



Approved by City Council 1/8/2019

December 11, 2018 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, Scott McPhee, Don Miller
Councilors Absent: Councilor Dave Harms
Staff Present: Kevin Kreitman, City Manager; Forrest Reid, City Attorney; Kimberly Wollenburg, City Recorder
Presenters: Linn County Sheriff Captain Kevin Guilford
- C. PLEDGE OF ALLEGIANCE
- D. CHANGES AND ADDITIONS TO THE AGENDA
Mayor Lepin took a few minutes and went over the Roberts Rules requirements regarding motions and seconds before moving forward. He also went over how residents can make comments during meeting.
- E. CONSENT AGENDA
1) Approval of October 23, 2018 City Council Work Session Minutes
2) Approval of November 13, 2018 City Council Meeting Minutes
3) Approval of revised Council Approval Report for Monthly 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: Absent
Councilor Scott McPhee: Aye
Councilor Don Miller: Aye
- F. PRESENTATIONS
1) Monthly Report from the Linn County Sheriff's Office.
Linn County Sheriff's Office (LCSO) Captain Kevin Guilford presented details on the report given to the City Council regarding responses within Millersburg over the last month. He mentioned that there has been an increase in stolen truck tailgates which are scraped for the metal and wanted residents to be aware of this trend. He noted they'd written several warnings to educate residents on Western Way regarding illegal parking.

Captain Guilford also went over the extra patrols noted and explained that they happened when requested or when some other incident required someone to go back to the original site. He did share that property crimes have increased a bit in Millersburg.

G. PUBLIC COMMENT

None

H. COUNCIL MEMBER AND STAFF COMMENTS

- 1) Mayor Lepin shared that when he went around the City during elections and in the recent times of speaking with businesses, he received a lot of positive feedback regarding City staff. As a result, he is proposing that in appreciation and recognition of the positive feedback, the City closes at noon on Christmas Eve and staff are paid for the time off. Councilor Cowan noted he fully supports the proposal.

Action: **Motion to Close City Hall at Noon on December 24, 2018 and Provide Paid Time Off for Staff made by Councilor Scott Cowan; seconded by Councilor Don Miller.**

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

- 2) Mayor Lepin discussed the current process regarding payment of the City's bills and that given the process of waiting until the City Council meeting to approve the majority of the City's bills, it is causing problems with late fees. In addition, he is concerned of the City's reputation regarding prompt payment of bills. He's seeking Council input and approval to direct City staff to do a resolution regarding payment of bills before the City Council meeting and providing a report to the City Council at the meeting of bills paid to keep them informed. Councilor Cowan said he supports the idea of having bills paid ahead then provide a report to the Council. Councilors Miller and McPhee also noted their support.

Action: **City Staff Directed to Prepare Resolution for the Approval of Council to Pay City Bills as Due and Provide Monthly Report to City Council at Council Meeting.**

I. CITY MANAGER'S REPORT

- 1) Project Updates

City Manager Kreitman provided an overview of City projects and went over the staff report. More information is available online in the meeting packet.

Highlighted projects included:

- i. Audit Preparation: Materials provided to auditors and City is waiting for report.
- ii. Stormwater Master Plan: Comments submitted to consultant.

- iii. Sewer Lift Station Construction: Construction is nearing completing. anticipated to be completed in January at the latest.
- iv. Parks Master Plan: Had kick-off meeting on November 26 so project is underway.
- v. Street Striping: To address safety concerns, Conser Road east of Old Salem Road was striped. The City is considering re-striping all arterials and collectors throughout the City next year.
- vi. Rate and SDC Study: Staff is collecting data for consultants and will be meeting with consultants in mid-December to update schedule.
- vii. MS4 Permit: The permit was released on November 30 and is currently being reviewed to determine impacts to the City.

Councilor Cowan brought up the notes on the Parks Committee from the last meeting and there was a feeling that the group was disconnected. He thought that if there was a disconnect that the group is connected now. City Manager Kreitman noted that the intent is to have the Parks Committee work with the consultants on the review and development of the Parks Master Plan. He also shared the idea is to have a Parks Commission that will be ongoing and help to implement the Parks Master Plan.

Mayor Lepin noted the majority of the Parks Committee worked together on the Event Committee for the Celebration and they weren't disconnected. He wanted to make sure that others realize this. City Manager Kreitman shared that the path forward was based on what they saw from the Parks Committee and the need to bring that into play for the future. Councilor McPhée believes if there was any disconnect, it was a result of the time between the collection of the data until the work on the Parks Master Plan started.

- 2) City Manager Kreitman mentioned a request for a partition on Waverly Drive which led to a discussion on water. Assistant City Manager/City Engineer Booth pointed out in a conversation that in 2015, the City did a water main completion project. City Manager Kreitman then noted concerns on some streets related to fire protection. Staff reviewed budget and realized there are funds available in the CIP portion to continue the water project this year. City Manager Kreitman wanted to get direction from the Council if they will consider and direct staff to have CH2M Hill do the additional work for the project. Mayor Lepin asked if this would give residents the opportunity to connect to City water if they wished. City Manager Kreitman confirmed that it would. Discussion followed regarding the various streets affected. The Council agreed to move forward with the planning and completion of the water project.

J. CITY ATTORNEY'S REPORT
None

K. UNFINISHED BUSINESS

1) Republic Services Rate Increase – Resolution 2018-24

City Manager Kreitman gave a brief introduction regarding discussions from November's meeting then went over the costs the City currently pays for fuel from Petro who actually came in higher than the cost proposed by Republic Services. City Manager Kreitman also provided a Historical Refuse Index to Council and noted that since 2013, the increases have been pretty flat.

Action: **Motion to Approve Resolution 2018-24 Approving a Rate Increase for 2019 for Republic Services made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.**

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

2) South Albany High School Senior Class Donation Request

Councilor Cowan made a motion to donate \$1,000 to the South Albany High School senior class. The motion failed due to a lack of a second. Mayor Lepin said he doesn't feel providing the funds is an appropriate use of taxpayer dollars. Councilor Miller believes the Council would get pushback from residents. Councilor Cowan agreed that there might be pushback; however, he said that since this is the school Millersburg residents' children attend, by not donating anything, the City is missing an opportunity to support Millersburg youth. Mayor Lepin said this topic leads to a discussion he'd like to have later regarding a common set of principles for the Council to help them decide on matters like this and plans to bring this up during a Council work session.

Councilor Miller made new motion which was seconded. Mayor Lepin noted he still isn't in support. Councilor Cowan believes we have funds and that the Council has agreed to recognize the reimbursement program until the new fiscal year and recommends we continue to reevaluate requests until the funds are gone and support this activity since these are Millersburg residents' children. He noted it is a drug and alcohol-free celebration and believes \$1,000 is a reasonable amount to show support of our students.

Councilor McPhee agrees it's a worthy cause and is an awesome thing but looks at it is how we are giving money and that it's different between how money is spent personally versus with public funds. He feels City money is used for essential services and once we get past essential services, we should not be spending money past that. He personally supports the event but just can't support spending City money. He then gave suggestions to them on how to raise funds.

Mayor Lepin asked attending students what they've done to raise money. Kerry Burton, one of the parents for the fundraising. She gave a list of things they are doing to raise money during school sports events and other events.

Action: **Motion to Approve the Donation of \$1,000 to South Albany High School Senior Class event made by Councilor Don Miller seconded by Councilor Scott Cowan.**

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

L. NEW BUSINESS

1) Social Media Policy – Resolution 2018-26

City Manager Kreitman

Action: **Motion to Approve Resolution 2018-26 Adopting a City of Millersburg Social Media Policy made by Councilor Scott Cowan;**

seconded by Councilor Scott McPhee.

Resolution 2018-26

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

2) City Hall Meeting Room Use – Resolution 2018-27

City Manager Kreitman went over staff action report with the proposed policy regarding the rental/use of Millersburg City Hall. He provided a brief background as to why a policy is needed. Mayor Lepin noted that he has a concern that we won't have a place, like a community center, for residents to meet but given the security of equipment in City Hall, it makes sense to only allow other public agencies or other organizations for business use.

Action: **Motion to Repeal 1987-7 and Adopting Resolution 2018-27**

Approving Creation, Updating, and Administration of a Policy Regarding Use of City Hall Facilities by Outside Public Agencies and Non-Profits made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.

Resolution 2018-27

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

3) Street Fees Paid by Subdivision Developers – Resolution 2018-28

City Manager Kreitman briefed the Council on the staff report that addresses the best use of street fees and prioritization of project while allowing developers to discharge their obligation to contribute to required infrastructure improvement. Additionally, the Council had consensus on the City establishing development connection fees.

Action: **Motion to Approve Adoption of Resolution 2018-28 to Repeal Resolution 2016-12 which is a Resolution Pertaining to Street Fees**

Paid By Subdivision Real Estate Developers of Property Abutting Undeveloped Streets made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.

Resolution 2018-28

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

4) Parks Committee Appointments

City Manager Kreitman went over staff report requesting the appointment of five (5) to twelve (12) Parks Committee members.

Action: **Motion to Appoint/Reappointed Parks Committee Members made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.**

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

The following members were appointed/reappointed to the Millersburg Parks Committee:

- John Andersen
- Don Dixon
- Michael Wertz
- Carlye Haima
- Jenny Wolfenbarger
- Wendy Major
- Justin Toews
- Caryl Thomas
- Bob Nelson

5) Private Construction of Public Improvement Fees – Ordinance 141 & Resolution 2018-29

City Manager Kreitman went over staff report, providing history of the Private Construction of Public Improvements (PCPI) program. There was some discussion regarding the background of determining the fees.

Action: **Motion to Approve Ordinance Modifying the Permitting Process and Accompanying Fees for Private Construction of Public Improvements made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.**

Ordinance

141

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

Action: **Motion to Approve Resolution Adopting Fees for Private Construction of Public Improvements made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.** Resolution 2018-29

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

Action: **Motion to Refund the Difference to the Sweetwater 3rd Addition, Phase 3 and West Valley Estates, Phase 1 Based on the New Fee Calculations made by Scott Cowan; seconded by Councilor Scott McPhee.**

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

- 6) Professional Service Agreement – Operations Management International
City Manager Kreitman briefed the staff action report to maintain the agreement for services rendered by OMI and requesting a new monthly rate of \$634.41 to \$647.08.

Action: **Motion to Approve Amendment 2 to the Professional Services Agreement with Operations Management International and Authorize City Manager to Sign Agreement made by Councilor Scott McPhee; seconded by Councilor Scott Cowan.**

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

- 7) Canvas Votes & Certification of Election – Resolution 2018-30
City Manager Kevin Kreitman went over basics then introduced City Recorder Kim Wollenburg to present the rest. City Recorder Wollenburg went over the staff report and need to have this resolution approved per the Millersburg City Charter noting this hasn't been done in the past.

Action: **Motion to Adopt Resolution Canvassing the Votes Cast at the General Election Held November 6, 2018 made by Councilor Scott McPhee; seconded by Councilor Dave Harms.** Resolution 2018-30

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

M. CLOSING PUBLIC COMMENT

- 1) Gary Keehn, 3254 Clearwater Drive, noted that last month, the Council talked about other services from Republic Services and wondered if we are still getting our current services. City Manager Kreitman indicated that nothing has been changed and the City is still in the process of negotiating franchise agreement.

Mr. Keehn also asked about fencing on Old Salem Road between I-5 and the road. Councilor Cowan said he had looked into this a few months back because of the accidents. He recalls meeting with ODOT and Linn County Road Department to see what kinds of accommodations could be made. Right now, the costs would be extremely high for ODOT to put in a barrier. He also asked about the same project being built by the County. Darrin Lane, Road Master, told Councilor Cowan it will be on their radar and they can look at the costs at some point. He believes the amount to put a barrier or guardrail in that area would be about \$250,000. He said that since ODOT didn't consider that area a high risk, the burden to pay to have the work done would fall on the City as the accidents happen on Old Salem Road.

Mr. Keehn asked about a quarterly report from the Albany Fire Department and wondered if the next one would come in January. City Manager Kreitman confirmed there would be a report in January.

- 2) Kelly Cole, 3312 Nehalem, asked about the possibility of getting a stoplight at the four way stop on the east side of I-5. Mayor Lepin shared that was not the City of Millersburg but ODOT so the request would need to go to them. Councilor Cowan noted he'd seen signs of lights. City Manager Kreitman confirmed that ODOT did install lights but they aren't turned on.

She also asked if the Council has noted an increase in crime since Love's came in. Mayor Lepin said yes but the majority are isolated cases.

- 3) Manon Whittenburg, 6103 Sedona, noted her husband is diabetic and said she's been told by a number of people for him to simply throw sharpies into the trash and she's concerned by this. There was some discussion on places where sharpies can be disposed of, including pharmacies. There was a discussion on whether Republic Services provides that and Mayor Lepin said they currently don't. City Manager Kreitman said the City will check but he's not even sure they offer that service in our area. Ms. Whittenburg noted that the Jefferson Fire Station has taken the sharpies. Councilor Cowan said City could check into see if this was something Republic Services would be able to add.

N. CLOSING COUNCIL COMMENT

- 1) Mayor Lepin noted that one of the things that needed to be on the January agenda is committee assignments and whether any change in

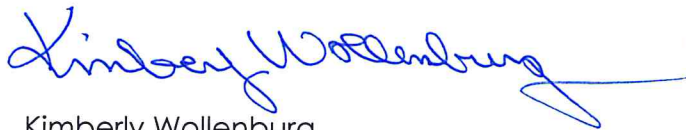
representation is needed. He asked the Council to let him know if anyone wants to change their committee assignment.

- 2) Councilor Miller noted that one of the things he'd like to see is to have the Charter changed to have citizens vote for mayor. Mayor Lepin said he supports and would like to discuss at a work session in 2019. Further, he said there's a need to reevaluate goals and tasks, including a need to update the Charter.
- 3) Councilor Cowan asked if there would be a work session in January. City Manager Kreitman noted that maybe not January but February.

O. ADJOURNMENT

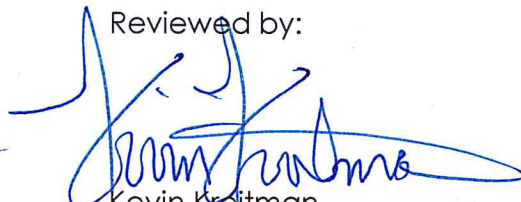
Meeting adjourned at 8:35 p.m.

Respectfully submitted:



Kimberly Wollenburg
City Recorder

Reviewed by:



Kevin Kreitman
City Manager

Upcoming Meetings:

December 18, 2018 @ 6:00 p.m. – Planning Commission Meeting

