

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, April 23, 2019**

EXECUTIVE SESSION

At 6:00 p.m. Mayor Kirsch opened into executive session under ORS 192.660 (2)(h) to consult with legal counsel regarding current or pending litigation; and

ORS 192.660(2)(e) to conduct deliberations with persons you have designated to negotiate real property transactions.

At 6:30 p.m. Mayor Kirsch adjourned executive session.

Mayor Kirsch opened the meeting at 6:38 PM with the flag salute. Councilors present were Janet Zeyen-Hall, Brett Katlong, Dawn Plotts, Tony Trout and Steve Winn. Staff in attendance: City Recorder, Stacie Cook.

Citizens in attendance were Anita Leach, Roel Lundquist, Todd Miller 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 pulled item 'b' from the consent agenda.

Councilor Trout moved and was seconded by **Councilor Katlong**, to approve items a; Approval of Minutes of Regular City Council Meeting of April 9, 2019, c; Ratification of Mayor Kirsch's Proclamation Declaring May 2019 as Mental Health Month Within the City of Mill City, and d; Ratification of Mayor Kirsch's Proclamation Declaring April 2018 "Child Abuse Prevention Month", e; Ratification of Planning Commission Approval of Minor Partition for Scott Baughman, File No. 2019-01; 230/272 SW Ivy Street, of the consent agenda. Stacie Cook polled the council; the motion passed unanimously, (6:0).

Mayor Kirsch said that he has no issue with the payable and stated that he would like to have a roll call vote on this item.

Mayor Kirsch moved and was seconded by **Councilor Trout** to approve item b; Approval of Accounts Payable. Stacie Cook polled the council; the motion passed, (5:1) with Councilor Winn voting nay.

CITIZEN COMMENTS AND QUESTIONS: None.

PRESENTATIONS: SUPPORTING SANTIAM STUDENTS TO DAY FOR TOMORROW - ANITA LEACH AND, SANTIAM CANYON SCHOOL DISTRICT (SCSD) SUPERINTENDENT TODD MILLER.

Superintendent Todd Miller gave a brief background on the school facilities and how the School Board got to the point of moving toward a bond to finance a campus remodel. The bond is \$17.9 Million. Along with the repair and maintenance needs, enrollment is up. Just in the last few months enrollment has risen from 570 to 583. There is not enough room to be able to have classrooms for all of the students.

The project has three main parts; replacing the Jr/Sr High building with three separate buildings, adding an auxiliary gym and adding an elementary cafeteria. The building is a 50 year rated, which means that there will be minimal requirements for at least 50 years.

There needs to be a bond to either replace the building, which is proposed, or to repair the existing building. The repairs for an existing building would run about \$7 Million and would not allow for an increase in capacity.

Councilor Trout asked if there has been any thought by the School Board of doing the project in phases as this would allow landlords to phase in rent increases to cover the additional costs for the bond that would have to be paid annually. Mr. Miller said that in order to do this there would need to be a phased in bond, which would likely require requesting a bond each time.

Roel Lundquist, SW Linn Blvd, said that the bond shortfall for the Portland and Beaverton school districts may be a psychological factor for some and how this is being considered for the SCSD bond. Mr. Miller said that the bonds that are in Portland and Beaverton are from three or four years ago and at that time they hadn't considered the huge increase in construction costs that have occurred. The SCSD has managed to save \$1 Million in the facilities fund and this is acting as the potential cost overrun fund for the project.

Mayor Kirsch asked if there will be any development on the property to the north of the school campus where the Christian Church is. Mr. Miller said that the district is under contract with the church for a while but there will be a pre-school in the building that sits north of the school. The hope is that a CTE program can be put into place for high school students to work in the pre-school.

Councilor Plotts said that she appreciates the effort the School Board has taken to look at all of the options and get the most for the money while still having a nice looking building.

Anita Leach, Supporting Santiam Students Today for Tomorrow, handed out an information sheet for the bond. Mrs. Leach said that there has been an article in the local paper on a weekly basis. The district has been able to make many positive movements forward including adding classes back in and moving from a deficit budget to a balanced budget.

Mrs. Leach said that people have asked about the sale of the school campuses. The Gates school is being paid on a monthly basis with a balloon payment planned for 2020. The Detroit schools sold long enough ago that any dollars that came from the sale are gone. The maintenance funds have increased from \$25,000+/- in 2011/2012 to over \$300,000 in 2017/2018.

RESOLUTION NO. 83X (836) – REQUIRING DEVELOPMENT FEES TO BE PAID: The City has had an increase in planning and building activity over the last year. There are multiple land use actions and permits open at any given time. This means that staff must track each of the applications/permits and ensure that we are collecting all fees associated with each. Because there are many times when multiple applications/permits are submitted at the same time, this can cause confusion and create additional work to check and double-check our records, which can make for a time consuming process.

In addition, some fees have yet to be collected from land use applications that were filed two or more years ago. Because the land use process has been completed for these, the City does not have any leverage in requiring collection, other than to lien the property. Mrs. Cook spoke with City Attorney Jim McGehee about options for collecting these outstanding fees as well as making certain that the city doesn't run into the same issue for future actions. Mr. McGehee recommended that the Council adopt a resolution outlining the requirement that all fees related to land use/building must be paid prior to the City authorizing additional land use or building applications. This safeguards both the applicant/property owner and the City by making certain that the City stays on top of invoicing and that the City receives all outstanding charges.

