion passed unanimously, (6:0).

PUBLIC HEARING: No public hearings were held.

OLD BUSINESS

Public Works Building Update: Planner David Kinney advised Andy Medcalf Construction and AC+CO Architecture after the January 28th meeting of the Council's award of the Mill City Public Works Building Design/Build Project to their team. Both have been working since the Notice of Intent to Award to get the ball rolling with this project, including preparing a draft agreement, which has been provided to the City and forwarded on to City Attorney Jim McGehee for his review and comments.

Public Works Supervisor Russ Foltz and Mrs. Cook met with Richard Rothweiler, AC+CO Architecture, Wednesday to do a preliminary review of the building plans. Based on the discussion, Mr. Rothweiler will be making modifications and additions to the plans for review. A site plan will also be provided, which will be necessary for the site plan review process that must be completed at the Planning Commission level.

SOB Update/Request for Centennial Funding: Lynda Harrington gave a brief history of the SOB Committee and their desire to see our railroad bridge fixed and maintained, which was the starting action that lead to applying for and receiving the Tiger Grant.

The SOB Committee is planning a Centennial Celebration with live music, an antique car show, photography contest and an unveiling of the overall Tiger Grant project along with other events. There will be funds required to do this work and the Committee is requesting \$5000.00 for this event. The full amount may not be expended. The event is planned for September 14, 2019 from about 10:00 AM to 4:00 PM.

Mayor Kirsch said that he supports this and feels that the SOB's and the City deserve a celebration. Councilors Trout and Katlong agreed. Consensus to add \$5000.00 to the budget for FY 2019-2020.

The Reid House Update – Recommendation to Approve Architect Proposal: The Reid House Committee held its first meeting in a number of months on Sunday, January 20, 2019. The meeting was very well attended and a lot of discussion about the property took place. A fairly concise determination of use for the main floor of the building was made. Those uses include:

- *Library – visitor's information center
- *Living – small gathering/Reid Gallery (music/art)
- *Kitchen – update
- *Dining – small meetings/food service
- *Master bed – small gathering w/access to lawn

Use of the basement is as yet undetermined and the second floor is being considered for office space.

Chair Gary Swanson presented to the Committee a proposal from Architect Erik Matthews to assist the group with creating a conceptual design and budget for the property. The proposal is included for review. After considering the full proposal, a motion to forward the Architect's contract for the first two phases and retainer to the City Council for approval was passed. The cost for this portion of the proposal is \$5400.00. As the phases begin to move forward, the Committee will consider recommending contracting for additional phases within the proposal.

Councilor Trout moved and was seconded by **Councilor Katlong** to Approve The Reid House Committee Request to Contract with EM Design for Architectural Services for The Reid House;

Phoases One (1) and Two (2) Only, in the Amount of \$5400.00. The motion passed unanimously, (6:0).

Mayor Kirsch said that he would be going out of order on the agenda in order to help get some of tonight's attendees on their way rather than making them wait. Mayor Kirsch asked to start with item 'e' on old business.

Mrs. Cook said that with the change in order of the agenda items, the numbers assigned to the ordinances need to be switched, as they need to be assigned as the ordinances are adopted.

Ordinance No. 39X (398) – Amending Zoning Map and Annexing Property: Ordinance No. 39X (398) – Amending Zoning Map and Annexing Property, was read for first reading by title only at the January 28, 2019 meeting. To finalize the adoption process a motion to read the ordinance for second reading by title only and a second motion to enact the ordinance must be completed.

Councilor Katlong moved and was seconded by **Councilor Zeyen-Hall** to Read Ordinance No. 398 for Second Reading by Title Only. The motion passed unanimously, (6:0).

Mrs. Cook read Ordinance No. 398 by title only.

Councilor Katlong moved and was seconded by **Councilor Trout** to Enact Ordinance No. 398 and Direct Mayor Kirsch to Sign the Ordinance as Enacted. The motion passed unanimously, (6:0).

Ordinance No. 39X (399) – Nuisance Code Revisions: Ordinance No. 39X (399) – Nuisance Code Revisions, was read for first reading by title only at the January 28, 2019 meeting. To finalize the adoption process a motion to read the ordinance for second reading by title only and a second motion to enact the ordinance must be completed.

Councilor Zeyen-Hall moved and was seconded by **Councilor Katlong** to Read Ordinance No. 399 for Second Reading by Title Only. The motion passed unanimously, (6:0).

Mrs. Cook read Ordinance No. 399 by title only.

Councilor Katlong moved and was seconded by **Councilor Zeyen-Hall** to Enact Ordinance No. 399 and Direct Mayor Kirsch to Sign the Ordinance as Enacted. The motion passed unanimously, (6:0).

NEW BUSINESS

Strategic Plan/Goal Setting: In April 2014 the City Council held a Goal Setting session and ultimately came up with the list of priorities that are attached to the Council tables. As we are nearly five years later, it is past time to schedule another session. These Goal Setting sessions are generally open to the public and a facilitator is used to direct the participants and focus the discussions. The facilitator outlines the process, uses different techniques to gather usable information and ensures the outcome is a list of potential goals and priorities that the Council can consider and ultimately create a working list from.

As they moved forward in their effort to revitalize the district, the Santiam Canyon School Board brought Gary Swanson in to facilitate their most recent strategic planning session. Staff has been advised that the result is a positive, forward-thinking document that clearly outlines where the district wants to be and logical directives to get to those points.

Mrs. Cook made the suggestion to go through the strategic planning process in January 2017. Unfortunately, we did not have full buy-in from the Council at that time. Completing a strategic plan for the City would be beneficial in many ways and staff would like to see this session

scheduled soon so that we have as much time as possible to begin working on the goals and priorities for our city. Unless there are concerns with doing so, Mrs. Cook will contact Mr. Swanson to see if he is still willing and available to facilitate this session for Mill City.

Mayor Kirsch said that this will be a time commitment and everyone must be prepared to work through an intense process and suggested asking Mr. Swanson to come in and give an overview of the process and commitment level

Councilor Zeyen-Hall said that she thinks this is extremely important. Councilor Winn said that it can't hurt to go through the process. Councilor Trout said that he felt this was important the last time it was suggested and would like to see it happen.

Mrs. Cook will contact Mr. Swanson.

Marion White Volunteerism Award: Each year the City identifies a recipient for the Marion White Volunteerism Award. The recipient, whose name is kept secret, is presented with the award at the annual Santiam Awards Night. The Awards Night, presented by the North Santiam Chamber of Commerce, is scheduled for Wednesday, April 24, 2019.

To allow time to provide the written information regarding the recipient to the Chamber for inclusion in their program, a decision should be determined by mid-March.

Mayor Kirsch asked for volunteers to come up with nominees and said that Councilor Plotts is interested. Councilor Katlong also volunteered.

Public Works Supervisor Review: Public Works Supervisor Russ Foltz's review is due each May. Mayor Kirsch completed the review last month. Mr. Foltz's review met acceptable standards This is the first review for Mr. Foltz since August 2016, which was made retroactive to his anniversary date of May 2016.

Mayor Kirsch recommended a one-step salary increase for Mr. Foltz.

Councilor Katlong moved and was seconded by **Councilor Trout** to Grant a One Step Salary Increase for Public Works Supervisor Russ Foltz from Step 5, \$27.58/hr to Step 6, \$28.70/HR Effective February 1, 2019. The motion passed unanimously, (6:0).

City Recorder Review: City Recorder Stacie Cook's review is due each November. Mayor Kirsch completed the review last month. Mrs. Cook's review met acceptable standards. This is the first review to be fully completed since February 2016, which was not made retroactive to the anniversary date of November 2015.

Mayor Kirsch recommended a one-step salary increase for Mrs. Cook.

Councilor Zeyen-Hall moved and was seconded by **Councilor Trout** to Grant a One Step Salary Increase for City Recorder Stacie Cook from Step 5, \$28.60/HR to Step 6, 29.77/HR Effective February 1, 2019. The motion passed unanimously, (6:0).

Engineering RFQ: At the January 8, 2019 meeting Councilor Katlong asked about exploring contracting with an engineering firm that has a variety of engineers on staff. Mrs. Cook provided the Request for Qualifications (RFQ) that was used in 2012. If the Council does want to issue an RFQ for engineering services then we need to move quickly. With the number of upcoming projects we do not want to be mid-project if a new engineering firm is brought on.

There shouldn't be too much in the RFQ that needs to be changed, beyond the notation that we are looking for a firm with the variety (i.e. civil, electrical, mechanical). We will also need to modify the dates and potential scope of work, which will outline upcoming projects.

Mayor Kirsch said that our current engineer is a great engineer, however, he is limited in the scope of engineering that he can provide. For example, if we need an electrical engineer, he would need to bring someone else in.

