



April 10, 2018 City Council Minutes

City Hall
4222 NE Old Salem Road
Albany, OR 97321
6:30 p.m.

**Approved by City
Council 5/8/2018**

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

B. ROLL CALL

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

Councilors Absent: Student Representative Bradley Johnston

Staff Present: Kevin Kreitman, City Manager; Kimberly Wollenburg, City Recorder; Janelle Booth, Assistant City Manager/City Planner; Forrest Reid, City Attorney

Presenters: None

C. PLEDGE OF ALLEGIANCE

D. CHANGES AND ADDITIONS TO THE AGENDA

- 1) Revised Council Approval Report for Monthly City Bills

E. CONSENT AGENDA

- 1) Approval of March 13, 2018 City Council Meeting Minutes
- 2) Approval of revised Council Approval Report for Monthly City Bills

The City Recorder, Kimberly Wollenburg, notified Council of revised report for the monthly city bills. No one had any questions about the monthly city bills for March/April.

Action: **Motion to Adopt Consent Agenda as presented made by Scott Cowan, seconded by Scott McPhee**

Mayor Lepin: Aye

Councilor Cowan: Aye

Councilor Harms: Aye

Councilor McPhee: Aye

Councilor Miller: Aye

F. GUEST PRESENTATIONS

1) Monthly Report from the Linn County Sheriff's Office.

Deputy Ryan Keyes noted two changes to the report to add 1 traffic citation and 2 warnings for a total of 1 citation and 16 warnings. He also noted there were multiple thefts at Love's Truck Stop so they've increased patrols to that area.

Councilor Harms asked about number of false alarms. Deputy Keyes confirmed there are several businesses who have frequent false alarms. There was some discussion regarding setting limits on number of false alarms that could be reported without charges and then charges/fees for repetitive false alarms.

Action: The Linn County Sheriff's Office would continue to monitor the false alarms and report to Council. Council would also continue to monitor to discuss at a later date should a need arise to address repetitive false alarms.

At 6:48 p.m., Mayor Lepin closed the general meeting and opened the public hearing.

G. PUBLIC HEARING

Mayor Lepin began the second public hearing on the proposed amendment to Section 22 of the City of Millersburg Charter regarding signature authority on drafts and warrants of the City. He gave a brief background from first public meeting on March 13, 2018 then read the public notice, including the proposed change:

Currently, Section 22 reads as follows:

"All drafts and warrants upon the funds of the city shall be signed by the mayor and the president of the council, and in the absence of either one of these persons, by a council member designated by the mayor or president of the council, whichever one is present."

The proposed amended Section 22 would read as follows:

"All drafts and warrants upon the funds of the city shall be signed by city staff, and/or city officers, and/or city agents, as designated by Council Resolution."

Mayor Lepin asked for comments from the attending public.

After receiving no public comment, Mayor Lepin closed the Public Hearing at 6:49 p.m.

H. PUBLIC COMMENT

- 1) Julie Jackson, a representative of Republic Services, provided an overview of the recycling program in Oregon and the recent decision by China to ban 24 types of solid waste (including various plastics and unsorted mixed papers) and set a tougher standard for contamination levels. She noted she will be coming to the May City Council meeting to ask for an increase of \$2.00 to cover most of the extra costs now associated with handling recycling. She is providing a flyer to help educate Millersburg residents which will be posted on the City website

Action: Recycling flyer to be posted to the City of Millersburg website.

I. COUNCIL MEMBER AND STAFF COMMENTS

- 1) Mayor Lepin noted there is an opening on the Budget Committee. The Council reviewed the two applications and discussed. Councilor McPhee wondered about the option of having only two Council members on the Budget Committee or none. City Manager, Kevin Kreitman, noted that as per the State requirements, Council members are required to be on the Committee and that there is one citizen per every Council member. Mayor Lepin spoke briefly about selecting a chair for Committee who is not a Council member and believes we should do more to engage the Committee members.

Action: **Motion to Select Travis Younger for the Budget Committee made by Scott Cowan; seconded by Councilor McPhee**

Mayor Lepin: Aye

Councilor Cowan: Aye

Councilor Harms: Aye

Councilor McPhee: Aye

Councilor Miller: Aye

- 2) Mr. Kreitman introduced Assistant City Manager/City Engineer, Janelle Booth, as presenter for the City administration project updates and noted the plan is to bring this update to the Council on a monthly basis and that this ties into the previously presented Gantt chart. Ms. Booth went over the staff report and highlighted specific projects/tasks.

Councilor Cowan noted that he appreciates staff's efforts to find missing accounts and the missed hydrant billing in particular. Mr. Kreitman noted the audit also includes verifying accounts against new construction to ensure citizens are being billed appropriately.

Mr. Kreitman also pointed out the draft budget calendar and highlighted the revised Utility Change Form which includes providing citizens information on billing, reimbursement programs and the upcoming celebration.

- 3) Councilor Miller asked about manhole inspections, which were included in the report. Mr. Kreitman noted this was something to address going forward.
- 4) Councilor Harms noted an issue with the slide installation and said he would follow up with staff later about it.
- 5) Council Cowan noted he'd met with ODOT regarding installing a barrier on Old Salem by I-5. ODOT may be interested in a joint effort with the City or the City and Linn County. ODOT doesn't have the funds to address the issue themselves because it is not related to a specific ongoing safety matter of a certain level. Mr. Kreitman asked if there was an estimate of costs to put as a placeholder in the 2018-2019 budget. Councilor Cowan thought an estimate would be provided in 1-2 weeks.
- 6) Mayor Lepin shared that he'd noticed people on Old Salem Road doing cleanup a few weeks ago and had the reader board updated to thank the crew doing the cleanup. He feels strongly that providing some sort of volunteer recognition for the good work citizens do around the City is important. He also noted appreciation for a citizen who has been cleaning up the City for years. Councilor Cowan cautioned that some folks don't want to be publicly identified so make sure to check with them first. It was

suggested that incorporating some kind of recognition into the celebration might be a good idea.

- 7) Mayor Lepin went over the report he provided to the Council on wetlands and the impact on residential and economic and said he will share more as things move along.
- 8) Ms. Booth gave an update on the Stormwater Master Plan Project. She shared that a lot of feedback has been received and provided to the project team. Councilor Cowan asked about an update on the Truax Creek Bridge Linn County is constructing. Ms. Booth said the project is on track for the road to be opened sometime this summer.
- 9) Councilor Miller asked about maintenance of sidewalks along Old Salem. Mayor Lepin said upkeep and maintenance of the sidewalks are the responsibility of Linn County.

J. CITY MANAGER'S REPORT

- 1) Refinancing of DEQ Wastewater Loan. Mr. Kreitman said he'd been contacted by Piper Jaffray regarding the possible refinancing of our DEQ wastewater loan. The firm believes they can take our rate from 5 ¼ to 2 ¼ percent by going to open market. He recommended the City move forward with discussions with Piper Jaffray. Council concurred with moving forward.
- 2) Recognition of Mayor Woods. Mr. Kreitman received quotes from three out-of-area vendors. A citizen asked if there were not local vendors who could provide quotes. Mr. Kreitman noted that to his knowledge, there was no one local who could do the type of casting. Council approved Mr. Kreitman moving forward with getting solid estimates to bring back to Council for review/approval.
- 3) Mr. Kreitman noted he'd been contacted by the City of Albany, Arts & Air Festival regarding sponsorship for \$2,500 as the City has provided in the past and that it will be included as an item for consideration in the upcoming proposed budget. Discussion followed regarding impact the Arts & Air Festival has on our city and reminders that Millersburg has its own celebration coming up the City should support. Council agreed to present the Arts & Air Festival sponsorship request on the budget as has been done in the past.

