



CITY COUNCIL WORK SESSION MINUTES

Millersburg City Hall
via Virtual Meeting

September 28, 2021 @ 4:00 p.m.

A. CALL TO ORDER Mayor Lepin called meeting to order at 4:01 p.m.

B. ROLL CALL

Councilors Present: Mayor Jim Lepin, Councilors Scott Cowan, Dave Harms, Scott McPhee, John Sullivan

Councilors Absent: None

Staff Present: Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; Kimberly Wollenburg, City Recorder; Matt Straite, Community Development Director; Forrest Reid, City Attorney

Guests: Sergeant Steve Frambes, Linn County Sheriff's Office

C. WORK SESSION ITEMS

1) Consideration of ATV Operations on City Streets

City Manager Kreitman noted that Councilor Scott McPhee sent an email regarding a press release from 2019 where Sweet Home allowed ATVs on city streets and requested this be considered by Millersburg. He stated that this work session is for the Council to hear information on the operations of ATVs on roads and streets and to understand the impacts of allowing operations on Millersburg roads and streets.

City Attorney Reid shared that he had a conversation with the Oregon Department of Transportation and provided information from ODOT regarding Millersburg's authority and circumstances in which ODOT has seen cities permit ATVs on city streets. He also noted the City had conversations with two members of LCSO regarding concerns law enforcement has regarding allowing AVTs on city streets.

Sergeant Steve Frambes asked for input as to what the benefits are to allow ATVs on city streets then shared some of the issues Sweet Home has experienced and shared his concerns regarding allowing them on City streets.

Council members shared their opinions on allowing ATVs on City streets. At the end of the lengthy discussion, the City Council directed staff to draft an ordinance for consideration by Council and to allow the public to have a chance to comment on ordinance when available.

2) Work in City Rights-of-Way without a Permit (i.e., Driveway Approaches)

City Manager Kreitman introduced the item then turned the discussion over to Community Development Director Straite and Assistant City Manager/City Engineer Booth. Community Development Director Straite provided information regarding the upcoming code enforcement actions on driveways which were

widened by cutting the curb without permits. He noted that there are some cases where residents will have to restore curbs. Assistant City Manager/City Engineer Booth shared that the City has done outreach and will continue to get the word out, including reaching out to contractors we are aware of who have done work without permits. She confirmed that City is not enforcing for work done prior to the creation of the right-of-way permit. Councilor Cowan clarified the specific concerns. Assistant City Manager/City Engineer Booth shared reasons which are to ensure the work is done correctly to preserve the construction of public infrastructure and protect on-street parking.

D. CLOSING PUBLIC COMMENT

- 1) Richard Jacobs, Deciduous Avenue, shared that he's one of the individuals who widened his driveway. He said that it was done over two years ago and recalls specifically speaking with his contractor about the work and was told that no permit was needed. At the time of the notice of violation, he said the City came out and told him that he was in violation of the Code; however, it was undergoing revision and if the Code changed, he would be notified if he had to do anything. Given that he never heard anything, he assumed the work was okay. He shared his frustration that this happened over two years ago and he's just now having to address the violation and noted how expensive the work will be to rectify.

Assistant City Manager/City Engineer Booth provided some background regarding the timeline related to the notices to Mr. Jacobs and another resident, including discussions regarding the time for the adoption of the revised Code.

E. CLOSING COUNCIL COMMENT

- 1) Crooks Creek. Assistant City Engineer/City Manager Booth provided an update to the Council regarding the status of mowing Crook Creek. The contractor had an equipment breakdown and was unable to start as planned. He still intends to do the work; however, she has some concern regarding the ability of the contractor to perform the work due to weather.

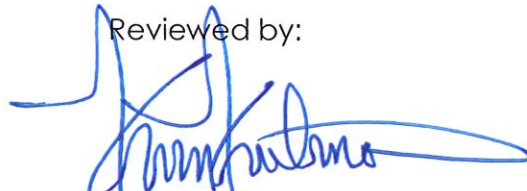
F. ADJOURNMENT. Meeting adjourned at 5:05 p.m.

Respectfully submitted:



Kimberly Wollenburg
City Recorder

Reviewed by:



Kevin Kreitman
City Manager