

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, February 26, 2019**

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

Citizens in attendance were Ann Carey, Dave Forward, Lynda Harrington, Dorothy Keasey, Anita Leach, Dave Leach, Roel Lundquist 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

Mayor Kirsch stated that check numbers 24563 to 24568 for payroll as well as 24569, Jim McGehee retainer, 24570, Pacific Power and 24571, Dept. of Revenue transit tax need to be added to item 'b' accounts payable.

Councilor Trout pulled item 'b'.

Councilor Trout moved and was seconded by **Councilor Katlong**, to approve items a; Approval of Minutes of Regular City Council Meeting of February 12, 2019, and c; Ratification of Mayor Kirsch's Appointment of Gary Olson and David Hinkley to Three (3) Year Terms on the Mill City Budget Committee, Expiring June 30, 2019, of the consent agenda. Stacie Cook polled the council; the motion passed unanimously, (6:0).

Councilor Trout asked about the Village Print Shop shut off notice. Mrs. Cook said that this is for the door hanger printing.

Councilor Plotts asked about the payment to ACE Septic. Mrs. Cook said that they are our septic pumping company.

Councilor Trout moved and was seconded by **Councilor Plotts** to approve item, b; Approval of Accounts Payable. The motion passed, (6:0).

CITIZEN COMMENTS AND QUESTIONS: None.

2017/2018 AUDIT PRESENTATION: Held to later date due to weather.

WASTEWATER FACILITIES COMMITTEE UPDATE: Mayor Kirsch said that Danielle Gonzalez will not be in attendance due to weather this evening but that he would give a little update to the Council on this issue. There is an Intergovernmental Agreement (IGA) that is being proposed for all cities who would be involved in a sewer district if one were to be created. The IGA states that each of these cities is supportive of exploring the district but does not commit to joining one. The IGA also requires someone to facilitate funding for the grant dollars that would pay for the feasibility study. Mill City has been asked to act as the fiscal agent. This should not cause too much extra work for staff and oversight (administrative) costs would be covered by the grant.

Mayor Kirsch said that if Mill City will need to upgrade our sewer system at some point in the future. If we were to be involved in the district then it would take over our current system.

Councilor Plotts moved and was seconded by **Councilor Zeyen-Hall** to Enter into an IGA with Marion County to Serve as the Fiscal Agent for the Wastewater Facilities Committee, Subject to City Attorney Approval. The motion passed unanimously, (6:0).

SAVE OUR BRIDGE – Railroad Bridge Design: Mr. Kinney said that the Tiger Grant is an \$8.6 Million grant awarded to the City of Mill City. It has taken almost a year since the announcement of the award to try to negotiate a grant agreement. The final agreement will be between the USDOT/FHWA and Linn County. The City will not be a partner in the grant agreement. The reason for this is that Linn County will be the fiscal agent and so the judicial staff concluded that Mill City does not need to be a part of the grant agreement. This eliminates Mill City from having to comply with federal audit requirements. We are hopeful that the grant will be signed and design work can begin by March 11, 2019.

The Tiger Grant agreement requires that there be a side agreement between Mill City and Linn County. This agreement will state that Mill City will provide \$400,000 to the project, the City and SOB Committee will participate in design on the project. There will also need to be a transfer agreement between ODOT, Linn County and Mill City, which will transfer ownership of the bridge and some adjacent parcels. This agreement needs to be signed prior to the Tiger Grant being signed. There will also need to be a maintenance agreement between the City and Linn County for the approach on the north side of the bridge.

Mr. Kinney said that the crosswalks in this area will need to be upgraded to today's ADA standards as part of the transfer agreement. This will be included in the work for the Tiger Grant.

Dave Leach, SOB Committee, gave a brief presentation on the design for the railroad bridge elements. The Committee is concerned with the historical value, cost and maintenance and have focused design on these items. There may be some things that need to be modified once the engineer looks at what is proposed.

Mr. Kinney said that the side agreement for the Tiger Grant should indicate clearly that the county will deal directly with the SOB Committee for design and review with the Council being the final authority on any decisions.

SE REMINE RD CITY OWNED PARCEL: At the February 12, 2019 Council meeting Scott Baughman and Rex Lucas spoke with the Council about a piece of property owned by the City that blocks access to their property off of Remine Rd. Mr. Lucas stated at that time that a deed was provided to Planner David Kinney six months ago which Mr. Baughman spoke with Mr. Kinney about multiple times and was just recently advised that he cannot sign the deed; it must be signed by the mayor.

