



**May 14, 2019 City Council Minutes**

4222 NE Old Salem Road

Albany, OR 97321

6:30 p.m.

A. CALL TO ORDER: Called to order by Mayor Lepin at 6:30 p.m.

B. ROLL CALL

Councilors Present: Mayor Jim Lepin, Councilors Scott Cowan, Dave Harms, Scott McPhee, Don Miller

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 Sergeant Greg Klein

C. PLEDGE OF ALLEGIANCE

D. CHANGES AND ADDITIONS TO THE AGENDA

Mayor Lepin noted that he was informed by City Manager Kreitman that Greg Smith has been unavoidably delayed and may not make the meeting. If so, City Manager Kreitman will present on Mr. Smith's behalf.

E. CONSENT AGENDA

- 1) Approval of April 2, 2019 City Council Work Session Minutes
- 2) Approval of April 9, 2019 City Council Meeting Minutes
- 3) Acceptance of Council Approval Report for City Bills

Action: **Motion to Accept Consent Agenda 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 Don Miller: Aye**

F. PRESENTATIONS

1) Monthly Report from the Linn County Sheriff's Office (LCSO)  
After Sergeant Greg Klein, Linn County Sheriff's Office, went over the report from April 2019, Mayor Lepin noted his belief that the increase in the City's residential base has caused an increase in incidents. City Attorney Reid expressed his appreciation for Sergeant Klein's assistance in handling code enforcement service.

2) Economic Development Update – Greg Smith  
City Manager Kreitman went over information provided by Greg Smith, Linn Economic Development Group, regarding an update on various economic development projects in process. Of special note:

- Intermodal/Reload Project – letter of approval to provide service coming from Union Pacific. Other associations have provided letters of support for the project to the Oregon Department of Transportation (ODOT). ODOT will be making a decision at the June 20, 2019 Oregon Transportation Commission.
- Assisted with a number of leads from businesses looking at potential to relocate to Millersburg, including interest in City-owned property.

#### G. PUBLIC COMMENT

None

#### H. COUNCIL MEMBER AND STAFF COMMENTS

- 1) Councilor Cowan asked about an update regarding the guardrail project. Assistant City Manager/City Engineer Booth said she did not have any additional information since last meeting.
- 2) Councilor McPhee said it was good to see the JBO game in the Park on his way to City Hall.

#### I. CITY MANAGER'S REPORT

- 1) Library Reimbursement Program  
City Manager Kreitman brought up past discussion regarding reimbursement programs noting that while the future of recreational reimbursement program was discussed, the library program was not included in that discussion. At this time, the library reimbursement program is out of funds and staff asks if Council wishes for the reimbursement of library expenses through the rest of the fiscal year or would like to discontinue the program. Council agreed that library reimbursements could continue.
- 2) Project Updates  
Assistant City Manager/City Engineer Booth provided an overview of City projects highlighted in the staff report. Some specific notes:
  - There was some brief discussion about how many surveys have been received from citizens regarding the Parks Master Plan. Assistant City Manager/City Engineer Booth said the consultant is pleased with response and at last count, early May; about three hundred have been received.
  - Regarding the ATI lift station, there is concern that the pumps have not been performing quite as expected. Primarily, they believe there is something wrong with the force main.
  - Councilor McPhee asked about status of water/sewer rates project. Assistant City Manager/City Engineer Booth said there is more work to be done to get the consultant the information needed to finish with the study.

#### J. CITY ATTORNEY'S REPORT

- 1) Prohibiting Drones  
City Attorney Reid briefly went over provided staff report regarding the results of his investigation on the City's ability to prohibit drones within the City. He said that the City cannot regulate drones. The only time action can be taken is if someone is flying a drone in a harassing, reckless manner over private property. In this situation, the property owner can contact the Linn County Sheriff's Office.

K. UNFINISHED BUSINESS

1) Connection Fees and Capital Reimbursement Agreements

Assistant City Manager/City Engineer Booth noted that this issue has come before the Council for two other times. She then went over the implementation plan presented in the staff report and as noted in the draft Ordinance. After her presentation, there followed discussion regarding implementation timing, on the need for a public hearing, the timing of fees and how the fees are applied and paid.

Mayor Lepin asked if there is need to have a public hearing on implementation of this fee given that there have been three other meetings. City Attorney Reid noted that he advised to have a public hearing for transparency. After further discussion regarding public notification and impacts, the Council decided to vote on the matter at this time.

Action: **Motion to Adopt Ordinance 151 made by Councilor Dave Harms; seconded by Councilor Don Miller.**

<b>Mayor Jim Lepin:</b>	<b>Aye</b>
<b>Councilor Scott Cowan:</b>	<b>Aye</b>
<b>Councilor Dave Harms:</b>	<b>Aye</b>
<b>Councilor Scott McPhee:</b>	<b>Aye</b>
<b>Councilor Don Miller:</b>	<b>Aye</b>

City Manager Kreitman asked for clarification that the Council was okay with providing those currently in process a one year exemption. The Council acknowledged that they were okay with that process.

L. NEW BUSINESS

1) Parking on Amanda Lane

Assistant City Manager/City Engineer Booth went over staff report and then followed discussion on the background that led to the need for no parking on Amanda Lane. Over the past, residents, particularly on Waverly, complained about issues with the parking and inability to get through those streets. In addition, the Linn County Sheriff's Office has expressed concerns about their inability to address concerns because the streets are not signed as no parking. However, the major concern was that due to the streets' narrow widths, there are safety issues for emergency vehicle access.

Ron Anderson, owner of the duplexes on Amanda Lane, gave a presentation regarding the desire to not designate Amanda Lane as no parking. There followed a lengthy discussion regarding various options to resolve the issue, including discussion on how many spaces are needed to allow for guests, maintenance workers, and other visitors to residents on Amanda Lane.

Councilor McPhee noted that a few of the lots seemed to have some extra room and wondered about the possibility of Mr. Anderson adding an extra parking spot on the duplexes' property. Mr. Anderson said those are the lots with the space for parking; however, the issue is with the others duplexes where that extra space doesn't exist.

City Attorney Reid commented that on the west side of Amanda, halfway down, there seemed to be a large open lot and asked if Mr. Anderson couldn't put in a private parking lot in that area. Mr. Anderson said that was possible but said that is a significant distance for walking. Then City Attorney Reid pointed out another place. Mr. Anderson said there are significant grade changes in that area. He also noted that the Council is asking him to take on additional expenses for a non-issue.

Councilor Harms said he counted about 26 spots for 12 places (6 duplexes-12 units) and wondered how many parking spaces is enough—how many would the tenants want. Mr. Anderson said the majority of the tenants' needs are met except where there's a gathering, maintenance, or showings.

After some lengthy discussion with Mr. Anderson regarding emergency vehicle access on "skinny" streets like Amanda Lane, Councilor Harms again asked how many parking spots were needed. Mr. Anderson believes that 12-14 spots would be needed. He then pointed out an image of a pick-up truck parked in the cul-de-sac and asked as a minimum to not ban parking on cul-de-sacs. City Manager Kreitman noted that cul-de-sacs are supposed to be for emergency vehicle turnaround.

Mayor Lepin said he believes the Council needs to have the signs posted and that any additional parking added to Amanda needed to be paid for by Mr. Anderson as he owns the property Amanda Lane services.

At the end of the discussion, the Council determined that the no parking signs would go up on Amanda Lane; however, City staff and Mr. Anderson would meet to explore parking options.

2) Possession of Alcohol in Public Areas – Ordinance

City Attorney Reid reviewed the staff report with the Council. Discussion followed specifically around the proposed Ordinance acting as a tool that gives the Linn County Sheriff's Office the ability to address concerns with public drunkenness. The Council decided that City Attorney Reid would work on revising the proposed ordinance to address intoxication as a violation and disorderly conduct.

3) Vacation of Sewer Easement

City Manager Kreitman went over staff report. The sewer easement for Phase III Sweetwater Estates is no longer needed since the design has been approved.

Action: **Motion to Release a Portion of Sanitary Sewer Easement made by Councilor Scott Cowan; seconded by Councilor Dave Harms.**

**Ordinance 148**

<b>Mayor Jim Lepin:</b>	<b>Aye</b>
<b>Councilor Scott Cowan:</b>	<b>Aye</b>
<b>Councilor Dave Harms:</b>	<b>Aye</b>
<b>Councilor Scott McPhee:</b>	<b>Aye</b>
<b>Councilor Don Miller:</b>	<b>Aye</b>



4) Ordinance 147 – Revise Violation Class

City Attorney Reid explained the reason for the revision to Ordinance 147 by changing the penalty from a Class D Penalty to a Class C Misdemeanor.

Action: **Motion to Revise Ordinance 147 to Adopt violation to a Class C Misdemeanor from a Class D Penalty made by Councilor Dave Harms; seconded by Councilor Don Miller.**

**Mayor Jim Lepin: Aye**  
**Councilor Scott Cowan: Aye**  
**Councilor Dave Harms: Aye**  
**Councilor Scott McPhee: Aye**  
**Councilor Don Miller: Aye**

M. CLOSING PUBLIC COMMENT

None

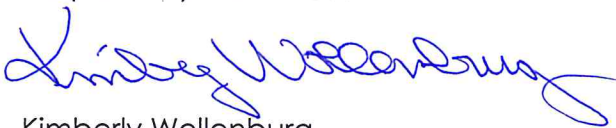
N. CLOSING COUNCIL & STAFF COMMENT

- 1) Councilor Miller said a resident, at the recent open house, asked why the City Council meeting was at 6:30 p.m. when other City meetings were at 6:00 p.m. Discussion followed the changes over the years among the various City groups. Several Council members noted they were good with 6 or 6:30 p.m. Councilor McPhee said his only concern was that some people had late nights with sports and things going on so there may be more struggles to attend. City staff would seek resident input.
  
- 2) City Manager Kreitman shared with the Council the plaque created to honor Mayor Clayton Wood for his service to the City of Millersburg.

O. ADJOURNMENT

Meeting adjourned at 8:30 p.m.

Respectfully submitted:



Kimberly Wollenburg  
City Recorder

Reviewed by:



Kevin Kreitman  
City Manager

Upcoming Meetings & Events:

May 15, 2019 @ 6:00 p.m. – Budget Committee Meeting & Public Hearing  
May 21, 2019 @ 6:00 p.m. – Planning Commission Public Hearing