Councilor Katlong asked if there are very many of these incidents currently. Mrs. Cook said that there are a few.

Councilor Katlong moved and was seconded by **Councilor Zeyen-Hall** to Approve Resolution No. 836 – Development Fee Requirements. The motion passed unanimously, (6:0).

STAFFING DISCUSSION – BUDGET IMPACT REVIEW SPREADSHEET: During the last discussion regarding staffing options there was confusion over the actual costs for the different options presented. Mayor Kirsch requested a spreadsheet that breaks out each positions salary and benefits. The spreadsheet clearly outlines the estimated costs for each current and proposed position and provides a total budget impact for the various staffing options.

Mayor Kirsch asked the Council to take time to review the spreadsheet and be prepared to discuss at a later date.

PUBLIC WORKS BUILDING UPDATE – ESTIMATED COST: Public Works Supervisor Russ Foltz and Mrs. Cook met with Andy Medcalf and Richard Rothweiler on Wednesday to review the status of the public works building. The proposed project, not including modifications required per the site plan review process, was presented at \$497,000. This number also did not include the costs for site prep work that will be completed by City staff.

In order to reduce the project cost to around \$450,000, which allows for the staff items to be completed and potential change orders, staff identified items which can be removed, completed by the City or held until a later date for a phased-in approach. These items include:

- Fencing
- Paving (bid with street projects)
- Parking curb stops
- ADA Parking stripping and signage
- Interior fencing for storage
- Change forced air to cadet heaters

With these changes, it is believed that the cost will be \$450,000+/- but the City will be provided an itemized cost layout for confirmation.

The pole building is being ordered at this time so that it is available by the time permits are approved. Final site engineering is being completed and will be provided to Mr. Foltz soon so that the site prep work can begin and be ready for placement of the building.

Mr. Lundquist said that he would rather see dollars found to do the air handling units done correctly right now.

Mrs. Cook said that a utility customer whose water was shut off has made a request for waiver of fees on the water/sewer billing, totaling \$115.00. The home is empty and payments have been made through online check pay. The customer closed a bank account before a payment had been processed. The required letter went to the customer advising of the returned check and date to pay. The customer did not receive the letter before the deadline because they were on vacation. Mrs. Cook said that staff followed the process which is required to legally turn water off.

Mayor Kirsch asked what fees are being requested for waiver. Mrs. Cook said that they include two late fees, two door fees, the turn on fee and the returned check fee.

Mayor Kirsch said that part of the argument for waiver was because the house was unoccupied so nobody would have seen the door hanger. Mrs. Cook said that this is correct, adding that the customer felt that the City should have called them or notified a relative that lives in town.

Councilor Katlong said that the customer closed an account and did not notify the City. Mrs. Cook said that she believes the returned check was unintentional but still has fees associated with it on the City's end.

Councilor Zeyen-Hall asked if the staff calls anyone else if their water will be shut off. Mrs. Cook said that staff does not.

Councilor Plotts said that it is up to the customer to notify the City as staff can't know what goes on in everyone's private life. Mrs. Cook noted that the new software doesn't print names on door hangers, which makes it even harder for staff to know who is receiving one.

Mrs. Cook stated that the customer has been very timely with previous payments and there was an anomaly with a recent month's billing where there was high consumption that is unexplainable. This may have had something to do with the events that transpired.

Councilor Trout said that he thinks this is asking our citizens to pay for the customer's error and that is not right.

Consensus to deny request.

Mrs. Cook said that the Planning Commission is considering working through an Accessory Dwelling Unit (ADU) code and has set a public hearing date of June 3, 2019 to do so. The State of Oregon recently adopted rules that any community over 2500 in population must allow for ADUs. Since Mill City is not 2500 population at this time we are not mandated to adopt a code.

Mrs. Cook said that while looking at ADU regulation is something that the City should probably do in order to be prepared at the time adoption of a code is mandated, it should be done thoroughly, which means taking time to review all aspects and implement a code that works for the City. If a code is adopted, Mrs. Cook said that she feels that it should be required to be done with a land use application, such as a conditional use permit.

Councilor Trout said that with the potential development of the Remine property there may be the possibility that we will reach the 2500 population threshold and so it may be beneficial to us to outline code language before there is a requirement to do so.

Mr. Lundquist said that he attended the Planning Commission meeting where this was discussed and it in effect, becomes a de facto R2 zone.

Consensus to explore ADU but to hold off on a hearing at this time.

Mayor Kirsch said that on Sunday, April 28th between 2:00 p.m. and 4:00 p.m. there will be a walk through for the public of The Reid House in order to allow citizens to see the building and give comments about potential use.

Mr. Lundquist said that he feels that there needs to be some coordination of replacement of a new water line, or a segment of, on SW Ivy Street, with the development that may take place on the street since the minor partition has been approved for possible duplexes.

Mr. Lundquist reminded the Council that there is still a need to get a Breathalyzer in the substation.

Councilor Zeyen-Hall gave kudos to a local deputy who was called out for a young man who was walking around with no socks or shoes. The deputy went into a local store and purchased items for the man.

ADJOURNMENT

The meeting was adjourned at 8:22 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor