

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, May 28, 2019**

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

Citizens in attendance were Earnest Freeman, 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 item 'b' was inadvertently left out of the packet. This can be pulled for approval at a future meeting if preferred. Councilor Plotts said that she would rather pull it from the consent. Mayor Kirsch said item 'd', Planning Commission appointments, will be Sandy Lyness and Grant Peterson.

Councilor Plotts pulled the accounts payable.

Councilor Plotts moved and was seconded by **Councilor Katlong**, to approve items a; Approval of Minutes of Regular City Council Meeting of May 14, 2019, d; Ratification of Mayor Kirsch's Appointment of Sandy Lyness and Grant Peterson to Three (3) Year Terms on the Planning Commission, Expiring June 30, 2022 and e; Approval of OLCC Liquor License Renewals for the Following Businesses:

- | | |
|-----------------------------------|------------------------------|
| i. Dollar General Store #17506 | 250 NW Santiam Blvd. |
| ii. Giovanni's Mtn. Pizza | 146 N Santiam Blvd. |
| iii. Sam's Krispy Krunchy Chicken | 218 NE Santiam Blvd. |
| iv. Stop N Save 6 | 250 NW 9 th Ave., |

of the consent agenda. Stacie Cook polled the council; the motion passed unanimously, (5:0).

Councilor Plotts asked if Stewart's Lawn Service is the average amount on a monthly basis. Mrs. Cook said that the invoicing is all over the place and depends on what work will be done. The Reid House Committee has discussed this and will be reviewing the possibility of obtaining bids from other companies.

Roel Lundquist, SW Linn Blvd, suggested that with the additional staff person the City staff could do the lawn maintenance on this property.

Councilor moved and was seconded by **Councilor** to Approve item 'c' Accounts Payable. The motion passed, (5:0).

CITIZEN COMMENTS AND QUESTIONS: Gary Olson, SW Spring St, thanked Public Works for filling in the potholes on SW Spring Street.

RESOLUTION NO. 837 – AUTHORIZING TRANSFER OF APPROPRIATIONS FOR FY 2018-2019: As staff reviewed final figures for the current fiscal year it was found that the budget may be close to or over in allocated expenditures in a couple of areas. To avoid going over the allocated expenditures and violating budget law, transfers must be made to cover the anticipated costs.

Resolution No. 837 outlines the necessary budget adjustments. These include:

\$19,000 transferred from General Fund Contingency into General Fund Admin Materials and Services. Staff anticipates more permits being issued than originally budgeted for. While the City receives revenues for permits, dollars must also be expended at 80% of those revenues as payment to Linn County Planning and Building Department. One permit alone, which was just returned to the City and was not anticipated, will use up nearly half of the additional \$19,000 staff is recommending be transferred.

\$15,000 transferred from Water Fund Contingency into Water Fund Materials and Services and Capital Outlay. The Capital Outlay is due to computer software costs that were expected to be expended in the prior fiscal year. Materials and Services is a mixture of items including costs for the water rate study, maintenance and repair and postage.

Approving Resolution No. 837 authorizes the transfers to ensure funds are available for anticipated expenditures through June 30, 2019.

Councilor Zeyen-Hall moved and was seconded by **Councilor Plotts** to Approve Resolution No. 837 – Authorizing Transfer of Appropriations for FY 2018-2019. The motion passed, (5:0).

REQUEST FOR WAIVER OF FEES – RECONSIDERATION: At the March 23, 2019 meeting a request for waiver of fees associated with a utility account that service was discontinued to due to a returned check, was considered by Council and denied. Councilor Trout requested at the May 14, 2019 meeting, due to extenuating circumstances regarding this customer, that the Council reconsider the request.

A copy of the email correspondence from the customer, Jim Boessenecker, was provided for Council review. As was explained to Mr. Boessenecker, the City is legally required to comply with current codes, and in this case, followed the protocol for a returned check. This process is:

- Check returned to City
- Reversal of payment in account and automatic \$25.00 fee on account
- Letter mailed to account holder with deadline for repayment (if returned check coincides with late bill/shut off process the 22nd is used)
- If payment is not received by deadline water service is discontinued. A door hanger is placed on the home and fees of \$15.00 (door hanger) and \$40.00 (turn on fee) are assessed to account

Concurrently with the returned check process the late bill and shut off processes were being completed. Because the payment that came in was short of the actual billing, this account was included in these processes, which ultimately requires payment by the 22nd to avoid discontinuance of service. The process is:

- 16th or first business day after if on weekend late bills are processed. \$10.00 fee assessed to account. Charges must be paid by 21st to avoid discontinuance of service
- 22nd or first business day after if on weekend 24 hour notices are processed. \$15.00 fee assessed to account for door hanger.
- Next business day or two (depending on time last door hanger was hung) shut off notices are processed. \$15.00 door hanger fee and \$40.00 turn on fee assessed to account.

Because the 22nd fell on a Friday, water shut offs were not completed until Monday the 25th late in the afternoon.

Staff has completed the following credits on this account:

- Credit of \$7.00 for two (2) units – January billing no CONS shown
- Credit of \$10.00 – March late fee

This leaves the following fees still assessed:

- Returned Check Fee - \$25.00
 - Door Hanger Fee - \$15.00 (24 Hour)
 - Door Hanger Fee – \$15.00 (Shut Off)
 - Turn on Fee - \$40.00
 - Late Fee - \$10.00 (April Bill)
- Total Fees - \$105.00

Councilor Katlong said that he would not be opposed to cutting a small break such as removal of the door hanger since nobody was residing in the house. Mayor Kirsch said that his issue with this is that the City must hang the door hanger to proceed with the outlined processes.

Councilor Plotts said that this is similar to the citizen who was upset because the door hanger was hung on the front door and they never used it, saying that the door hanger should have been hung on the back door. This is something staff would not be aware of. Councilor Katlong said that he sees the person taking care of the property living out of state as different.

Councilor Winn said that he would be concerned with setting a precedent if any waiver is approved. Councilor Zeyen-Hall said that she is also concerned with setting a precedent.

No action taken.

SAVE OUR BRIDGE REQUEST FOR ASSISTANCE/SUPPORT – CENTENNIAL

CELEBRATION: A request for assistance/support from the Save Our Bridge Committee (SOB) for the Railroad Bridge Centennial Celebration planned for September 14, 2019, was provided for review. The SOBs ask for the following support and authorizations from the Council:

1. Closure of NE Wall Street from N 1st Avenue to Santiam Pointe Loop between 8AM and 5PM for event staging.
2. Barricades and cones placed.
3. Public Works assistance for set up and tear down on Saturday, September 12, 2019.
4. LCSO notification and possible coverage.
5. Power access from public works building.
6. Cleaning of public works building inside and out.
7. Painting of rolled curb on trail by public works building by City staff.
8. Painting of crosswalk at east end of NE Wall Street by City staff.
9. Use of trash cans that are for 4th of July event.
10. Use of canvas shelter.
11. City supply of power cords, trash bags and “other small items”.
12. Reservation of two porta-potties.
13. Power supply at overlook in Hammond Park for model train display.

Mrs. Cook spoke with Public Works Supervisor Russ Foltz about these items. There are a number of items that will need to be addressed. These include:

- Barricades and cones – The City’s supply of these were lost in the fire. The City has a few cones that may be available. However, full barricades will not be. Alternate closure options should be considered.
- Public Works assistance for set up and tear down on Saturday. If the Council directs this to be done, a staff member will be available to do the work. It is the preference of public works that they not be required to do the Saturday set up and tear down.
- Cleaning of public works building inside and out. This item will be placed on the work schedule for public works. However, it is getting into their busy season and there are a number of projects that are scheduled to be happening during the summer. Mr. Foltz has requested that the SOBs see if any volunteers could assist with this element of planning.
- Painting of rolled curb – Mr. Foltz would prefer not to paint this curb.

- City supply of power cords, trash bags and “other small items” – The City do not have a large quantity of power cords. An accurate number of those needed will be required to see if other cords may need to be loaned for the event. “Other small items” needs to be outlined clearly to see if the City has the items or if they will need to be obtained elsewhere.
- Power supply at overlook in Hammond Park – unknown elements (timing, cost) to ask of Pacific Power. If not possible, power cords will be needed.

Initial contact was made with LCSO last week to request coverage for the event. Mrs. Cook has not yet heard back from Sgt. Klein about this. Mrs. Cook contacted Pacific Power about the temporary power drop and will keep Council informed if there is any cost involved. Porta-potties have been reserved for the event. Mrs. Cook has also informed our insurance agent of the added event.

Mayor Kirsch said that the barricades are an issue since the City no longer has any. Mrs. Cook said that she spoke with Mr. Foltz today about checking with Linn County to see if they will loan barricades to the City.

Mayor Kirsch said that Mr. Foltz prefers not to paint the curb. Mr. Lundquist said that he does not see this as a major issue.

Mr. Lundquist said that he feels it would be easier for a public works employee to set up the pop up tents and get barricades in place. This could be a split shift where the person is there in the morning and then comes back in the evening to help tear down.

Mayor Kirsch said that he would be in favor of a staff person being present for the event to help with set up and tear down as well as to make sure the restrooms are maintained for the day.

Councilor Winn said that he feels the City should help as much as possible.

Councilor Plotts moved and was seconded by **Councilor Katlong** to Authorize Closure of NE Wall Street From N 1st Avenue to Santiam Pointe Loop on Saturday, September 14, 2019 Between the Hours of 8:00 AM and 5:00 PM for the Railroad Bridge Centennial Celebration. The motion passed, (5:0).

Mayor Kirsch moved and was seconded by **Councilor Zeyen-Hall** to Direct City Staff to Have One Staff Member Assist the SOB Committee with Centennial Celebration Set Up and Tear Down and Maintain Restrooms on Saturday, September 14, 2019. The motion passed, (5:0).

PUBLIC HEARING – FY 2019-2020 BUDGET: Mayor Kirsch opened the public hearing at 7:10 p.m.

STAFF REPORT: Mrs. Cook stated that the City is required to formally declare our election to receive State revenues as well as certify that we provide at least four municipal services and formally adopt the budget. A public hearing is held to take public comment on the funds. State revenue funds consist of: State Revenue Sharing Funds, Liquor Tax, Cigarette Tax and State Hwy Tax. These revenues are allocated to the City’s General Fund, except for the State Hwy Tax which goes in the Street Fund.

PUBLIC TESTIMONY: None.

CLOSE HEARING: Mayor Kirsch closed the hearing at 7:13 p.m.

ADOPTION OF FY 2019-2020 BUDGET: Resolution No. 838 declares the City of Mill City’s election to receive State Revenue Sharing Funds. Without adoption of this resolution the City is

unable to collect these funds which are: Revenue Sharing (from State General Fund), State Highway tax, Liquor and Cigarette tax and 911 tax.

Resolution No. 839 certifies that the City of Mill City provides at least four municipal services. This Resolution states that the City will provide: Police, Streets, Water, Sewer, Storm Sewer and Planning.

Resolution No. 840 adopts the budget, appropriates funding per direction during the budget process and authorizes levying of taxes at the rate of 4.1578 per \$1000 of assessed value.

Resolution No. 841 extends the City's election to provide Workers' Compensation coverage for volunteers of the City.

Councilor Katlong moved and was seconded by **Councilor Zeyen-Hall** to Approve Resolution No. 838 – Declaring the City's Election to Receive State Revenues. The motion passed, (5:0).

Councilor Zeyen-Hall moved and was seconded by **Councilor Katlong** to Approve Resolution No. 839 – Certifying that the City of Mill City Provides at Least Four Municipal Services as Enumerated in Section 1, ORS 221.760. The motion passed, (5:0).

Councilor Plotts moved and was seconded by **Councilor Katlong** to Approve Resolution No. 840 – Adopting the Budget, Making Appropriations and Levying Taxes for the 2019-2020 Fiscal Year. The motion passed, (5:0).

Mayor Kirsch moved and was seconded by **Councilor Zeyen-Hall** to Approve Resolution No. 841 – Extending the City of Mill City's Workers' Compensation Coverage for Volunteers for the City of Mill City. The motion passed, (5:0).

BUSINESS FROM MAYOR & CITY COUNCILORS

Mayor Kirsch said that tomorrow night the Corp is having their presentation of the downstream project. This will be at the Gates Fire Hall, starting at 5:00 p.m.

Councilor Plotts said that two LCSO deputies assisted her mother-in-law with an incident concerning her and her dog and thanked them for their help.

Councilor Plotts said that she and Anita Leach are going to put together a list for June projects for the Canyon Catalysts. The shop will be discussed for inclusion in early September as a project.

Councilor Winn asked if there is any way to get kids to volunteer. Councilor Plotts said that they do clean up during the last week of school. Councilor Katlong said that the Younglife kids are always willing to volunteer as well.

Mrs. Cook said that there is a Travel Oregon grant for increased tourism that she and Gary Swanson will be looking at applying for. The deadline is June 19 so this will need to be done quickly if a project can be outlined.

Mrs. Cook said that her conference was very good. One item that Mrs. Cook would like to get updated is the City website. There were good some sessions that provided information on websites and ADA technology. These sessions gave information that the average person would not think about for a website such as color contrast, font size and linking pictures to words so that vision impaired can know what the pictures are of. This will all be used when looking at revamping the website.

Councilor Katlong said that there seems to be a homeless camp in Kimmel Park. Councilor Zeyen-Hall said that she received an email about this today.

ADJOURNMENT

The meeting was adjourned at 7:27 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor