



Approved: March 14, 2023

CITY COUNCIL REGULAR MEETING MINUTES

February 14, 2023 @ 6:30 p.m.

A. CALL TO ORDER Meeting called to order by Mayor Cowan at 6:30 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Councilors Present: Mayor Scott Cowan, Councilors Dave Harms, Mike Hickam, and Mark Raum

Councilors Absent: Councilor John Sullivan

Staff Present: Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; Matt Straite, Community Development Director; Sheena Dickerman, City Recorder; Alan Sorem, City Attorney

D. CHANGES AND ADDITIONS TO THE AGENDA

6:31 p.m.

None

E. CONSENT AGENDA

6:31 p.m.

1) Approval of January 10, 2023, City Council Meeting Minutes

2) Approval of January 24, 2023, City Council Work Session Meeting Minutes

Action: **Motion to approve Consent Agenda as presented made by Mayor Cowan; seconded by Councilor Mark Raum.**

Mayor Scott Cowan: Aye

Councilor Dave Harms: Aye

Councilor Mike Hickam: Aye

Councilor Mark Raum: Aye

Motion PASSED:4/0

F. GUEST PRESENTATIONS

6:32 p.m.

1) Linn County Sheriff's Office Monthly Report

Sergeant Steven Frambes, LCSO, reviewed the monthly LCSO report*. He presented how the City compares to other contracted cities in Linn County. The LCSO has seven contracted cities. In 2022, Millersburg had 73 arrests. Councilor Dave Harms asked what the contracted hours were for the other cities. Frambes replied that Mill City has 300 contracted hours, Harrisburg 275 hours, Brownsville 200 hours and Millersburg has 153 hours.

Frambes highlighted Millersburg had 806 calls for service, with 180 of those calls at Love's. Love's calls puts the City in second place for calls. City Manager Kevin Kreitman said Harrisburg has approximately 600 more in population. Frambes stated Millersburg had 75 traffic citations. The LCSO is working on getting three deputies assigned to Millersburg.

Kreitman mentioned Oregon State Police (OSP) has done some traffic stops and wondered about being able to have those numbers. Cowan asked if it was possible to have an annual report from OSP regarding anything at Love's. Frambes will ask his contact at OSP.

Frambes reported that Millersburg had 35 crashes in 2022, 16 crashes were at Love's. He mentioned that Millersburg has the highest speed limit compared to the other contracted cities. Harms asked for the locations of the crashes. Frambes pointed out the locations of the crashes in the presentation*.

Councilor Mike Hickam suggested looking at a traffic light for the underpass. Assistant City Manager Janelle Booth said that Oregon Department of Transportation (ODOT) had suggested a traffic circle or possibly an additional lane. Those ideas could be looked at in the traffic study.

Frambes said Love's already had 17 calls in January.

G. PUBLIC COMMENT

6:45 p.m.

None

H. COUNCIL MEMBER AND STAFF COMMENTS

6:45 p.m.

1) Executive Staff Compensation –

Cowan reviewed the Council's work session discussion regarding staff compensation; raising Kreitman's FTE from 0.6 to 0.75, comparables, current CPI 6.3%, possible adjustments to the policy, and discussed business expense stipend changes.

Action: **Motion to increase Kevin Kreitman's FTE of 0.60 to 0.75 to better reflect the hours he is currently working made by Mayor Cowan; seconded by Councilor Mark Raum.**

Mayor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Mike Hickam: Aye
Councilor Mark Raum: Aye

Passed 4/0

Action: **Motion that the executive staff receive a 3% salary increase with an additional 5% cost of living increase based on CPI, with a \$400 per month business expense stipend, to take effect at their 2023 anniversary date of employment, and if needed, would take effect retroactively made by Mayor Cowan; seconded by Councilor Dave Harms.**

Mayor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Mike Hickam: Aye
Councilor Mark Raum: Aye

Passed 4/0

Cowan mentioned community concerns about communication and transparency of the City. He recommended a work session to discuss how to improve communication with the community. He read the City's Strategic priority, Community Governance, Goal #4. He highlighted some of the objectives that had improved; user-friendly website, meetings and policies on website, for access and transparency.

Cowan said objectives #2 and #3, evaluating public outreach and enhancing communication with partner agencies, are ongoing and priorities that need to be evaluated. He suggested a letter once a year, possibly after the budget, with highlights of what happened throughout the year and the big projects for the upcoming year. He recommended that it show the link where to find the information on the website. It could include the City's challenges with water, sewer, and roads. Councilors affirmed having a work session to discuss ideas.

Kreitman added that in 2018 the City added significant staff reports to the Planning Commission and City Council agenda packets. Some jurisdictions do not include anything with their agenda and their community doesn't know what is being proposed. He stated that staff reports take a lot of time but it is an important tool for the public to know what is being proposed.

Councilor Mike Hickam suggested sending a text message with a link to the website, when there is a meeting or information that the City wants to get out. Kreitman replied that the City has software that will send emails. He admitted that it hadn't been utilized much. He added that informational flyers have been sent with bills throughout the year.

Cowan acknowledged the Old Salem Road clean-up crew, led by Dennis Gunner. The City relies on volunteers and staff to function.

I. CITY MANAGER'S REPORT

7:04 p.m.

1) Project Updates-

Booth said that most cities do street condition assessment every three years, Millersburg has done every five years, due to infrastructure being relatively new. The assessment has been budgeted for this year and will be starting soon. Every road will be inspected and given a condition rating, which becomes the foundation for the maintenance program. Street maintenance preserves the pavement. The City has received feedback that the public has not liked the results, staff is looking into other types but the end purpose is to extend the life of the road. Fog seal looks nice but doesn't really help with the life of the pavement.

Booth said the infrastructure was completed on the new subdivision, Westwood Estates. The plat has been recorded. Community Development Director Matt Straite said that no building permits have been issued, yet.

Booth said that Sarah Meadows Subdivision is mostly built and there are building permits on the remaining lots.

Cowan asked if Westwood Estates would be done by one contractor. Booth said the developer could sell to one or multiple contractors. Straite added it would probably be a hybrid of contractors.

Booth gave an update on Transition Parkway. Transition Parkway is in the design phase. It will reroute industrial traffic from Conser Road. Conser Road will remain to provide local access to residents. She showed the 30% design review, buffer and linear park*. The design arose from Parks Commission and City Council meeting input. The plan is to have an open house to share the concept with the community. No date has been set.

2) UGB Swap Update

Kreitman said that the UGB swap started over a year ago with a Council Work Session. The application recently went before the Linn County Planning Commission, and they recommended denial to the Commissioners. The County Board of Commissioners public hearing was continued until March 7, 2023.

Kreitman stated that since Millersburg's inception Conser Road has been the dividing line between residential and general industrial. He showed the map from the first comp plan from 1980*.

Kreitman highlighted the jobs lost since the comp plan, total 770*. The City lost \$144 million dollars in assessed value with the loss of the Paper Mill and \$1 million in franchise fees.

Kreitman said the Intermodal project was proposed in 2017. In 2018 the City supported the project and actively started marketing City property. The City wanted high value to ratio for acreage sought, wages above county average, to minimize potential impacts and have potential franchise fees.

Kreitman said the City started planning for a fire station and road (Transition Parkway) in 2019. In 2020, planning started for industrial development, west of the railroad tracks, water and wastewater expansion, and the extension of Transition Parkway. In 2021, PacificCorp obtained approval for a power substation. He added that the state does not have many locations that can accommodate power needs for industries. In 2022, the City's remaining available industrial property was limited.

There has been a lot of outside interest in Millersburg. The DLCDC suggested the City could do a UGB "swap". In the spring of 2022 staff approached surrounding property owners and started working with Linn County. Staff and Linn County met and agreed to follow both the City and the County requirements. The City's portion would not be final decision. There would be a minimum of four public hearings. The County does not do notifications for public hearings in the newspapers, but the City does and posts on the website. The County mails to properties owners that are within 750 feet.

Kreitman listed all the City's public meeting dates regarding the UGB "swap"*. The City's meetings included staff reports and the normal City's public hearing noticing.

Kreitman displayed the industrial land* and pointed out the properties that are zoned industrial but are not usable due to wetlands. Booth explained that the properties that are showing usable do have wetlands too and these constraints would require a lot of time.

Kreitman explained that the state reached out about a business looking for an industry site since 2018 that expressed interest in the property proposed in the "swap". The business contacted the property owner. The business has asked to do an open house to talk with the community. Albany Millersburg Economic Development is co-sponsoring the open house. Due to competition the interested party did not want to share who they were until the open house.

Raum asked what communication efforts were used. Kreitman replied saying it was a direct mailing that included 750 feet outside the City, homeowners and businesses, over 1,700 invitations.

3) Events Committee Postcard and Open House

7:25 p.m.

Straite presented a draft flyer for the upcoming events committee open house. Cowan liked it. He said to make it clear that if there was no one to volunteer, there would be no future events. There is a dedicated budget for it. Raum agreed, he recommended a more concise message. Hickam echoed that those events would cease without volunteers. Harms stated it was impossible to do it without the community. Straite will make the changes and send it out.

Booth asked for date and time. Cowan suggested the third Tuesday, March 21. The Council agreed to the date, and it was decided 6 p.m. to 7 p.m. with refreshments provided.

J. CITY ATTORNEY'S REPORT-

7:25 p.m.

Alan Sorem, Saalfeld Griggs, stated Kreitman did a good job outlining Millersburg history and why the City pursued the "swap". He emphasized that establishing why the City was doing the "swap" was not part of the criteria but staff want to be transparent and respond to the community. He said the open house is an opportunity for the community to hear about an interested party, who has not applied. He reminded Council that the UGB "swap" is not finished and that the normal rules about talking about land use cases apply, ex parte contact. The Council will need to remember who, where, and what was talked about. The Council can listen but don't engage in a back-and-forth discussion.

Cowan said the open house is a unique opportunity, cities do not do this, extra effort was made. This is not a requirement, and the interested company is looking to build a relationship with the community that they are interested in.

K. UNFINISHED BUSINESS
None

7:43 p.m.

L. NEW BUSINESS

7:43 p.m.

1) Enterprise Zone – Aymium-

Kreitman said this is a City-County sponsored enterprise zone. The property is leased from Linn County, and is located south and east of the fire station. Aymium will pay \$2.60 per thousand, for the first five years, for law enforcement and fire services. Millersburg has the lowest tax rate as a city, which entices industries and is beneficial for residents. Linn County has already approved the 5-year exemption.

John Pascone, AMDEC, explained that this would create many jobs, part of the requirement is that the wages be 150% of the annual wages in Linn County, over \$73,000 annually. Kreitman said the current proposed value of Aymium is \$240 million. Raum commented that the City can assume the value will increase and revenue will increase for the City.

Pascone added that Aymium is already talking about expansion and has already increased acres from 27 to 40.

Action: **Motion to approve Resolution 2023-02 made by Mark Raum; seconded by Councilor Dave Harms.**

Mayor Scott Cowan:	Aye
Councilor Dave Harms:	Aye
Councilor Mike Hickam:	Aye
Councilor Mark Raum:	Aye

Motion PASSED:4/0

2) Donation Request-

Abby Johnson, Millersburg, representing Timber Ridge PTC. The PTC is separate and doesn't receive funding from the school. The request is for funds to go towards the carnival to purchase food, prizes, bracelets, etc. Raum asked if the donation was to fill the gap from total fundraising efforts. Johnson responded that most donors want to give gift cards but the PTC needs funds to purchase items. She mentioned that there were over 200 students from Millersburg and entire families would be at the event.

Kreitman explained that normally donation requests come during the budget process and the Council has set aside funds. Harms asked if City of Albany had been contacted. Johnson replied no but would look into it. The Council shared other organizations that had received donations in the past. Cowan said the budget shows there is funding. Kreitman said the fundraising for the event raises funds for their other events.

Action: Motion to donate to Timber Ridge PTC \$1,000 for the event made by Mayor Cowan; seconded by Councilor Mike Hickam.

Mayor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Mike Hickam: Aye
Councilor Mark Raum: Aye
Motion PASSED:4/0

Cowan asked Johnson to return after the event to give an update.

M. CLOSING PUBLIC COMMENT

7:59 p.m.

Levi Graffenberger, Dever-Connor, questioned the Council, that if a single industry was purchasing the land that was in the "swap", wouldn't the City be in the exact same position of needing more land, no where to expand. Cowan said it was a valid question.

Sorem responded that it wasn't a public hearing so unable to get into the details. The benefit is the employment opportunities. If any one entity developed the property, the City will work with the DLCD staff on long range planning to do an Economic Opportunities Analysis (EOA). If the property is acquired and developed that would be taken into account in the long-term document the City would have. It would be part of the City's 20-year mandates for residential and employment lands going forward. If the opportunity doesn't develop it would be land that would similarly be in an EOA. It is a variable that could go either way.

Graffenberger commented that it feels like it is all going to one versus four businesses and gone in one swoop. He expressed his concern on where does the City go next.

N. CLOSING COUNCIL COMMENT

8:03 p.m.

Cowan mentioned seeing a crane at the Intermodal site.

O. ADJOURNMENT Mayor Cowan adjourned the regular meeting at 8:03 p.m.

Respectfully submitted:



Sheena Dickerman
City Recorder

Reviewed by:



Kevin Kreitman
City Manager

*Presentation materials or documents discussed at the meeting that are not in the agenda packet are archived in the record. Documents from staff are posted to the website after the meeting. Documents submitted by the public are available by emailing info@cityofmillersburg.org.