K. CITY ATTORNEY'S REPORT

- 1) Elections. City Attorney, Forrest Reid, gave a presentation on specific election provisions around what City staff can/cannot do with an election and specific requirements around staff participation and use of City Hall/City facilities. Mayor Lepin said he supports the idea of candidate forums and hopes Council will support them.

L. UNFINISHED BUSINESS

None

M. NEW BUSINESS

1) Participation in Oregon Savings Growth Plan

Mr. Kreitman reviewed staff report regarding City participation in the Oregon Savings Growth Plan noting that there are no costs to the City other than some minor reporting requirement.

Action: **Motion by Scott McPhee to Approve a Resolution for Millersburg to be Included in the State of Oregon Deferred Compensation Investment Program and Designating an Agent and an Alternate Agent and Accompanying Authority; seconded by Dave Harms.** Resolution 2018-9

Mayor Lepin: Aye
Councilor Cowan: Aye
Councilor Harms: Aye
Councilor McPhee: Aye
Councilor Miller: Aye

2) Signature Authority Ordinance & Resolution

Mr. Kreitman went over staff report regarding ordinance and resolution for update to City Charter regarding identification of authorized signers. He also noted ordinance and resolution would be effective as of May 10, 2018.

Action: **Motion made by Scott Cowan to Approve Ordinance #136 Repealing and Replacing Section 22 of the Millersburg City Charter; seconded by Scott McPhee.** Ordinance 136

Mayor Lepin: Aye
Councilor Cowan: Aye
Councilor Harms: Aye
Councilor McPhee: Aye
Councilor Miller: Aye

Action: **Motion made by Scott Cowan to Approve Resolution Authorizing Certain City Staff and City Officers to Sign All Drafts and Warrants upon the Funds of the City; seconded by Scott McPhee.** Resolution 2018-10

Mayor Lepin: Aye
Councilor Cowan: Aye
Councilor Harms: Aye
Councilor McPhee: Aye
Councilor Miller: Aye

3) Pavement Patching Resolution

Ms. Booth presented a staff report to approve a resolution to repeal Resolution 2017-20 to update fees for pavement patching.

Action: **Motion by Don Miller to Approve a Resolution Establishing Trench Backfill and Pavement Patching Standards and Fees Associated Herein; seconded by Dave Harms.** Resolution 2018-11

Mayor Lepin: Aye
Councilor Cowan: Aye
Councilor Harms: Aye
Councilor McPhee: Aye

Councilor Miller: Aye

4) South Ball Field Improvements

Mr. Kreitman spoke about the previous discussions related to the South Ball Field improvements and decisions late 2017 not to install Beaver Mix specifically. Ms. Booth went over staff report and shared information about the quote from Poe's Backhoe. Councilor McPhee noted that having the south ball field in the future is not certain so it was decided in late 2017 for the City do the work to get the field usable but to not invest a lot of money until the future of ball field is decided.

Action: **Motion by Scott Cowan to Approve a Contract with Poe's Backhoe for the South Ball Field Improvements Project; seconded by Don Miller.**

Mayor Lepin: Aye

Councilor Cowan: Aye

Councilor Harms: Aye

Councilor McPhee: Aye

Councilor Miller: Aye

5) Rate and SDC Study

Mr. Kreitman gave a brief introduction then passed over to Ms. Booth who went over staff report and proposal from Galardi Rothstein Group. She noted that one of the specific outcomes of the Rate and SDC Study will be the recommendation of new sewer rates and possible increases in other rates. After the motion was presented, citizen Dennis Gunner asked how the City can look at raising rates when the City doesn't know how much still is not being collected (related to billing audit). Mayor Lepin noted we need to know our costs and revenues overall.

Action: **Motion by Scott Cowan to Approve Scope, Requested Budget and Authority to the City Manager to Contract with Galardi Rothstein Group for the Rate and SDC Study; seconded by Don Miller.**

Mayor Lepin: Aye

Councilor Cowan: Aye

Councilor Harms: Aye

Councilor McPhee: Aye

Councilor Miller: Aye

6) Fire Service IGA

Mr. Kreitman went over the past work to transfer services through withdrawal from both fire districts and noted he was under the impression everything was completed. Under ORS 308.225, information must be sent to the State prior to doing any boundary changes. He recently discovered that had not been done. He and City Attorney Forrest Reid, have been working to get together a request for a Supervisory Order from the Department of Revenue to give the City additional time to file paperwork to have the tax adjustments effective July 1, 2018. If the Supervisory Order is not approved, residents will continue to be taxed by the Albany/Jefferson Rural Fire Protection Districts and Council will need to decide if the City holds off another year before implementing the new fire service program. There was lengthy discussion regarding tax revenues and rates, as well as special assessments.

After the motion was made and seconded, Mayor Lepin opened for comment. The following comments were made:

- Brian Carrera, 2913 NE Anthony Lane, shared that having career fire staff is positive and he supports it but a two person crew on a brush rig is a detriment. They will not be able to do anything but stand and watch the house burn. He noted that having only a two person crew also puts them at risk because they are trained to respond. He said the City should find the money or raise our taxes but find a way to have a three person crew. Mayor Lepin noted that there were several town hall meetings where citizens had the opportunity to comment and discuss this issue, so he is frustrated the last minute push back by citizens and the union, especially since there was comment in support from union leadership during a town hall. There was additional discussion around the future goal of the City of Millersburg to staff at three versus two; however, the current proposal based on costs and available funding is to start at two.
- Deb Keehn, 3254 Clearwater, asked about crew qualifications on the two person crew. Mr. Kreitman noted that both will most likely be paramedics and at least one would certainly be a paramedic. She also confirmed that the worst case scenario if the Supervisory Order is not approved is being covered by Jefferson Rural for one more year. Mr. Kreitman said yes, and the City will consider not moving forward with the change in fire service this year if the Supervisory Order is not approved because it would mean Albany and Jefferson Rural Fire Districts would levy their rates in addition to the \$3.50 the City is proposing to levy for service upon withdrawal from the districts.

There was further discussion with the Council and audience regarding past communications and discussions around this issue. Councilor McPhee noted that one of the things Council keeps hearing from the public is "don't raise my taxes." He said three person staffing is the way to go but we also have to stay within our finances. He also said that if citizens are willing to raise taxes, they might be able to get a safety levy on the ballot.

Councilor Cowan noted that if we pass the IGA, the City can apply for a Staffing for Adequate Fire & Emergency Response (SAFER) Grant. He said the City can't go anywhere without approving the IGA.

Action: **Motion by Scott Cowan to Approve Entering into an IGA with the City of Albany for Fire Protection and Life Safety Services, upon approval by the City of Albany's Council and Compliance with ORS 308.225; seconded by Don Miller.**

Mayor Lepin: Aye
Councilor Cowan: Aye
Councilor Harms: Aye
Councilor McPhee: Aye
Councilor Miller: Aye

N. CLOSING PUBLIC COMMENT

None

O. CLOSING COUNCIL COMMENT

- Tri-fold available at City Hall about working with DSL regarding wetlands.
- Mayor Lepin shared that there is now a Celebrate Millersburg Facebook page and encouraged folks to visit. He also noted the committee is looking for volunteers and praised the work the committee has accomplished so far.
- Mayor Lepin noted a need for an executive session of the Council for Thursday, April 12 for about 30 minutes.
- Councilor Cowan thanked staff for work being done. Councilor Miller concurred.
- Councilor McPhee mentioned that performing small projects on a time and materials contract can streamline the process and allow smaller contractors to bid. Mr. Kreitman noted we do have processes; however, we are bound to follow state contracting/procurement rules which dictates how the City gets quotes and contracts.

P. ADJOURNMENT

Meeting adjourned at 9:49 p.m.

Respectfully submitted:



Kimberly Wollenburg
City Recorder

Reviewed by:



Kevin Kreitman
City Manager

Upcoming Meetings:

April 17, 2018 @ 6:00 p.m. – Planning Commission Meeting & Public Hearing

These minutes are not final until approved by the City Council.