



Approved: January 10, 2023

SPECIAL CITY COUNCIL MEETING AND PUBLIC HEARING MEETING MINUTES

December 21, 2022 @ 5:30 p.m.

- A. CALL TO ORDER Meeting called to order by Mayor Cowan at 5:30 p.m.
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL – Dave Harms absent
Councilors Present: Mayor Scott Cowan, Councilors Mike Hickman, Mark Raum, and John Sullivan
Councilors Absent: Councilor Dave Harms
Staff Present: Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; and Matt Straite, Community Development Director; Forrest Reid, City Attorney
Special Council: Alan Sorem, Saafeld Griggs
- D. CHANGES AND ADDITIONS TO THE AGENDA
None
- E. PUBLIC HEARING

Mayor Cowan opened hearing at 5:31 p.m.
City Manager Kreitman reviewed staff report.

Councilor Raum asked a clarifying question on the staff report regarding numbers of jobs. He also asked about the two 90-day extensions in the contract.

City Attorney Reid stated that the record should reflect Alan Sorem, special council to City, in attendance to assist City with this matter. Sorem stated the buyer must expressly waive their right to the due diligence period if they want to move forward prior to end of extension period. If they elect to exercise the 90-day extension periods, \$50,000 of earnest money becomes non-refundable at each extension period.

Mayor Cowan asked about process. Sorem stated that each 90 day period triggers \$50,000 non-refundable, but it remains in escrow.

No attendees online.
No public questions or comment.
Public hearing closed at 5:42 p.m.

Council deliberations. Mayor Cowan stated this is an exciting time and we are looking forward to partnering with industry.

Councilor Hickam thanked those who have worked on this to address concerns regarding visual impacts to the community and separating housing in Millersburg from industry.

City Manager Kreitman stated the city has been very selective on companies considered for this property. This company wants to be a good neighbor, steward, and partner to the community.

Mayor Cowan stated the buffer was a good idea and wasn't sure whose idea it was. Kreitman shared some history on the City's and Council's process to make sure this was a good fit for the community.

Mayor Cowan shared history of the Peak Sun company in 2007, who obtained a first right of refusal for about 80 acres of this property. That project would have included a lot of chemicals. This project will be a good fit for the city.

Councilor Hickam asked how many people in the community ask questions about this. He suggested an artist's rendering of the industrial property, including buffer, so the community can see what it will look like.

City Manager Kreitman mentioned the City is looking at a traffic study for the totality of proposed and future development traffic impacts, particularly on Old Salem Road. The purpose is to be proactive.

Raum asked about the changes to Conser Road. Assistant City Manager/City Engineer Booth reviewed the plan for the west end of Transition Parkway and closing the west end of Conser Road. She explained that with the construction of Transition Parkway and the intersection designs, Conser will become a local residential street.

Sorem pointed out that this agreement is the first step in the process. The contract says we have to start on a development agreement within 60 days and complete the form of the agreement within 90 days. The development agreement will include commitments by the buyer to develop on the property. We do not have to sell the property to them unless we agree to the terms of the development agreement. It is a mutual covenant.

Action: **Motion the City Council approve the order authorizing the sale of real property, which consists of portions of existing tax lot numbers 10S 03W 28 00100, 10S 03W 29 00106, and 10S 03W 28 00101 representing approximately 60 acres on Linn County assessor maps, to Northwest RE, LLC, a Delaware limited liability company; and authorize the City Manager or their designee, to sign all documents on behalf of the City of Millersburg necessary to convey said property via sale to Northwest RE LLC, a Delaware limited liability company and to conduct business and sign all documents necessary to implement and fulfill terms of this sale in the future made by Councilor Mark Raum, seconded by Councilor John Sullivan.**

Mayor Scott Cowan:	Aye
Councilor Dave Harms:	Absent
Councilor Mike Hickman:	Aye
Councilor Mark Raum:	Aye
Councilor John Sullivan:	Aye

Motion PASSED: 4/0

F. CLOSING PUBLIC COMMENT
None

G. CLOSING COUNCIL COMMENT
None

ADJOURNMENT Mayor Cowan adjourned the regular meeting at 5:58 p.m.

Respectfully submitted:

Reviewed by:

Janelle Booth
Assistant City Manager/City Engineer

Kevin Kreitman
City Manager