



CITY OF MILL CITY

AGENDA OF THE CITY COUNCIL

August 24, 2021
City Hall
444 S 1st Avenue
Mill City, Oregon

REGULAR SESSION

1. CALL TO ORDER/FLAG SALUTE **6:30 p.m.** Mayor Tim Kirsch

2. CITY COUNCIL ROLL CALL/INTRODUCTION OF STAFF Mayor Tim Kirsch

3. DECLARATIONS OF POTENTIAL CONFLICTS OF INTEREST

4. CONSENT AGENDA:

In order to make more efficient use of meeting time, resolutions, minutes, bills, and other items which are routine in nature and for which no debate is anticipated, shall be placed on the Consent Agenda. Any item placed on the Consent Agenda may be removed for discussion at the request of any council member prior to the time a vote is taken. All remaining items of the Consent Agenda are then disposed of in a single motion to adopt the Consent Agenda. This motion is not debatable. The secretary to the council will then poll the council members individually by a roll call vote. If there are any dissenting votes, each item on the Consent Agenda is then voted on individually by a roll call vote.

Copies of the council packets include more detailed staff reports, letters, resolutions, and other supporting materials. A citizen wishing to review these materials may do so at the Mill City, City Hall or at www.ci.mill-city.or.us/documents/packets.

- a. Approval of Minutes of Regular City Council Meeting of August 10, 2021
- b. Approval of Accounts Payable
- c. Ratification of Recommendation to Hire _____ to Fill the Vacant Temporary Part Time Public Works Position at a Rate of \$_____/HR, Subject to Completion of Required Paperwork and Background Check
- d. Approval of OLCC Liquor License Renewals for the Following Businesses:
 - i. 7 Star Convenience Store #4 829 S 1st Ave.
 - ii. 7-Eleven #38796A 200 NW Santiam Blvd.
 - iii. Mill City Grill 100 SE Juniper St.
 - iv. Trio Tavern (On/Off Premises) 815 SW Linn Blvd.

5. CITIZEN COMMENTS/QUESTIONS – LIMITED TO THREE (3) MINUTES

6. MILL CITY FALLS PLAZA & OVERLOOK UPDATE

7. MISCELLANEOUS CITY RECORDER ITEMS

- a. Beachie Creek Fire Anniversary Event – Kimmel Park, Sept. 5, 2021 @ Noon
- b. Water Project Update
- c. SW Broadway Street Paving Update
- d. Other

8. ADJOURNMENT

CALENDAR OF UPCOMING CITY MEETINGS & EVENTS

Monday	September 6, 2021	CITY HALL CLOSED – LABOR DAY	
Tuesday	September 14, 2021	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Tuesday	September 21, 2021	Planning Commission Meeting	6:30p.m.
Tuesday	September 28, 2021	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Tuesday	October 12, 2021	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Tuesday	October 19, 2021	Planning Commission Meeting	6:30p.m.
Tuesday	October 26, 2021	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Tuesday	November 9, 2021	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Thursday	November 11, 2021	CITY HALL CLOSED – VETERANS DAY	
Tuesday	November 16, 2021	Planning Commission Meeting	6:30p.m.
Tuesday	November 23, 2021	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.
Thursday	November 25, 2021	CITY HALL CLOSED – THANKSGIVING DAY	
Tuesday	December 14, 2021	Municipal Court	9:30a.m.
		Council Meeting	6:30a.m.
Tuesday	December 21, 2021	Planning Commission Meeting	6:30p.m.
Thursday	December 24, 2021	CITY HALL CLOSED – CHRISTMAS EVE 12:00p.m.	
Friday	December 25, 2021	CITY HALL CLOSED – CHRISTMAS DAY	
Tuesday	December 28, 2021	Municipal Court	9:30a.m.
		Council Meeting	6:30p.m.

**REQUEST FOR COUNCIL
ACTION**

DATE: August 19, 2021
TO: Mayor Kirsch and City Councilors
FROM: Stacie Cook, MMC, City Recorder
REGARDING: Consent Agenda Items

- a. Approval of Minutes of Regular City Council Meeting of August 10, 2021
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**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, August 10, 2021**

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 Clerk Tree Fredrickson and City Attorney Jim McGehee.

Citizens in attendance were Neddra Booth, Jan Cartwright, Ken Cartwright, Patricia Godwin, LCSO Dep. Jungwirth, Roel Lundquist, Stephanie Lynch, Gary Olson, LCSO Dep. RatheLeGurche, Debbie Schenck, Jackie Skaw and Harla Torres.

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

Councilor Katlong moved and was seconded by **Councilor Trout** to approve items a; Approval of Minutes of Regular City Council Meeting of July 27, 2021, b; Approval of Accounts Payable, and c; Acceptance of Monthly Revenues & Expenditures Report, July 2021, of the consent agenda. Mrs. Fredrickson polled the council. The motion passed unanimously, (6:0).

Mayor Kirsch said that there are a number of people in attendance this evening regarding the RV site and that citizen comments would be moved to the beginning of the meeting so that those wishing to speak on this issue could do so first.

CITIZEN COMMENTS AND QUESTIONS: Harla Torres, Springfield, speaking for her daughter, Stephanie Lynch, as well as other residents of the RV site, explained that site residents were upset after receiving notice that their lease will expire on December 3, 2021. Mrs. Torres said that RV park availability is non-existent in this area and asked that Council reconsider this deadline.

Mayor Kirsch explained that there is some confusion as the City adopted a temporary zoning ordinance for those that lost their homes in the wildfire, which allows living in a RV on private property as a temporary residence until December 31, 2022. The RV site lease agreement reads that the temporary use of the property shall last no longer than December of 2022 and may be terminated prior to that date at the City's discretion. The Council elected not to extend the lease and directed staff to provide immediate notice to residents to allow for as much time as possible to find other arrangements. Mayor Kirsch said that this RV site was never meant to be a long-term solution.

Mayor Kirsch said that he and the Council were disconcerted to find the City blasted on social media, stating that the City should have been contacted with concerns as had been done before. Mayor Kirsch explained that the City is not in the housing business and Council was originally advised against creating the RV site. However, Council felt the need to offer a quick fix to help those citizens who had lost their home to the Beachie Creek wildfire, again noting that the land lease was only a temporary fix with no guaranteed extension.

Councilor Trout said that the City has spent taxpayer dollars to create this site and the monthly fee paid by the tenants only covers the expense of electricity, water and the sewer. Additional dollars will be expended to return the site to its original condition.

Mrs. Lynch apologized to Council for her part in the social media discussion, stating that she had intended to come speak with the Council and explain her concerns instead. Mayor Kirsch thanked Mrs. Lynch for the apology.

Mayor Kirsch asked for clarification as to why City Staff were blocked from reading the messages on social media. Mayor Kirsch said that Staff does not have the authority to make decisions or speak for Council but must follow the directions of the Mayor and Council.

Ken Cartwright, KYKC community radio station, asked if any of the dollars spent in creating this park came from the county, state or federal agencies. Mayor Kirsch said that volunteers, donations from general contractors and city funds were used to build the site. Mr. Cartwright asked if the monthly fee received from park residents covered services provided by the city. Mayor Kirsch said that the \$150.00 each resident pays barely covers the electricity, water and sewer fees each month.

Mr. Cartwright asked for clarification on the lease terms. Mayor Kirsch said that the property owner originally asked for a six-month term but agreed to a one-year lease with possibly two six-month extensions. The City has begun discussions regarding the possibility of extending the lease but nothing has been worked out at this time. The City has also begun conversations with Marion County Housing, SIT, and others, looking to find something which is a viable solution. Mayor Kirsch said that he does not want to give residents false hope and cannot guarantee anything.

Mr. Cartwright asked if the FEMA site on SE Fairview Street has a similar timeline and whether the City has considered using this site as an RV park in the future. Mayor Kirsch said that FEMA has an 18-month hard end date, at which time the site will be vacated and the trailers moved out.

Mr. Cartwright thanked the Councilors and the many volunteers for quickly stepping up and creating the RV site.

LINN COUNTY SHERIFF'S REPORT: Dep. Brandon RatheLeGurche gave the LCSO report for the month of July stating that there has been an increase of burglaries in vacant homes and from unlocked vehicles. Dep. RatheLeGurche said that with the changes in COVID restrictions, the Linn County jail is fully open which should reduce citations for crime and more incarceration.

Councilor Plotts asked if extra patrol can be scheduled for SE Fairview Street as there have been complaints of speeders and cars running the stop signs at SE 4th Avenue and SE Fairview Street.

Councilor Katlong noted increased vandalism in Kimmel Park. Mrs. Cook said that she has video and still photos showing several people in the park who were breaking glass in one of the shelters and messing with picnic tables.

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

Pump Report: Mr. Foltz gave the pump report for the month of July.

Construction Update: The SW Ivy Street waterline project will begin next week. Water service was restored on SW Broadway Street after connecting to the new S. 1st Avenue waterline.

The Reid House is being cleaned up and the Cedar Creek bridge is set to be cleaned up beginning Wednesday, August 11th.

Zipty Fiber is doing work all around town.

Concrete is scheduled to be poured at the west end of the railroad bridge on Friday, August 13, 2021 unless high temps prohibit the work.

BOD Test Results: Mr. Foltz said that the August BOD test came in much higher than is normal. Because this was a violation of our permit, DEQ was contacted to advise of the results. Mr. Foltz was advised that a new sample could be taken to see if the results changed or remained high. The second test result showed numbers back to normal.

Mr. Foltz said that there was concrete material placed at the Reid House to be used as fill when the property clean was complete. There is now an opportunity with all of the construction in town to get dirt and rock fill instead and asked the Council if the concrete fill should still be used or removed instead. Since the use of this fill was authorized by the Council it was determined that the concrete should remain and used to fill the basement area.

PUBLIC HEARING: None Scheduled.

PRESENTATIONS: None Scheduled.

OLD BUSINESS:

Water Project Update:

AMR System and Meter Hardware Award: The City received three proposals for the automated metering system and meters system, which were opened on July 22, 2021. A spreadsheet outlining the bid tabulation and rankings was provided to the Council for review. After reviewing the information and going through the ranking system, which include life cycle cost, compatibility with utility billing software, and cost among other things, Consolidated Supply ending up scoring the highest.

Mrs. Cook said that all three proposals came in lower than expected, which will give the City the option of purchasing additional meters. Consolidated Supply came in higher than the lowest proposal, however, over the course of the 20-year life cycle, Consolidated Supply's annual software license saves \$12,000+/- over the lowest proposal. In addition, costs for replacement of the radio read system, should it be necessary, is half of what the lowest proposal came in at.

Councilor Trout asked how the new meters will be read. Mrs. Cook said that a laptop will be used as the truck drives through each route. Mrs. Cook said that the system can be upgraded to allow an antenna signal to directly download the meter readings at City Hall. This signal can also notify staff of a suspected water leak and would even have the ability to turn off a meter directly from City Hall.

Councilor Plotts moved and was seconded by **Councilor Katlong** to Select Automated Metering System and Meter Proposal from Consolidated Supply. The motion passed unanimously, (6:0).

TIGER Grant /Wall Street Overlook Update: A map showing the proposed overlook and plaza project was provided for Council review. The portion of the project north of the walking path, which includes sidewalk, landscaping, electrical conduit and lighting will be constructed as part of the TIGER project. Mrs. Cook said that more detailed planning of the plaza and overlook areas will take place concurrently with the work to the north.

Gary Olson, SW Spring Street, updated the Council on the Hazard Mitigation Plan that he has volunteered to work on. Mr. Olson suggested a meeting with a steering committee to review the draft plan and make changes as needed. The Steering Committee will include representatives from Freres Lumber, the City, SCSD and the N Santiam Chamber. Mr. Olson said that he would

also like to have a member of the Planning Commission, Public Works and LCSO. There was no interest from the Mill City Fire Department.

Marion County will have one meeting per month on the first Tuesday of every month thru March of 2022. Mr. Olson said that he would like to have a meeting with the steering committee in the third week of August to review the draft.

Mayor Kirsch said that it is very important for the City to have available a hard copy of the mitigation plan for review and turn to in an emergency. Councilor Trout said that a mitigation plan has been requested by citizens in the past, mostly for an early warning system.

Mr. Olson stressed that this plan needs to be reviewed a couple of times per year to keep it fresh and up to date. Someone would also be needed to be responsible for making sure this occurs.

Mayor Kirsch and the Council thanked Mr. Olson for his dedication to this project.

NEW BUSINESS

Cedar Creek Bridge Design/Project Management IGA: Mrs. Cook said that she has not received a final draft of the IGA, stating that this will be brought back when it is in hand.

East Entry Sign Replacement: Mrs. Cook said that the east entry sign that was lost in the Beachie Creek fire is the first project approved and finalized with FEMA. This has now been turned over to Oregon Emergency Management for completion.

Mrs. Cook said that before beginning work to replace the sign she would like the Council to determine whether to use the same design or explore replacing both signs with a new design and/or material. If Council chooses to go with the original design, Mrs. Cook has the original proposal, which has the dimensions, materials used, etc.

Councilor Katlong said that he would like to see a different design, still using the sawblade logo.

Councilor Plotts would like to see lights for the signs so that they are easily seen by highway travelers.

Consensus to explore a new design and replacement of both signs.

Mrs. Cook said that she received a request for a letter of support from Marion County for their request for funding from the state to create a housing development on the west side of Mill City. Marion County will go before the state legislature on Friday and will need the letter beforehand.

Councilor Trout declared a conflict of interest as he is the real estate agent involved with this property transaction, stating that he will abstain from conversation and voting.

Mrs. Cook said that the letter of support will include language stating that the City of Mill City is aware of Marion County's intent and is working with them on the challenges in developing this site.

Councilor Katlong asked how many units are proposed for the site. Mrs. Cook said that this is unknown until the plan gets into full planning stages where all of the variables; infrastructure, green space, wetlands, parking, etc. can be more accurately determined. Tentative plans are for 75-120 units.

Councilor Winn asked about sewer. Mrs. Cook said that Marion County is very aware of the demand this would put on the City's sewer system and that they would be required to look into

either upgrading the River Road Pump Station or placing something on-site within the development to handle the additional flow.

City Attorney Jim McGehee recommended that the letter of support language be fairly generalized. Mrs. Cook said that she would provide it to him for review prior to sending it.

Mayor Kirsch said that the County fully intends to pay for this project without burdening the City, adding that any project must be developed in conjunction with the infrastructure that is needed to serve it. Mayor Kirsch noted that the Canyon is a desirable place to live; according to the 2020 Census it is predicted to grow expeditiously in the future. Mayor Kirsch said that he thinks this development will be good for local schools and the communities in the Canyon. Mrs. Cook said this will also be good for local employers seeking workers as there will be more workforce housing available.

Councilor Plotts said that she is concerned with the growth and speed of the development and hopes that all levels of income will be considered when planning the homes.

Councilor Katlong said that the City needs to grow but is concerned with keeping it a desirable place to live, stating that he is not against the development but feels more information is needed to provide a genuine letter of support.

Mayor Kirsch moved and was seconded by **Councilor Winn**, to Direct Staff to Write a Letter of Support to Marion County. The motion passed, (3:2:1) with Councilors Plotts and Winn voting no and Councilor Trout abstaining.

Councilor Trout noted that the Housing Authority is a developer, just like any other developers, and that they can build whatever they wish as long as they follow the City's codes and zoning ordinances. Councilor Trout stated that Council needs to treat all contractors and developers the same.

Mrs. Cook said that the concern of low, medium and high-income housing availability in Mill City is absolutely valid, adding that there are land use laws in place requiring availability of these different categories of housing.

STAFF/COMMISSION REPORTS

City Recorder Report:

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

Labor Day 2021 Wildfire Memorial Event – Mrs. Cook said that she Mayor Kirsch and Lynda Harrington participated in a discussion this week on what, if anything, the canyon communities are planning to mark the one-year anniversary of the Beachie Creek wildfire.

Tentative plans include:

- Military flyover on Sunday, September 5th beginning in Stayton and flying up the canyon with the final split over Detroit/Idanha. Timing for the flyover of each city will be forthcoming
- Possible color guard traveling through each city as jets fly or as each event occurs
- Idanha and Detroit will hold an ice cream social and BBQ on Sunday, September 5th
- Marion County and State Fair coordinating for wildfire volunteer fair entry/main act viewing
- Marion County advertising events

- Mill City work with Chamber for volunteer plaque 'presentation'

Mayor Kirsch said that plans are still being finalized and that another meeting on this will be held on Thursday, August 12th.

Mrs. Cook said that she is concerned about the location of the commemoration, noting the difficulty of getting visitors to Memorial Park as the area is still under construction and suggested that a different location be considered.

City Attorney Report: None.

BUSINESS FROM MAYOR & CITY COUNCILORS

Mayor Kirsch said that a draft of the Sewer Master Plan was discussed at the last NSSA meeting. The NSSA Board asked for modifications to the document before approval. A new draft will be considered at the September meeting. Mayor Kirsch said that there have been concerns with the type of system that may be used. At this point the NSSA Board is leaning toward a gravity system.

Councilor Zeyen-Hall said that she was very grateful for the Canyon Catalysts and all of their hard work. She praised volunteer Joann Olson for being "totally awesome at bringing people together and setting them to work".

Councilor Katlong noted the recent and continued vandalism at Kimmel Park. He said Council authorized additional cameras to be put in the park but this has not yet happened and requested that Council direct Staff to contact the IT team and get a specific date when this will happen. Mrs. Cook said that she has already contacted IT and was advised that the cameras would be installed last week, which did not occur.

Councilor Katlong noted concern with the cracked and wavy concrete of the new sidewalks on SW Broadway Street as well as a safety concern with a deep gap located between the concrete sidewalk and the door of the red buildings on the south side of the road. In addition, Councilor Katlong said that there is a drastic pavement elevation difference between SW 3rd Avenue, SW 4th Avenue and SW Broadway Street, advising that the City should find out what Linn County will be doing to address this.

Councilor Trout said that the Oddfellows ADA access into the upstairs, located on the west side of the building, is no longer accessible due to the sloped sidewalk that was put in and asked to be included in any meeting that takes place with Linn County.

Mrs. Cook said that she will contact the Project Coordinator and Engineer about setting a meeting to talk about these concerns.

Councilor Plotts said that Becca Hansen and her husband have been working hard painting at Hammond Park. Mrs. Hansen is also interested in painting the water tower in Memorial Park.

Councilors Trout said that he appreciates Staff and Council's professional restraint with the social media blast over the RV staff.

Mrs. Cook said that interviews for the temporary part-time laborer position are set for tomorrow.

Councilor Winn had nothing to report.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT

The meeting was adjourned at 9:22 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor

City of Mill City
P.O. Box 256
Mill City, Oregon 97360
Phone: 503-897-2302 Fax: 503-897-3499

Memorandum

Date: August 19, 2021
To: Mayor Kirsch and Council
From: Stacie Cook, MMC, City Recorder
Subject: Business for August 24, 2021 Council Meeting

a. Mill City Falls Plaza & Overlook Update

The Mill City Falls Plaza and Overlook next steps were discussed amongst staff, engineers and landscape architect. The engineering and landscape plans will be drafted and a final set of plans put together with the intent of advertising for bid by October 1, 2021. One component of the plan is the railing that will need to be installed along the south edge of the overlook area. It is the intent of everyone involved to use the same design as that which will be installed on the Railroad Bridge.

It is possible, though not yet confirmed, that staff will bring a request for a sole source process to the Council. If this ends up being the case, we will be required to advertise the intent and take public comment.

Requested Action: None. Information Only.

b. Miscellaneous City Recorder Items

- i. Beachie Creek Fire Anniversary Event – Kimmel Park, Sept. 5, 2021 @ Noon:* Lynda Harrington has done an excellent job of quickly putting together a gathering which will allow those who wish to participate an opportunity to speak, recognize the volunteer firefighters who bravely stayed to fight the Beachie Creek wildfire last September 7 and beyond and have a bite to eat.

Marion County has provided ‘grants’ of up to \$1500.00 for each city to assist with costs related to each event. At this time, plaques are being purchased and a food vendor has been secured to provide food for those in attendance.

Requested Action: None. Information Only.

- ii. Water Project Update:* The contractor has begun work on SW Ivy Street. During the day while construction is taking place the road will be closed except to local traffic. While possible, the road will be opened back up after hours for through traffic.

The Notice of Award has been provided to Consolidated Supply and we are awaiting the return of the contract documents to proceed with the software and meter purchase.

Requested Action: None. Information Only.

- iii. *SW Broadway Street Paving Update:* The paving on SW Broadway Street is scheduled for August 26 to September 1, 2021.

Requested Action: None. Information Only.

c. **Other**