



Approved by City
Council 12/11/2018

November 13, 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 Dave Harms, Scott McPhee, Don Miller

Councilors Absent: Councilor Scott Cowan

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 Lieutenant Michelle Duncan; Julie Jackson, Republic Services

C. PLEDGE OF ALLEGIANCE

D. CHANGES AND ADDITIONS TO THE AGENDA

E. CONSENT AGENDA

1) Approval of October 9, 2018 City Council Meeting Minutes

2) Approval of revised Council Approval Report for Monthly City Bills

Action: **Motion to Accept Consent Agenda made by Councilor Don Miller; seconded by Councilor Dave Harms.**

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|--------------------------------|---------------|
| Mayor Jim Lepin: | Aye |
| Councilor Scott Cowan: | Absent |
| Councilor Dave Harms: | Aye |
| 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) Lieutenant Duncan presented details on the report given to the City Council regarding responses within Millersburg over the last month. She highlighted the accidents, including the fatal hit and run that happened on Old Salem Road at the south end of the City.

Councilor Miller asked about all of the 9-1-1 hang ups. Lieutenant Duncan explained that most of these are likely issues with technology and not actually someone calling in. She provided further details then asked if the Council would

like her to keep these on the report. The Council agreed she could leave the 9-1-1 hang ups off the monthly report.

G. PUBLIC COMMENT

Mayor Lepin went over the procedures regarding public comment.

- 1) Ambri Burton and Miller Clare, Millersburg seniors from South Albany High School, read a presentation to the Council regarding a request for a donation from the City of Millersburg for a senior graduation event. They requested a donation of \$10,000. Councilor McPhee asked the students what they've done for fund-raising. The students shared the events they've participated in and upcoming events. Mayor Lepin noted that requests of this sort should really come closer to budget time so they can be discussed and potentially factored into the budget. Mayor Lepin told the students this request would be put on the agenda in December, then the Council will make a decision.

H. COUNCIL MEMBER AND STAFF COMMENTS

- 1) Councilor Miller said the budget book looks great. He appreciates that it explains everything, it's easy to understand, and has a lot of information.

I. CITY MANAGER'S REPORT

1) Project Updates

Assistant City Manager/City Engineer Booth 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. Stormwater Master Plan: Draft of the plan was presented at the Council Work Session on October 23 and is now available on the website for public comment until November 26.
 - ii. Sewer Lift Station Construction: Construction is underway. Anticipated to be completed in January at the latest.
 - iii. Crack Sealing: This was completed on October 10 and October 17. The contractor ended up needing to use more material; however, the project was budgeted for \$25,000 but final costs were \$20,000.
 - iv. Woods Road Paving: Full width overlay along the Lone Oak Subdivision frontage was done October 3-5. The remainder of Woods Road north of Alexander Lane will be scheduled for spring of 2019.
 - v. Exercise Equipment in City Park: This is in the 2018-2019 budget; however, staff decided to wait until the Parks Master Plan work is completed.
 - vi. Safety Concerns on Conser Road, east side of Old Salem Road: Concerns have been expressed regarding the inability to clearly see the road demarcation. After road was chip sealed, the striping and reflectors were covered. To resolve, when the weather permits, we will be looking at restriping and adding reflectors.
- 2) Recreation Program Reimbursement: City Manager Kreitman recommended the City continue with the program as presented in the policy during the October 9, 2018 meeting and revisit the program overall for the 2019-2020 budget. Councilor McPhee noted he supports continuing to the end of fiscal year 2018-2019 then revisit the recreation program but thought we should also revisit the library reimbursement program since it was included in the policy.

Action: **Motion to Extend the Recreation Reimbursement Program until the end of the 2018-2019 Budget Cycle or Funds are Expended made by Councilor Scott McPhee; seconded by Councilor Don Miller.**

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

- 3) City Manager Kreitman briefly spoke about the flyer provided from the League of Oregon Cities regarding their Elected Essentials classes coming up next year.
- 4) City Manager Kreitman noted that he looked at the voting numbers for Millersburg—at the number of registered voters against the number of our current residents since 2017. He also looked at the number of housing units since the 2010 census and believes the actual population of the City of Millersburg is closer to 2,500. Mayor Lepin noted that accuracy in this number is important as the size of the City means different rules apply especially in land use planning. City Manager Kreitman shared that it also has an impact on State Revenue Shared Funds. He is working with Portland State University to see about having the numbers adjusted since the number of registered voters seems to indicate we are much larger than the 1835 from 2017.
- 5) City Manager Kreitman shared that as of November 1, 2018, Station 15 is now staffed with a three person crew.
- 6) City Manager Kreitman told the Council there is a joint meeting with the City of Albany on November 29 at 5:00 p.m. to discuss composting.

J. CITY ATTORNEY'S REPORT

None

K. UNFINISHED BUSINESS

None

L. NEW BUSINESS

1) Lightspeed Franchise Agreement – Ordinance 139

City Manager Kreitman went over the staff report regarding granting Lightspeed a franchise agreement to provide services in the City of Millersburg. He noted that there are already two industries in the area receiving Lightspeed services. Lightspeed does not provide residential service. He said that the City Hall has contemplated moving from Comcast to Lightspeed for their upload/download speeds. He discussed that a lot of technology is moving to cloud-based software plus the City has experienced issues related to the reliability of Comcast service. Lightspeed has high reliability.

Action: **Motion to Adopt Ordinance Granting Lightspeed Networks a Franchise to Construct, Operate, & Maintain a Telecommunications Network within the City of Millersburg made by Councilor Scott McPhee; seconded by Councilor Don Miller.** Ordinance 139

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

- 2) Republic Services Recycling & Rate Increases – Resolutions 2018-23 & 2018-24
City Manager Kreitman went over the staff report for Republic Services' rate increase request. He then introduced Julie Jackson from Republic Services who went over the history of rate increases and calculation methodology. She spoke about the \$2 request and noted it was only for the cost of getting recycling to the market and doesn't include fuel, staffing, etc. City Manager Kreitman pointed out that the Council did approve the \$2 recycling increase but a resolution is needed so he asked the Council to approve the enclosed resolution. Mayor Lepin ask Ms. Jackson what processes are in place to monitor if costs for recycling need to go up or down. Ms. Jackson said that the City can requests reports at any time, and that if recycling normalizes again, they would come back. Councilor Harms asked about sourcing for new recycling markets. Ms. Jackson said Republic Services is always looking for this and has recently met with someone who can do more with paper products like the ice cream cartons. She said that none of their product is currently going to China.

Action: **Motion to Approve Resolution Authorizing a \$2/Month Rate Increase Per Residential Account for Recycling Costs for Republic Services made by Councilor Scott McPhee; seconded by Councilor Don Miller.** Resolution 2018-23

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

Next, City Manager Kreitman went over the options available in negotiating a new franchise agreement, including weekly yard debris pick-up, tree recycling, and leaf pick-up. He noted this was an all or none option meaning that everyone needed to participate or no one in whatever was chosen. Councilor McPhee asked about fuel costs and what CPI index was used to determine increases. Ms. Jackson shared that there are tons of indexes. Republic Services uses the CPI for the West Coast, from Seattle, and it's the commonly used one. The one previously used was from Portland; however, that index was discontinued last year. There was some discussion regarding the relevancy of using the particular index Republic Services chose to reflect diesel costs as the rates are pretty high over actual charges. Mayor Lepin noted that the City has given Republic Services over 200 new customers and asked if that was factored in. Ms. Jackson said the cost to provide services are determined at the end of the year.

Councilor McPhee asked what other options the City has. City Manager Kreitman said other places could come in and provide services in the City (from Salem, Portland, etc.) but there would likely be additional charges. Councilor McPhee noted that throughout the state, there are areas where the city may be served by one company and the rural area outside of city limits served by another with both companies having significantly different rates. Both Councilor Harms and Councilor Miller said they'd be interested in knowing more details about costs.

Mayor Lepin asked Republic Services to take a realistic look at actual costs and bring back to the December meeting. Ms. Jackson said she could but reminded the Council the methodology they used was approved and fine with the City when the increase was zero. She will have something provided for the December meeting.

City Manager Kreitman reminded the Council the City is in the process of updating the franchise agreement so if the Council wanted to add or change services, now is the time to consider.

Action: **Motion to Approve Resolution for a Rate Increase for 2019 for Republic Services made by Councilor Don Miller; seconded by Councilor Scott McPhee. Motion withdrawn by Councilor Don Miller.**

- 3) Technology Services IGA with Oregon Cascades West Council of Governments
City Manager Kreitman briefed the Council on the staff report, specifically going over increased costs for labor, but noted the rates were competitive and included in the 2018-2019 budget. Councilor Miller asked about the percentage of increase. Councilor McPhee asked about our costs and what the City Manager expected to see within this fiscal year. City Manager Kreitman said we budgeted \$9,000 this year.

Action: **Motion to Approve IGA with Oregon Cascades West Council of Governments and Approval for City Manager to Sign the IGA made by Councilor Scott McPhee; seconded by Councilor Dave Harms.**

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

- 4) Oregon Fire Code – Ordinance 140
City Manager Kreitman went over staff report requesting the adoption of the Oregon Fire Code. Mayor Lepin noted that he has visited businesses over the past months that have expressed their interest in getting this adopted. Councilor Harms said that as a business, he likes to know fire safety is being watched. City Manager Kreitman shared that insurers of businesses and industry often want to know that inspections are taking place. Resident Gary Keehn, Clearwater, asked if there will be a fine if the business is not in compliance. City Manager Kreitman assured him that there would be a fine after third occasion of non-

compliance. He also shared that private hydrants are not currently being tested, and this program would ensure these are maintained.

Action: **Motion to Adopt the Oregon Fire Code made by Councilor Dave Harms; seconded by Councilor Don Miller.** Ordinance 140

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

5) Parks Master Plan Contract

Assistant City Manager/City Engineer Booth went over the staff report and background and shared that there was a unanimous decision by the project evaluators to select Conservation Technix.

Action: **Motion to Approve Parks Master Plan Contract with Conservation Technix, Inc. and Authorize City Manager to Sign the Contract made by Councilor Scott McPhee; seconded by Councilor Don Miller.**

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

6) Parks Committee – Adoption of Resolution 2018-25

Assistant City Manager/City Engineer Booth went over the staff report and history. The recommendation is to change the mission of the Parks Committee to act as more of an advisory body for the Parks Master Plan and will include more citizen representation from all areas throughout the City.

Action: **Motion to Adopt Resolution Repealing Resolution 2017-15 and Creating City of Millersburg Parks Committee made by Councilor Scott McPhee; seconded by Councilor Dave Harms.**

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

M. CLOSING PUBLIC COMMENT

1) Robin Wilson Whitney, 2580 Tuscan Lane, asked several questions:

- i. She appreciated having information in our last utility bill about the Fire Station and wondered if there could be more information provided about upcoming events. She mentioned that she has been in the City for three years and she just heard about the City's Recreation Reimbursement Program and asked how new citizens are getting the information. City Manager Kreitman said that staff is providing this information to new residents when they call in to set up service. She asked some clarifying questions regarding the Recreation Reimbursement Program.

- ii. She asked about a newsletter and thought that would be a good place to put information like the Recreation Reimbursement Program. She noted that when she spoke to other residents, many had no idea what was going on, and she thought that having a newsletter go out with utility bills might help with providing information especially to those who don't use the internet.
- iii. She shared that there were residents in her area on the Parks Committee and that they told her it just "fizzled out."

City Manager Kreitman noted that residents could always go to the City website to find out information. He said they can see the agenda, and in the provided packet, are the staff reports and any associated material. The idea is to make sure enough material is provided so citizens can be aware of what's going on.

Resident Laurie Hackstedt, 2650 Alexander Lane, asked how residents who do not have City utilities can know what's going on. How are they made aware? City Manager Kreitman said residents can provide an email address so we can let residents know what's going on or they can provide a mailing address and get on a mailing list.

- 2) Gary Keehn, 3254 Clearwater Drive, wondered if the plan was to ask citizens if they wanted to go to weekly yard debris pick-up. City Manager Kreitman said he wasn't sure this would go to the public as a whole (it would depend on how Council wanted to handle); however, discussion would be at a Council meeting and residents are welcome to attend. Mayor Lepin asked Mr. Keehn what his opinion is and he said that bi-weekly pick-up hasn't been a problem. If he has extra debris, he just bags it and put into the container when it's emptied for the next time.
- 3) Dennis Gunner, 4720 Terri Lane, asked what happens if the City says no to Republic Services. City Attorney Reid said Republic Services would cut back services. Mr. Gunner believes he is now getting less service and Republic Services want rates to go up. Mayor Lepin said this will be on the agenda in December for further discussion.
- 4) Doug Iverson, 2113 Summit Drive, wondered if recycling is an issue, why not alternate weekly between recycling and yard waste which would also reduce fuel costs. Mayor Lepin thought that was a good idea and asked City Manager Kreitman to pass that question along to Republic Services.

N. CLOSING COUNCIL COMMENT

- 1) Councilor Miller said that right now our position is when a developer comes in, he gives us a certain amount for Parks but wonders if we shouldn't slow down and quit taking money. He said he's had a lot of people ask about pocket parks, that there is an interest in them. City Manager Kreitman noted that is one of the things the Parks Master Plan will be looking at. As we don't have the Master Plan, we can't make that change.
- 2) Mayor Lepin shared that he and Greg Smith, Linn Economic Development Group, have begun a process of visiting businesses to talk about what the

businesses need to be successful in Millersburg. Skills training and carpool opportunities have already surfaced, and we are working with the Chamber of Commerce and OCWCOG in an effort to provide support for one company already.

- 3) Councilor McPhee said he brought up last month about kids and bus stops and discussed the lighting at Castillo and Conser Roads and Old Salem Road and Alexander Lane. He's concerned that as we grow, and as he's seeing the school district grouping more and more kids in the busiest areas, that these are accidents waiting to happen. He asked if it is possible for the City to visit with the school district and speak with them about bus stops and the concerns. City Manager Kreitman said that he would share the concerns with the school district. Councilor Miller mentioned another area of concern is Millersburg Drive and Noel Street. Councilor Harms noted that if the school district moved the bus stop on Alexander Lane about a 100 feet to the west, the stop would be in the bicycle lane which is wider. There was some discussion regarding adequacy of light at the bus stops and a need for better lighting. The areas with LED lights are better than the ones without.

O. ADJOURNMENT

Meeting adjourned at 8:40 p.m.

Respectfully submitted:



Kimberly Wollenburg
City Recorder

Reviewed by:



Kevin Kreitman
City Manager

Upcoming Meetings:

November 28, 2018 @ 6:00 p.m. – Planning Commission Meeting

December 11, 2018 @ 6:30 p.m. – City Council Meeting