



Approved by City Council April 14, 2020

**CITY OF MILLERSBURG  
CITY COUNCIL MEETING & PUBLIC HEARING MINUTES**

Millersburg City Hall  
4222 NE Old Salem Road, Albany OR 97321  
March 10, 2020 @ 6:30 p.m.

- A. CALL TO ORDER Mayor Lepin called the meeting to order @ 6:32 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  
Mayor Lepin mentioned the potential of adjourning into an Executive Session after the regular Council meeting and public hearing per ORS 192.660(2)(h): Consultation with legal counsel regarding the legal rights and duties of a public body with regard to current litigation or litigation to be filed.
- E. CONSENT AGENDA  
1) Approval of February 11, 2020 City Council Meeting Minutes  
2) Acceptance of Council Approval Report for City Bills  
Councilor Sullivan noted a correction to the minutes that the proposed fuel tax rate is 3 cents per gallon not the 3% noted in the draft minutes.  
Action: **Motion to Accept Consent Agenda, with Amendment to Minutes as Noted, made by Councilor Scott Cowan; seconded by Councilor John Sullivan.**  
**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. GUEST PRESENTATIONS  
1) Linn County Sheriff's Office Report  
Lieutenant Brandon Fountain reviewed the February LCSO report.

2) Boys and Girls Club Presentation

John Andersen, Executive Director with the Boys & Girls Club, spoke about some current issues with getting broader student access and things the Club is working on to address this. He also spoke about and shared a flyer for a sports kid's camp at the Millersburg Park in July.

G. PUBLIC COMMENT

None

H. PUBLIC HEARING

Mayor Lepin opened the public hearing 6:46 p.m. He briefly discussed the process then introduced the City Planner, Matt Straite.

1) Accessory Structures

City Planner Matt Straite gave the staff presentation. The Council extensively discussed the size of setbacks related to clarification of those backing up to a road/street. Additionally, there was extensive discussion and revisions regarding setbacks, lot size, and building height.

Mayor Lepin closed the public hearing closed 8:02 p.m.

Action: **Motion to Recommend Approval of Application DC 20-01 Amending Development Code by Revising Section 6.110 of the Millersburg Land Use Development Code Ordinance as Amended 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

After discussion, City Attorney Reid determined that the form of the first motion did not adopt the Ordinance as required.

Action: **Motion to Repeal first Motion 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

Action: **Motion to Adopt Ordinance Amending Development Code by Revising Section 6.110 of the Millersburg Land Use Development Code Ordinance with Modifications as Stated and Noted by City Planner as Amended made by Councilor John Sullivan; seconded by Councilor Dave Harms.**

Ordinance 170-20

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

Motion PASSED: 5/0

Mayor Lepin opened the public hearing on the sale of property at 8:17 p.m.

2) Sale of Property

City Attorney Reid reviewed the details of the sale with the Council.

Mayor Lepin Hearing closed at 8:20 p.m.

Discussion followed regarding contact with the property owner who abuts the property being sold. City Manager Kreitman said he would approach the adjacent property owner regarding the encroachment then discuss with the Council. He then gave brief background regarding the encroachment. There was some additional discussion on the .15 acres.

Action: **Motion to Affirm the Continuation of the Sale of City Property to Pacificorp 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

I. COUNCIL MEMBER AND STAFF COMMENTS

- 1) Mayor Lepin noted that the volunteer recognition open house that was scheduled for March 19 is being postponed due to minimizing COVID-19 risk.
- 2) Councilor Cowan noted that the Albany Fire Department has taken a lot of steps to mitigate any potential problems and are prepared if the virus comes into our community.
- 3) City Manager Kreitman asked if the Councilors still wanted to continue with the March 17 "Meet the Councilors" event. He also noted the various things the City and staff are doing to prevent the passing of the virus. He shared that with the updates to the fiber in City Hall, to the phone system, and other updates, the City has the capability to hold virtual meetings if needed. The Council agreed to push the "Meet the Councilors" event back.

J. CITY MANAGER'S REPORT

1) Project Updates

Assistant City Manager/City Engineer Booth went over the project updates staff report, discussing various projects.

Mayor Lepin noted there were some things that needed to also come up such as the fuel tax. There was discussions regarding placing that item on the March 24 work session. He asked the Council members who cannot attend on March 24 to provide their input to City Attorney Reid.

City Manager Kreitman mentioned the City requested the janitorial service to do additional cleaning during the week to address the areas most visited by visitors.

K. CITY ATTORNEY'S REPORT

None

L. UNFINISHED BUSINESS

1) City Website

City Manager Kreitman gave a brief background and reviewed the revised costs.

Action: **Motion to Approve the Selection of Municode to Create and Host a New Millersburg Website, 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

2) Internal Controls Policy and Procedures – Resolution 2020-03

City Manager Kreitman gave a brief background and noted the policy was reviewed by the auditing firm and approved.

Action: **Motion to Approve Resolution Adopting Policy and Procedures for Internal Controls, made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.** Resolution 2020-03

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

Motion PASSED: 5/0

M. NEW BUSINESS

1) Enterprise Zone Application (Ti Squared) – Resolution 2020-04

Mayor Lepin discussed the request.

Action: **Motion to Adopt Resolution Approving an Extended Property Tax Abatement Agreement Between the City of Millersburg, a Cosponsor of the Linn County Enterprise Zone, and Ti Squared, Inc. made by Councilor Scott McPhee; seconded by Councilor Scott Cowan.** Resolution 2020-04

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

Motion PASSED: 5/0

2) Health Insurance – Information Only

City Manager Kreitman briefed that the City had received a notice from the City's health insurer regarding some rate increases for April renewal. He reviewed the increases and background on last year's increase and change, as addressed in the staff report.

3) Parks Commission – Discussion Only

Assistant City Manager/City Engineer Booth reviewed the staff report and asked for input from the Council regarding how they want to see the Parks Commission structured. The Council agreed to quarterly meetings of the Commission. They also agreed that seeking representation from various areas within the City is important but that representation from different areas of the City would not be a requirement in the structure of the Commission. The Council supported the proposed questions with Councilor McPhee recommending the addition of asking what applicants are doing in current parks and add a question regarding involvement with sports, clubs, and organizations. The process will be to take applications starting now and appoint at the April meeting.

Recess at 9:11 p.m.

Back at 9:15 p.m.

4) Master Plan Documents Paths and Trails – Discussion Only

Assistant City Manager/City Engineer Booth went over the staff report and the differences between what is in TSP and what is in Parks Master Plan (PMP). There was lengthy discussion regarding the proposed trails and their locations. Councilor Cowan suggested to keep the trail around the Sweetwater pond that is shown in the TSP. No objections by the Councilors were made to this suggestion. Councilor McPhee asked if the trail should be a bike path instead of shared use path and expressed concerns that showing both a road and path/trail in the same location could cause confusion with required right-of-way in the future. The Council agreed with changing the trails shown in the Parks Master Plan to match the TSP with the changes discussed in the meeting. The Council also indicated they would like to consider updating the TSP to reflect the changes discussed in the meeting, including adding a note regarding the road and path/trail projects shown in the Zuhlke Road alignment. Assistant City Manager/City Engineer Booth noted she will find more information about updating the Transportation System Plan (TSP) and bring that back to Council.

N. CLOSING PUBLIC COMMENT

None

O. CLOSING COUNCIL COMMENT

- 1) Mayor Lepin shared that he had received some information from the Morning Star Grange regarding their request for April to be proclaimed as Grange month.
- 2) City Manager Kreitman noted that the City Recorder sent out donation and sponsorship application and guidance documents to those organizations who have requested funds from the City Council in the past.
- 3) Councilor Cowan said there were good conversations about the growth of the City.

P. ADJOURNMENT

Council considered the possibility of holding an executive session. Decision was made to hold a separate meeting on March 17, 2020. Meeting adjourned at 9:45 p.m.

Respectfully submitted:

*Kimberly Wollenburg*

Kimberly Wollenburg  
City Recorder

Reviewed by:

*Kevin H. Kreitman*

Kevin Kreitman  
City Manager

Upcoming Meetings & Events:

March 10, 2020 @ 6:30 p.m. – City Council Meeting

March 12, 2020 @ 6:00 p.m. – Events Planning Committee Meeting

March 17, 2020 @ 6:00 p.m. – Planning Commission Meeting

*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.*