Mr. Lucas asked the Council to move forward with signing this deed as not doing so will require the City to be an applicant on their future subdivision application.

Mr. Kinney said that there are two spurs of property north of the WWTP where Remine Rd curves that went through Mr. Baughman and Mr. Lucas's property. One of the sections of land was handled with a lot line adjustment with a land trade between the Mill City Fire Department and Mr. Lucas. The second parcel is the City's. A deed was provided to Mr. Kinney stating that the City needed to sign off on it so that the matter could be cleaned up and a subdivision could go in. Mr. Kinney advised the property owners that this was not the way these matters are dealt with and nothing would be done until a subdivision application was filed with the City. The property lines do need to be cleaned up but it should be done with the full picture of the proposed subdivision in mind, not just randomly and the potential value of this property needs to be taken into consideration.

There will need to be some detention areas for drainage and possible parks sites done. Is there a potential for a trail and a connection to the park? These items need to be addressed when a

subdivision application is filed to see how they all fit together. There is no guarantee there will ever be a development.

It was noted that Mr. Lucas said that he can't do a subdivision until this is dealt with because then the City would have to be an applicant on the subdivision application. Mr. Kinney said that the City parcel would be handled as a lot line adjustment prior to filing the plat and therefore, would not need to be a signer on the plat.

Councilor Trout said that he was under the impression that the size of the parcel was much less than what is being shown this evening. Mr. Kinney said that this area is roughly a tenth of an acre.

Consensus to do nothing until a subdivision application has been filed and a full review done as recommended by staff.

STAFFING: Mr. Kinney gave a PowerPoint presentation on staffing options for the City beginning with a list of upcoming and on-going projects.

The organizational structure is currently very convoluted in how the lines of communication work. This needs to be cleaned up and made clearer as to who answers to who and where directions come from. This includes the Council focusing on major issues and policy direction, setting annual goals and priorities, minimizing delays in decision making, delegating project management responsibilities to staff and reducing council involvement day-to-day decisions. This is an opportunity to change expectations and reset the organizational culture.

The staffing options assume hiring a full time public works employee as well as making the finance position permanent and bringing in a shared position for the office and The Reid House facilitation.

The decisions that need to be made are:

1. PW Maintenance Worker – Decided. In hiring process.
2. Finance Clerk – Make permanent?
3. City Administrator?
4. CH Clerk/Reid House Facilitator

The options for administrator considered were:

- | | |
|---------------------------------------|----------------------|
| 1. Hire full time administrator | Impact \$130,000 |
| 2. Combine with recorder | Impact \$25,000 |
| 3. Part time administrator (employee) | Impact \$75,000 |
| 4. Part time administrator (contract) | Impact \$60-\$90,000 |

There is funding from the endowment distribution that could assist with funding the Reid House Facilitator position.

Of the options reviewed most were not able to be supported within the budget. Option 2, combining the recorder and administrator is feasible and a clerk could be hired as well. However, there would not be funding for capital improvements in the Sewer Fund.

Option 3 would also be feasible. However, the General Fund begins declining and the Water and Sewer Funds have insufficient funds after a few years.

Mr. Kinney recommended the following:

Hire PW Utility Maintenance Worker ASAP

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Make Finance Clerk position permanent.
Discuss administrator position and when it may begin if move toward.
Make decision about including CH Clerk/Reid House position in budget.

Councilor Winn asked if a volunteer could do the work for The Reid House. Mrs. Cook said that the committee discussed a volunteer and came to the conclusion that a paid position will be necessary in order to make it successful.

Councilor Plotts asked if we need to wait to make a decision on all of these positions because she would like to have the finance position made permanent. Councilor Zeyen-Hall agreed.

Councilor Katlong said that with all of the things that need to be taken into consideration why not just wait until the next meeting because there is a lot to digest.

Mrs. Cook said that she is for the position and thinks a motion needs to be made to make the finance position permanent.

Councilor Plotts moved and was seconded by **Councilor Zeyen-Hall** to Make the Finance Position Permanent. The motion passed unanimously, (4:2) with Councilors Katlong and Trout voting nay.

Mrs. Cook thanked the Council and said that Vicki will be thankful as well.

Councilor Trout said that he feels we jumped into this too soon and should have been taken into consideration with the overall staffing discussion.

Mrs. Cook said that Public Works Maintenance Worker Jerry Curtis is out on medical leave with no time to return. Mrs. Cook and Public Works Supervisor Russ Foltz have gone through the applications to try to get interviews for the new position set. Currently Mr. Foltz is working by himself. Mrs. Cook asked Mr. Foltz to contact OAWU to see if they had someone who could fill in temporarily until we get staffing dealt with. A gentleman named Craig Clark was suggested and met with Mr. Foltz and Mrs. Cook last week. Mr. Clark has dabbled in a number of different water and sewer areas throughout his career and could do the work with direction from Mr. Foltz on the water/sewer end. Mrs. Cook said that she would like authorization to offer a temporary position to Mr. Clark at a rate of \$20/Hr.

In addition, Mr. Foltz has agreed to complete the site prep work for the public works building by April 1st. In order to get this done, we will likely need to bring in someone from a temp agency, who hopefully has construction in their background. There is also an option of using the CTE program at the school but this needs to be explored.

Mayor Kirsch said that he spoke with Jeff Crowther, OAWU, about Mr. Clark and was advised that Mr. Clark is very knowledgeable and continues to want to learn more about the line of work.

Mayor Kirsch also said that he asked Mr. Crowther about having someone from OAWU participate in the interview process for the new position. This will provide an independent viewpoint on candidates.

Councilor Trout moved and was seconded by **Councilor Katlong** to Hire Craig Clark as a Temporary Employee at a Rate of \$20.00 Per Hour. The motion passed unanimously, (6:0).

TIGER GRANT UPDATE: City Planner David Kinney and Mrs. Cook had teleconference calls with Linn County and USDOT/FHWA on February 14 and 15, both of which were very productive and resulted in a "final" draft of the Tiger Grant agreement. To keep the momentum going the following items need to be completed:

1. Approval and signing of Jurisdictional Transfer Agreement between ODOT, Linn County and Mill City. This document transfers the vehicle bridge to Linn County and the northerly 100' of the bridge abutment along with an additional 80'+ of roadway to the north. It also obligates the City to construct/upgrade curb ramps and crosswalks by December 31, 2027. These ramps/crossings are shown on the attached map and are being looked at for inclusion in the improvements that occur with the Tiger Grant.
2. Approval and signing of Maintenance Agreement (permit to occupy and perform operations) between Linn County and Mill City. This document grants permission to Linn County to access Mill City right-of-way to do work related to the Tiger Grant as well as do maintenance to the bridge and first 50' of the approach.
3. Approval of decision to change Tiger Grant "recipient" to Linn County and enter into a separate IGA between Linn County and Mill City that states:
 - a. Linn County will act as fiscal sponsor for Tiger Grant
 - b. Mill City will provide \$400,000 toward project
 - c. Mill City will do public outreach with the SOB Committee regarding project
 - d. Mill City and SOB's will be involved in design approval process
 - e. Mill City will be involved in construction management

The documents have been provided to City Attorney Jim McGehee for his review and comment. Motions to approve the documents should be made subject to approval of the City Attorney.

Councilor Trout moved and was seconded by **Councilor Katlong** to Approve Jurisdictional Transfer Agreement No 839; North Santiam River Bridge (Bridge No. 02058), Subject to City Attorney Approval. The motion passed unanimously, (6:0).

Councilor Trout moved and was seconded by **Councilor Katlong** to Approve Permit to Occupy and Perform Operations Within the City of Mill City Right-of-Way on N. 1st Avenue and N. 1st Avenue Street Bridge for Linn County, Subject to City Attorney Approval. The motion passed unanimously, (6:0).

Councilor Plotts moved and was seconded by **Councilor Zeyen-Hall** to Accept Change of Recipient of Tiger Grant to Linn County and to Enter into an IGA with Linn County Authorizing Linn County to Act as Fiscal Sponsor for Tiger Grant, Stating the City of Mill City will Provide \$400,000 Toward the Tiger Grant Project, Handle Public Outreach in Conjunction with the SOB's, City and SOB's will be Involved in the Design Approval Process and City will be Involved in Construction Management. The motion passed unanimously, (6:0).

ADJOURNMENT

The meeting was adjourned at 9:07 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor