

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, March 12, 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, Public Works Supervisor Russ Foltz, City Planner Dave Kinney and City Attorney Jim McGehee.

Citizens in attendance were Ann Carey, Lt. Michelle Duncan, Linn County Sheriff's Office, Michael Ferris, Earnest Freeman, Roel Lundquist, Diane 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' of the consent agenda.

Mrs. Cook said that the minutes have been changed to include a section on page four, which is referencing her comments concerning the Accessory Dwelling Unit (ADU) code that the Planning Commission was hoping to begin working on.

Councilor Trout moved and was seconded by **Councilor Katlong**, to approve items a; Approval of Minutes of Regular City Council Meeting of April 23, 2019, and c; Acceptance of Monthly Expenditures Report, April 2019, of the consent agenda. Stacie Cook polled the council; the motion passed unanimously, (6:0).

Mayor Kirsch said that he pulled accounts payable because there is a payment to his place of employment; Brooks True Value as well as to SAW Tree Service, Councilor Winn's company. Each of them should abstain from voting.

Councilor Trout moved and was seconded by **Councilor Katlong** to approve item, b; Approval of Accounts Payable. The motion passed, (4:0:2) with Councilor Winn and Mayor Kirsch abstaining.

LINN COUNTY SHERIFF'S REPORT: Lt. Michelle Duncan gave the Linn County Sheriff's Report for the month of April. There were a number of thefts that occurred this past month.

Lt. Duncan stated that there was an incident at the school today that called for a lock out. This was an outside threat to a family member of a girlfriend and had nothing to do with the school at all but through word of mouth came back as having been about the school. This incident was investigated quickly and deemed that there was no valid threat to the school.

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

Pump Report – Loss percentage this month was a 40%. This was likely due to two large water main breaks that were found.

NE 7th Avenue Sewer Blockage – There was a piece of plastic pipe in the sewer line on NE 7th Avenue. This has been removed and hopefully will help with the issues that have occurred with the sewer at Rosie's.

Spring Street Water Main Break – This break was brought to the City's attention by Roel Lundquist. Thank you, Mr. Lundquist.

Mr. Foltz said that most main breaks are brought to the City from citizens.

Monitoring Wells Nitrate Samples – Sample point two nitrate levels cannot exceed sample point one. Sample point two came back as .002 above sample point one, which requires notification to DEQ. A second test must be performed if there is a non-compliant test. The river was running very high and fast when this occurred so a second test was not able to be obtained. DEQ was notified of this and had no problem.

SW 2nd Avenue Water Main Break – This break was also brought to the attention of the City by a citizen.

Diane Miller, NE Alder Street, asked if private citizens can drain into storm lines, noting that there is a regular dump of liquid into a storm line across the street from her house. Mr. Foltz said that he believes that he has investigated the area in question and thinks it may be a sump pump. Ms. Miller said that this happens more regularly than if it were a sump pump. Mr. Foltz will look into this matter further.

Public Works Building Update – Most of the site dig out and rock has been completed for the public works building. This should be completed within the next few days.

Councilor Winn asked what the next step is. Mr. Foltz said that the building has been ordered but permits have not been obtained yet.

CITIZEN COMMENTS AND QUESTIONS: Earnest Freeman, SW Ivy St, thanked the Council for the diligence in getting the speed reader board because it seemed to slow some people down.

Mr. Freeman said that tiny houses are being constructed in Eugene for homeless at the First Christian Church. These will be very small and rent will be required. This may be something that the City should look at doing.

Mayor Kirsch said that larger cities have the services and funding to be able to do this kind of thing. Smaller communities don't have the services needed by these people nor funding to pay for it.

Councilor Trout said that the radar sign was also put by the wells on SE Kingwood and it slowed down drivers.

Ms. Miller said that there are also speeders on her street, especially when the river users come.

PRESENTATIONS: None.

PUBLIC HEARING: No public hearings were held.

OLD BUSINESS

Public Works Building Update: Discussed under Public Works Supervisor report.

Staffing Discussion: Mayor Kirsch said that there has been discussion for quite some time about different avenues the City could move forward with. A budget impact was presented a couple of months ago. It was noted that the different staffing options were not easy to compare so a spreadsheet to more easily understand the differences was created.

Mayor Kirsch said that he would like to see the City begin moving forward with bringing another staff person into the office to assist with the time consuming tasks that are currently being done by the City Recorder as well as to assist with the work being done on the Reid House and the Railroad Bridge Celebration.

Councilor Trout asked if there is a timeline for when the Reid House may need someone. Mrs. Cook said that The Reid House Committee Chair Gary Swanson would like to get the remodel work going as soon as possible after the beginning of the fiscal year.

Roel Lundquist, SW Linn Blvd, said that he got a feeling from some of the Reid House Committee members that they will need a full time person.

Ann Carey, SW 1st Avenue, said that she is concerned with a 50/50 split for a City Hall Clerk and Reid House Facilitator. City Hall needs someone because the work load is there and a certain amount of hours need to be there for this position. Can the hours be guaranteed if there is a split position?

Councilor Trout asked for clarification on Mrs. Carey's comment, asking if it would be for two part time positions. Mrs. Carey said that she wants to be sure that the office is covered. Councilor Trout asked if there would be two separate positions so that they would not interfere with each other. Mrs. Carey said that these should be two different people.

Councilor Winn asked Mrs. Cook how many hours she would need someone in the office. Mrs. Cook said that she could use someone for at least 20 hours per week, possibly more. The position may be able to grow as the work load grows.

Councilor Katlong asked what duties the office person would have. Mrs. Cook said that a list of duties has been started. They would include general filing, planning filing, land use notifications out to property owners and newspaper, packets to planning and Council out, if skills allow, turn over newsletter and minutes.

Councilor Trout said that he is concerned with being able to keep someone in a position if it is only part-time as was an issue with the meter reader. Would the ability to grow into full time be more attractive to a potential employee?

Ms. Miller asked if volunteers could be used for the Reid House, stating that she used to do event coordinating and could help. Mayor Kirsch said that volunteers are always welcome.

Councilor Trout said that rather than selecting options at this point, the priorities should be decided and at this time it is assistance within the office. Then adjustments can be made later once it is decided how the City should proceed.

Mayor Kirsch said that while everyone generally agrees that an administrator is the way to proceed, the option to get there is the sticking point. The costs for doing so need to be reviewed and at this time some are more expensive than the City can afford.

Councilor Plotts asked if movement on a part-time position is being looked for.

Councilor Trout asked what the process would be to begin moving on this. Mrs. Cook said that the Council would have to approve a job description and wage scale via resolution. After this the position could be advertised.

Mrs. Cook will draft a job description and bring it back for consideration no later than the first meeting in June. If time allows, then this could be included on the May 28 agenda. As soon as a draft job description is ready it will be sent out to Council for review.

NEW BUSINESS

DRAFT Resolution No. 83X – Parking Zones; Set Hearing Date: A DRAFT of Resolution 83X, which outlines parking zones within specific areas of the City was presented to Council for discussion. Mrs. Cook explained that initially, the Planning Commission recommended that the north side of SE Fairview Street be designated as no parking. As Planner Dave Kinney and Mrs. Cook discussed parking issues around town, a few other areas were identified that need to be addressed. This item is being brought back to Council prior to sending out notifications to adjacent property owners in order to discuss the new areas and obtain a decision about whether or not to proceed with all within one resolution.

The additional areas being proposed are:

NE Wall Street to NE Alder Street no parking along the north side and NE Alder at Santiam Pointe along the south side. This area has been identified as having hazardous parking for a number of years. The amount of traffic that goes through this area along with the large amount of on street parking occurring, as well as the sight lines due to the slope of the road, are all reasons staff recommends designating this as a no parking zone.

N 1st Avenue adjacent to Hammond Park has existing parallel parking. This area is regularly used by people using the park and walking the railroad bridge and by individuals and companies that are floating, rafting or kayaking the river. There are often more vehicles along this section of road than spaces marked. The spaces are also used a lot by people loading or unloading river recreational equipment and/or changing before/after using the river. Both of these scenarios can be dangerous for drivers coming down around the corner as well as for the individuals in the street. To lessen the danger we recommend posting these spaces as passenger vehicle only/no boats, trailers or RVs.

Because of the amount of river use that happens in Mill City, and the number of shuttles and vehicles with trailers that park in this area, we recognize the need to identify parking on or near NE Wall Street to accommodate the users. It is staff's recommendation that the parallel parking spaces on the south side of NE Wall Street and the parallel parking area just west of the Elizabeth Creek Fall be posted as boat, trailer and RV parking only.

The City is acutely aware that parking is at a premium throughout the City and specifically, in the Wall Street area during peak seasons. One reason for trying to address these issues at this time is in response to discussions that occurred during and after the initial hearing opening for the EV Charging Stations. There were concerns voiced about the location of the proposed charging stations and the need for more parking in the area; staff was asked to meet with Pacific Power and the adjacent property owner to discuss the possibility of a joint project. Pacific Power has agreed to complete the full engineered plans for a parking lot on the adjacent parcel to the east, with the possibility of an ingress/egress and an ADA access into the park on the City parcel. Making the parking zone changes now will allow staff to plan for these in the overall parking plan for the area, including the parking lot next to Mill City Falls Park.

Councilor Plotts asked if overnight or monthly parking can be addressed in this resolution. Mrs. Cook said that this had not been discussed but may be something that should be included.

Councilor Trout said that the Wall Street layout looks good and gives parking options for different types of vehicles but helps deal with getting larger vehicles to less used areas. Councilor Trout asked where the SE Fairview no parking area would be. Mrs. Cook said it would be from the east property line of City Hall to SE 4th Avenue. Councilor Katlong said that he thinks it should go to S 1st Avenue. Councilor Plotts said that she likes the parking on the west end because it helps encourage appropriate driving during school mornings and release times. Councilor Trout suggested painting parking spots on the west side to more easily denote the spaces.

Mrs. Carey asked if parking on the south side of the road will be done if the north side is declared as no parking. Mrs. Cook said that because public works has an excavator in town for the site prep work and gravel was being delivered, the plan is to lay gravel for parking on the south side before the excavator is returned.

Mrs. Cook said that if the Council is in general agreement with the additions to the resolution then notifications will be sent to all of the adjacent property owners and set it for discussion at an upcoming Council meeting.

Mayor Kirsch suggested a loading/unloading zone on N 1st Avenue. Mrs. Cook said that the issue with this is that people stand in the middle of the street if they are allowed to load and unload rafts, kayaks and similar. Councilor Trout suggested a 30 minute parking only in this area. Mayor Kirsch said that he likes the 30 minute parking but there would need to be a way to enforce it.

Mr. Lundquist said that he thinks the no parking on NE Alder should extend to NE 3rd Avenue. Mrs. Cook said that the area shown has become dangerous, which is why it was added to the list for consideration.

Ms. Miller said that almost on a daily basis people almost hit her trees/fence area because there is always loading and unloading and heavy equipment in the NE Alder Street area shown as potential no parking.

Mrs. Cook said that Marion County will need to review the resolution and authorize the no parking on NE Alder as they own it.

The suggested changes to the parking areas will be reviewed by staff and any changes will be reflected in the resolution when it is brought back to Council.

Request for Street Closure – SE Juniper at 100 SE Juniper Street: Bob & Linda Krokoski, owners of the new restaurant; Mill City Grill, on SE Juniper Street, have requested permission for closure of a short section of SE Juniper to hold a grand opening event. The tentative date for the event is Friday, June 21, 2019 from 6:00 p.m. to 10:00 p.m.

The grand opening would include bringing in a band and providing goodies for families in the front of the building/street area. Anyone wishing to purchase and consume alcohol would need to remain in the building or go in the back area.

Mrs. Cook spoke with Mr. Krokoski about the event and advised that there would need to be a designated area for parking since the parking spaces for the restaurant would be inside the closure area. Mr. Krokoski has indicated that they will speak with the post office, which will be closed during these hours, and the market to see if customers can use their parking lots.

Councilor Trout said that his one concern is the band until 10:00 p.m. because the neighbors are so close. Having the band until 8:00 p.m. would be okay.

Councilor Katlong said that from 6:00 p.m. to 10:00 p.m. would be okay but the road needs to be clear by 10:00 p.m.

Councilor Trout moved and was seconded by **Councilor Katlong** to Authorize Closure of SE Juniper Street at S 1st Avenue to the Eastern Edge of 100 SE Juniper Street Between the Hours of 6:00 PM and 10:00 PM for a Grand Opening Event, Subject to Coordination with the MCFD and LCSO and Date Finalization and Coordination of Parking and Neighborhood Notification with City Staff. The motion passed unanimously, (6:0).

STAFF/COMMISSION REPORTS

City Recorder Report

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

Clean Up Day; May 18, 2019: The annual clean up day will be this Saturday, May 18, 2019.

Out-of-Office, IIMC Conference; May 20-24, 2019: Mrs. Cook will be attending the IIMC Conference next week.

City Attorney Report

424 SW Cedar Street Update: Mr. Wood, the attorney for the family, has been asked for an update about when the property will be cleared.

235 S 1st Avenue Update: This property is cleaned sufficiently.

SE 3rd Avenue Update: A lawsuit will be filed soon on this property.

Mr. McGehee said that a matter came before the court today concerning a gentleman who was living illegally on a property in town. The defendant pled guilty, was fined \$1000, which was suspended in lieu of his testimony at a trial for the property owner to speak to the other people who have lived on the property. This next step in the process should be handled in circuit court.

Mr. McGehee said that he will be having surgery the first part of June and will be changing his regular date for Council from the first meeting to the second that month.

BUSINESS FROM MAYOR & CITY COUNCILORS

Mayor Kirsch attended the SOB meeting this last Wednesday. A Centennial Celebration is being planned for September.

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

Councilor Plotts said that there have been concerns with speeding on certain streets so a request for focus patrol will be made in these areas.

Councilor Trout said that he would like the Council to reconsider the issue with the water bill that was discussed at the last meeting. Councilor Trout said that he misunderstood what the situation was. The circumstances for this were such that a family member died and the water bill was automatically paid out of the person's account, which was automatically closed when he died, causing the payment to bounce. Councilor Trout said that he would like to take a look at this again and even reconsider at least a partial waiver.

Mayor Kirsch said that it was his understanding that the family member was paying the bill for many years and does not believe that the bill was an automatic payment based on the information that he read in the email that was sent to the City. Mayor Kirsch said that he can sympathize with the situation because he has gone through it, there were times he had to pay late fees because bills weren't paid on time.

Councilor Trout said that he would like to at least reconsider the request with full circumstances known.

Mayor Kirsch said that he would be concerned with setting a precedent and having others then request fee waivers.

Mr. McGehee said that the City is required to follow the code set forth, which means hanging the door hanger and charging the fee, in order to proceed with further action.

Consensus to add this item to the next agenda for reconsideration.

Mr. Lundquist thanked Dawn Plotts and Anita Leach for repainting the concrete wall to cover the graffiti.

EXECUTIVE SESSION

At 8:35 p.m. Mayor Kirsch called for a brief break.

At 8:40 p.m. Mayor Kirsch opened into executive session under ORS 192.660 (2)(e) to conduct deliberations with persons you have designated to negotiate real property transactions and ORS 192.660(2)(h) to consult with legal counsel regarding current or pending litigation.

At 9:13 p.m. Mayor Kirsch reconvened into regular session.

ADJOURNMENT

The meeting was adjourned at 9:13 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor