



Approved by City Council 11/13/2018

October 9, 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, Dave Harms, Scott McPhee, Don Miller
Councilors Absent: None
Staff Present: Janelle Booth, Assistant City Manager/City Engineer; Forrest Reid, City Attorney; Kimberly Wollenburg, City Recorder
Presenters: Linn County Sheriff Lieutenant Michelle Duncan; Greg Malkasian, Employer
- C. PLEDGE OF ALLEGIANCE
- D. CHANGES AND ADDITIONS TO THE AGENDA
1) Mayor Lepin noted he planned to discuss the following during Council comments later: Fire Station, Recreation Reimbursement, Burning in the City
- E. CONSENT AGENDA
1) Approval of September 11, 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 Scott Cowan; seconded by Council 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) Presentation by Greg Malkasian from Employer Support of The Guard and Reserve (ESGR).
Mr. Malkasian started with information about the ESGR and the employer support program, including recognition of employers. After speaking about the employer recognition program, he introduced Captain Jake Gabell of the Army National Guard who read the nomination he made recognizing Mayor Jim Lepin and City Manager Kevin Kreitman for their support of his service with the Guard.
- 2) 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 specifically mentioned the hit and run of mailboxes and reported that an arrest was made because a neighbor in the area happened to see the accident which highlighted the importance of being aware of one's surroundings. Lieutenant Duncan also cautioned residents to be wary of motorcycles on roads. She noted an increase in accidents, including fatalities.

Mayor Lepin asked if there were any questions from the audience.

- i. Debra Esteves-Kondo, 5890 Nestucca, asked whether the City has ever considered the need for a 24/7 police operation based out of Millersburg. She believes the City needs more coverage based on the City's projected growth and is concerned that with the growth, more crime will come into the City. Mayor Lepin said the City will continue to monitor the City's needs from the Linn County Sheriff's Office (LCSO). Based on the monthly reports, he believes the City does not need full time coverage at this time. Councilor Cowan noted that coverage is a topic frequently discussed at City Council meetings and the Council will continue to monitor. He gave an example of the oversight the Council performs when they recently noted and had discussions regarding the high instances of alarms and what it would take to reduce the number of the false calls.

Ms. Esteves-Kondo told the Council the Nestucca neighborhood is forming their own Neighborhood Watch group. She asked about the 3% gas tax from Love's—about the City using that to increase police protection. Mayor Lepin noted that the Council elected not to address the 3% gas tax this year but would in two years for the next ballot. Mayor Lepin also noted that gas tax funds are restricted to use for certain transportation specific items. However, future gas tax funds could possibly free up other city funds currently being used for transportation. Councilor Cowan recalled that it wasn't that long ago LCSO hours were at 80 and over the years they were added with a last increase of 12 hours monthly added within the last year so the Council is definitely watching.

Mayor Lepin noted that Millersburg has a very low crime rate. Councilor Miller said he's spoken to deputies and sees the record and is confident that the City is safe. Councilor Cowan reiterated that the City will continue to monitor.

3) Community Service Awards

Before providing the Community Service Awards to the Millersburg Celebration planning committee, Mayor Lepin asked Ms. Jenny Wolfenbarger, the committee chair, to go over the final budget numbers for the celebration. After Ms. Wolfenbarger went over the worksheet, Mayor Lepin recognized and thanks the committee members for their service and support of the Millersburg Celebration.

G. PUBLIC COMMENT

- 1) Debra Esteves-Kondo, 5890 Nestucca, expressed a concern about the proposed bicycle path in the wetlands near her residence. Mayor Lepin noted

that the concept was prepared for the Transportation System Plan a couple of years ago and at this point, it is just a concept and the final path will likely be different. With the Parks Master planning coming soon, the idea is to look at creating a trail system which citizens have requested in a survey done earlier this year. Ms. Esteves-Kondo brought up the wetlands, noting that the City cannot build on resident's property. She also noted the requirements with wetlands that cannot do anything within 50 feet of a stream or disturb soil or build on wetlands. Then she asked what type of material is being considered for the path. Assistant City Manager/City Engineer Booth said that hasn't been determined at this time.

Ms. Esteves-Kondo asked how the City planned to address the potential problem of transients making a home on/near the path. Mayor Lepin said that since we haven't begun planning, that hasn't been considered. Ms. Esteves-Kondo said she and other residents in that area had concern about accessibility into their backyards if a path is built in the wetlands. She expressed concern that a denser population has the potential to lead to more crime and homeless in the area.

Next, Ms. Esteves-Kondo asked about the funds she heard were set aside for Parks and wondered how much and why the information wasn't available to the public. Assistant City Manager/City Engineer Booth said there were reserves set aside for specific projects and spoke about how Park SDC funds can only be used on parks projects. The information on the Parks reserves is in the posted budget.

After further comments regarding what can be done to/on wetlands, Assistant City Manager/City Engineer Booth explained how the wetland process works through the Department of State Lands (DSL) and how developers are required to mitigate wetlands or build around them. She also explained how the strip of property was donated to the City as a result of the developer choosing to donate the land versus mitigating it.

Ms. Esteves-Kondo then asked about how the location of a pedestrian path through the wetlands would be determined and whether residents would have a say. Assistant City Manager/City Engineer Booth said that as part of constructing a path, the area would be surveyed to determine the location and insure the correct location relative to property lines. As a part of the Parks Master Plan, there will be public meetings to discuss options, similar to what the City is currently doing with the stormwater master planning.

Following this, there was lots of discussion about a developer providing false information regarding the potential uses of the wetlands as if effects their properties.

- 2) Gary Keehn, Clearwater, asked if the Council had any updates on the reload (Intermodal Project). Mayor Lepin said the proposal was submitted at the end of September and he was originally told that ODOT would decide sometime in November-December. Now, he's being informed that notification will be closer to January-February.

H. COUNCIL MEMBER AND STAFF COMMENTS

- 1) Fire Station. Mayor Lepin said he'd like to recognize Councilor Cowan for his efforts to make the fire station happen. He told attendees that Councilor Cowan first brought up the idea of a fire station in Millersburg over 10 years ago. Mayor Lepin also thanked City Manager Kevin Kreitman, Assistant City Manager/City Engineer Janelle Booth, Albany Fire Chief John Bradner and the Station 15 firemen as well as others who helped get the fire station in place.
- 2) Recreation Reimbursement. Mayor Lepin presented a draft policy for the Council's review. He explained the recent issue where Anytime Fitness sent out a mailer to citizens on reimbursement; however, for profit programs were never intended to be included. There was no official, documented City policy so the presented policy would address the requirements for reimbursement under the program. After discussion and comments from the audience, the Council elected to approve the presented policy for one month then discuss the future of the recreation program at the next council meeting.

Action: **Motion to Approve Recreation Reimbursement Policy as Presented for One Month made by Councilor Cowan; seconded by Councilor Miller.**

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

- 3) Burning in the City. Mayor Lepin spoke about a citizen request to prohibit burning in the City and asked the Council if there was any interest in pursuing this issue further. Councilors Harms and McPhee said they didn't have any interest. Councilor Cowan, during discussion, noted now that we have Albany Fire Department, the City should educate, monitor then make a determination in the future about whether there is a need to consider banning burning. No others expressed an interest beyond monitoring.
- 4) Councilor McPhee asked whether the park lighting was on timers. There was discussion regarding lighting in park. The Council determined that Staff needed to look at photocells and whether the sensitivity needed to be increased.
- 5) Councilor Miller thanked Staff for getting the out streetlights on Millersburg Drive fixed so fast. Councilor McPhee wondered if the City shouldn't get more streetlights out by the school bus stops particularly at the intersection of Conser and Castillo. Assistant City Manager/City Engineer said we could see if bus stops should be moved closer to streetlights instead of adding streetlights since bus stop locations are subject to change.

I. CITY MANAGER'S REPORT

1) Project Updates

Assistant City Manager/City Engineer Janelle 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 will be presented at the Council Work Session on October 23.

- ii. Temporary Fire Station 15: Fire Station is now open.
- iii. Sewer Lift Stations: Construction is underway.
- iv. Crooks Creek Brush Removal: Brush cutting began on October 4. The anticipated time to complete is one week.
- v. Crack Sealing: Project was award to Toploc, and a schedule for the work should be received soon.
- vi. Street Sweeping: The first round of street sweeping will take place October 17-19. Once the contractor has a chance to assess, they will develop a regular schedule which will be posted to the website.
- vii. Woods Road Paving: Full width overlay is scheduled for October 3-5 between the new Lone Oak subdivision and Sonora Drive.
- viii. Parks Master Plan RFQ: Proposals due by October 5. Plan is to evaluate then present Council with selected contractor during November meeting.
- ix. SDC & Rate Study: Moving forward with study. City is providing information to consultant. Estimated time to completion is a couple of months. Plan is to be done before budgeting begins.

J. CITY ATTORNEY'S REPORT

K. UNFINISHED BUSINESS

L. NEW BUSINESS

M. CLOSING PUBLIC COMMENT

- 1) Gary Keehn, Clearwater, asked about a fire department report. Mayor Lepin reminded him the report will come in quarterly. Mr. Keehn if the report will include all calls, and Mayor Lepin said yes. Councilor Cowan asked Mr. Keehn if he had any specific concerns. Mr. Keehn asked about responding and how that happens then noted that he was concerned that Millersburg might end up spending more of our money to support others outside of Millersburg. Councilor Cowan said it should balance out but would be monitored.
- 2) Gary Keehn, Clearwater, asked if the 3-person staffing at the fire station is still coming on November 1. Councilor Cowan said yes, and in fact, if they have extra staffing, there are times even now the station is staffed with 3. But the official start date for that is November 1.

N. CLOSING COUNCIL COMMENT

None

O. ADJOURNMENT

Meeting adjourned at 9:10 p.m.

Respectfully submitted:



Kimberly Wollenburg
City Recorder

Reviewed by:



Janelle Booth
Assistant City Manager/City Engineer

Upcoming Meetings:

October 16, 2018 @ 6:00 p.m. – Planning Commission Meeting

October 17, 2018 @ 7:00 p.m. – City Council Candidate Forum hosted by Albany Chamber of Commerce

October 23, 2018 @ 4:00 p.m. – City Council Work Session