Councilor Trout said that if this is something we want to do then we need to make the decision and keep moving forward with it so that the projects coming up aren't delayed. Councilor Zeyen-Hall agreed.

Councilor Katlong moved and was seconded by **Councilor Zeyen-Hall** to Direct City Recorder to Update the RFQ for Engineering Services and Release it ASAP. The motion passed unanimously, (6:0).

Jurisdictional Transfer Agreement – ODOT: We are getting closer to having the final draft of the Jurisdictional Transfer Agreement for the vehicular bridge and abutments from ODOT. Mrs. Cook was hopeful that we would have it in time to include in the packet. However, the changes that need to be completed by ODOT have not yet been finished.

Maintenance Agreement – Linn County: As with the Jurisdictional Transfer Agreement, Mrs. Cook had hoped to have a draft of the maintenance agreement for the bridge abutment between Mill City and Linn County ready for this meeting. It has not yet been reviewed by everyone for a first revision. Once a final draft is ready it will be brought to Council for review and approval.

Mrs. Cook said that there is a teleconference set for next week with FHWA to get an update on where they are at with the grant agreement. The Jurisdictional Transfer Agreement and Maintenance Agreement need to be in place before the grant agreement can be signed.

STAFF/COMMISSION REPORTS

City Recorder Report

List of On-Going Old Business Items:

IIMC Scholarship: Last year, prior to the Oregon Association of Municipal Recorders (OAMR) Conference, Mrs. Cook applied for a scholarship to assist with attending the International Institute of Municipal Clerks (IIMC) Conference this upcoming May in Birmingham, Alabama. Mrs. Cook was lucky enough to be announced as the recipient of this scholarship, valued at \$1000.00. The funding is enough to cover the bulk of the conference registration transportation costs.

Mrs. Cook said that she is a firm believer in continuing education, specifically education aimed at providing pertinent information to day-to-day job related items. Both OAMR and IIMC provide education geared to government clerks/recorders. Because of both of these facts, Mrs. Cook has on multiple occasions (though not all), paid for all costs related to one or both conferences out of pocket as well as taken my vacation days to attend, as she was not granted permission from prior Council's to do so.

Mrs. Cook requested permission to attend the IIMC Conference May 19-22, 2019. With the \$1000.00 paid from the scholarship, remaining costs would include ½ the hotel cost (rooming with another recorder) and any meals not included in the conference registration. The estimated cost is between \$600.00 and \$800.00.

Councilor Trout asked what the conference is about. Mrs. Cook said that this is the International Institute of Municipal Clerks and provides training on everything from ethics to agenda management to drafting ordinances and resolutions, creating good minutes as well as streamlining performance and productivity. The final program is not available with the actual sessions that will be provided.

Councilor Zeyen-Hall moved and was seconded by **Councilor Trout** to Authorize City Recorder Stacie Cook to Attend IIMC Conference May 19-22, 2019. The motion passed unanimously, (6:0).

Mrs. Cook thanked the Council for authorizing this conference attendance, stating that education is important to her and she has fought to attend these conferences, adding that she is very thankful to be able to go.

CIS Annual Conference: Mrs. Cook said that CIS provides a scholarship to each entity for one attendee to their annual conference.

City Attorney Report

424 SW Cedar Street: Mr. McGehee said that there has been no movement on this property. When the weather improves there should be more activity cleaning up.

235 S 1st Avenue: Mr. McGehee said that he hasn't done much on this property but has been advised that a small dumpster has been brought in and clean-up is happening slowly.

SE 3rd Avenue Update: Mr. McGehee said that he will be drafting a complaint and filing it and an amendment may need to be done but it will at least be moving forward.

The clean-up of the City is moving forward slowly. The property on SE Fairview looks better but there is a washing machine out front now. A letter will be sent to the resident advising that it must be removed and kept clean.

Mrs. Cook said that Councilor Plotts asked that a reminder be given for tomorrow night's Canyon Catalyst meeting, which will be held at City Hall at 7:00 PM.

BUSINESS FROM MAYOR & CITY COUNCILORS

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

At 8:57 p.m. Mayor Kirsch called for a short break.

EXECUTIVE SESSION

At 9:01 p.m. Mayor Kirsch opened executive session under ORS 192.660 (2)(e) to conduct deliberations with persons you have designated to negotiate real property transactions.

At 9:11 p.m. Mayor Kirsch reconvened into regular session.

ADJOURNMENT

The meeting was adjourned at 9:11 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor