



CITY OF MILLERSBURG
CITY COUNCIL MEETING & PUBLIC HEARING MINUTES
Via Virtual Meeting
June 9, 2020 @ 6:30 p.m.

A. CALL TO ORDER Mayor Lepin called the meeting to order @ 6:30 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; Forrest Reid, City Attorney; Kimberly Wollenburg, City Recorder

Presenters: Linn County Sheriff's Office – Lieutenant Brandon Fountain

C. PLEDGE OF ALLEGIANCE

D. CHANGES AND ADDITIONS TO THE AGENDA

E. CONSENT AGENDA

- 1) Approval of May 12, 2020 City Council Meeting Minutes
- 2) Approval of May 26, 2020 City Council Work Session Minutes
- 3) Acceptance of Report on City Accounts Payable

Action: **Motion to Accept Consent Agenda as Revised During the Meeting, made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.**

Mayor Jim Lepin: Aye

Councilor Scott Cowan: Aye

Councilor Dave Harms: Aye

Councilor Scott McPhee: Aye

Councilor John Sullivan: Aye

Motion PASSED: 5/0

F. PRESENTATIONS

- 1) Linn County Sheriff's Office Report

Brandon Fountain reviewed the May LCSO report. Mayor Lepin and Councilor Cowan expressed some concern regarding the increase in crime. Lieutenant Fountain noted that the City of Millersburg is attractive right now to crime because of all of the construction. There was some discussion regarding the focused patrols on areas of concern for speeding and other traffic violations. In addition, the Council noted the number of warnings given to owners with unleashed dogs in the City park.

G. PUBLIC HEARINGS

- 1) State Sharing Revenue Funds
 - i. Resolution 2020-06 – Certifying Eligibility to Receive State Sharing Revenue Funds
 - ii. Resolution 2020-07 – Election to Receive State Sharing Revenue Funds

Mayor Lepin opened the public hearing on uses of State Shared Revenue funds @ 6:48 p.m.

As no public was present and no discussion was needed, Mayor Lepin closed the public hearing @ 6:51 p.m.

Action: **Motion to Approve Resolutions 2020-06 and 2020-07 Regarding the Certification and Election for the City of Millersburg to receive State Sharing Revenue Funds made by Councilor Scott McPhee; seconded by Councilor Dave Harms.**

Resolutions 2020-06 & 07

- Mayor Jim Lepin: Aye**
- Councilor Scott Cowan: Aye**
- Councilor Dave Harms: Aye**
- Councilor Scott McPhee: Aye**
- Councilor John Sullivan: Aye**

Motion PASSED: 5/0

- 2) FY 2020-21 Budget - Resolution 2020-08 – Adopting Budget & Making Appropriations

Mayor Lepin opened the public hearing on the adoption of the FY 2020-21 Budget as approved by the Budget Committee @ 6:54 p.m. After staff reviewed some minor changes to the budget, particular to streets and the office assistant position, Mayor Lepin asked for public comment. No public was present.

Mayor Lepin closed the public hearing @ 6:57 p.m. Councilor McPhee noted an error regarding the data for the final proposed general fund expenditures. It was determined the error was in the calculations in the spreadsheet. The budget was corrected during the meeting. While the funds would not be paid out for 2020 events, the Council decided to keep the funds budgeted for the Northwest Arts & Air Festival and Linn County Fair as approved. Should the events be scheduled for 2021, this will allow the Council to consider funding requests in the fiscal year received.

Action: **Motion to Approve Resolution 2020-08 Adopting the Proposed Budget as Modified for FY 2020-21 and Making Appropriations made by Councilor Scott McPhee; seconded by Councilor Scott McPhee; seconded by Council John Sullivan.**

Resolution 2020-08

- Mayor Jim Lepin: Aye**
- Councilor Scott Cowan: Aye**
- Councilor Dave Harms: Aye**
- Councilor Scott McPhee: Aye**
- Councilor John Sullivan: Aye**

Motion PASSED: 5/0

H. PUBLIC COMMENT

None/No public present.

I. COUNCIL MEMBER AND STAFF COMMENTS

None

J. CITY MANAGER'S REPORT

1) Project Updates

City Manager Kreitman briefly discussed the new Vehicle Policy and COVID-19 Policy. Next, he reviewed the guidelines from the Governor's new Executive Order related to the City park, opening City Hall, and whether to return to having meetings in person at City Hall and the challenges of how to afford residents the opportunity to participate in person while maintaining required physical distancing. There was some discussion among the Council on the issue of continuing to hold virtual meetings or beginning to have meetings in City Hall. The Council decided to continue with the virtual meetings until such time as restrictions are reduced, for the safety of residents, Council, and staff.

City Manager Kreitman announced an upcoming vacancy on the Planning Commission. After discussion, the Council directed staff to speak to a previous applicant to determine whether the applicant is still interested in the appointment and bring response to the July Council meeting.

Assistant City Manager/City Engineer Booth reviewed the remainder of the Project Updates staff report.

The Council had a lengthy discussion regarding the process for updating draft minutes and the level of detail/content of the minutes requesting the minutes reflect the discussion. The Council supported increasing the level of detail in the minutes regarding discussions, but not to the point of documenting all statements, including who said what.

K. CITY ATTORNEY'S REPORT

1) City Property Farm Leases, Parcels 1 and 2

City Attorney Reid reviewed the process used for the leasing of the City's farmland. He shared that only one bid at about \$268 per acre for both parcels was received – by Paul Kuehne, Creekside Farms, who currently leases the farmland. He additionally discussed approximately 8 acres historically farmed by Mill-Rite Farms and lease paid by them to the City. The new agreement for Parcel 2 permits Creekside Farms to sub-lease to Mill-Rite Farms for that section of Parcel 2. The Council supports the sub-lease provision in leases.

Councilor Sullivan abstained from the vote due to his familial relationship with principle of Mill-Rite Farms.

Action: **Motion to Accept the One Year Land Lease Agreement for Parcels 1 and 2 to Creekside Farms and Authorizing the City Manager to Sign Said One Year Lease Agreements made by Councilor Scott Cowan; seconded by Councilor Dave Harms.**

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye
Councilor John Sullivan: Abstained

Motion PASSED: 4/0

- 2) Revised Draft Fuel Tax Resolution – Discussion Only
 City Attorney Reid provided a brief background to the discussion and shared the proposed resolution as revised for an increase from the proposed 3% to 5%. There was some discussion regarding the process for defining what fuel should be taxed which will not be determined until after the fuel tax is passed. The Council also discussed the need and process for community input and planning to ensure this is communicated to the public and media with a clear and consistent message. The Council decided this would be decided during the July 14 City Council meeting.

L. UNFINISHED BUSINESS
 None

M. NEW BUSINESS

- 1) Office Assistant Position
 City Manager Kreitman reviewed staff report regarding proposed movement of Office Assistant position from a contracted position to a regular part-time City position.
 Action: **Motion to Adopt the Proposed Office Assistant Job Description and Approve the Move of the Contracted Office Assistant Position to a Regular Part-Time Office Assistant City Position made by Councilor John Sullivan; seconded by Councilor Dave Harms.**

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye
Councilor John Sullivan: Aye

Motion PASSED: 5/0

- 2) Municipal Code Chapter 15.16 (System Development Charges) Amendment
 Assistant City Manager/City Engineer Booth reviewed the reason for the change to provide minor clarification to the code and noted this does not adopt any changes to the systems development charges methodology or fees.
 Action: **Motion to Adopt Ordinance 172-20 Amending the Millersburg Municipal Code by Revising Chapter 15.16, System Development Charges made by Councilor Scott McPhee; seconded by Councilor John Sullivan.** Ordinance 172-20

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye
Councilor John Sullivan: Aye

Motion PASSED: 5/0

3) Woods Road Repair and Overlay Project

Assistant City Manager/City Engineer Booth briefly reviewed the results from the bid and noted the costs for the work came in higher than anticipated. She shared that the City received a grant of \$91,000 and asked the Council to approve the project award for up to \$169,000, giving staff the authority to consider reducing the scope of the project to reduce the project cost. There was some discussion regarding the fact that there were only two bidders and the pool of bidders may have been limited due to including items in the scope that are not solely paving which may have led to increased pricing. The Council asked about delaying to go out for bids. Assistant City Manager/City Engineer Booth said that going out again could happen but it would push off the construction past the construction season which means it would likely get done next year. The Council decided to move forward with project.

Action: **Motion to Approve the Award of the Woods Road and Overlay Project to K&E Paying for up to \$169,550 and Authorize City Staff to Enter into Negotiations to Determine Final Project Amount made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.**

Mayor Jim Lepin:	Aye
Councilor Scott Cowan:	Aye
Councilor Dave Harms:	Aye
Councilor Scott McPhee:	Aye
Councilor John Sullivan:	Aye

Motion PASSED: 5/0

4) Municipal Code Chapter 12.10 (Ditches, Waterways, and Watercourses) Amendment

Assistant City Manager/City Engineer Booth reviewed staff report noting the changes that would allow the City to keep ditches, waterways, and watercourses clear.

Action: **Motion to Adopt Ordinance 173-20 Amending the Millersburg Municipal Code by Revising Chapter 12.10 made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.**

Ordinance 173-20

Mayor Jim Lepin:	Aye
Councilor Scott Cowan:	Aye
Councilor Dave Harms:	Aye
Councilor Scott McPhee:	Aye
Councilor John Sullivan:	Aye

Motion PASSED: 5/0

N. CLOSING PUBLIC COMMENT

None – no public present.

O. CLOSING COUNCIL COMMENT

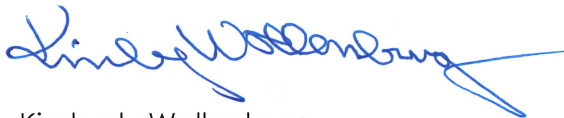
- 1) Councilor Cowan provided an update to the Council regarding the progress of the Millersburg Fire Station 15 project. The team met with the architects and will continue to review architectural designs and the project is moving forward. The

- team anticipates bringing something to Council to review in near future. The Mayor asked a question about the sizing of the planned conference room.
- 2) Mayor Lepin asked if anyone had filed yet for Council elections. There followed lengthy discussion regarding the process and whether the City should suspend the requirement for ten signatures. City Attorney Reid will investigate this further.
 - 3) Mayor Lepin recognized and offered his appreciation to Assistant City Manager/City Engineer Booth for her efforts. This was echoed by the Council.

P. ADJOURNMENT Mayor Lepin adjourned the meeting @ 8:57 p.m.

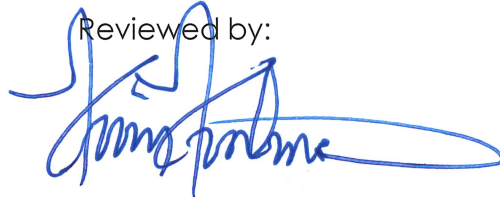
Note: Council may adjourn to executive session in accordance with ORS 192.660.

Respectfully submitted:



Kimberly Wollenburg
City Recorder

Reviewed by:



Kevin Kreitman
City Manager

Upcoming Meetings & Events:

June 10, 2020 @ 6:30 p.m. – Public Hearing – Modifications and Adoption_Calculating System Development Charges

The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation to attend or participate, please notify the Millersburg City Hall in advance by calling 458-233-6300.