



City Council Work Session Minutes

January 23, 2018

4:00 p.m.

Agenda

A. CALL TO ORDER: Called to order at 4:00 p.m. by Mayor Lepin

B. ROLL CALL

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

Councilors Absent: Student Representative Bradley Johnston excused

Staff Present: Kevin Kreitman, City Manager; Kimberly Wollenburg, City Recorder; Janelle Booth, City Engineer; John Morgan, City Planner; Forrest Reid, City Attorney; Jake Gabell, Deputy Recorder/Clerk

C. PLEDGE OF ALLEGIANCE

D. PUBLIC COMMENTS OPEN
None

E. CITY MANAGER'S REPORT
None

F. UNFINISHED BUSINESS
1)

G. NEW BUSINESS

- 1) City Manager, Kevin Kreitman, introduced John Morgan of CPS Morgan, City Planner and mentioned Matt Straite, Planner, who works with Mr. Morgan. Their role is to revamp the land use code and process and provide training. Mr. Kreitman briefed that Mr. Morgan had met with the Planning Commission and discussed the process to update and that the Land Use Code is problematic with its current content. He noted three concurrent issues: Development, Comprehensive Plan and Ordinances.

Mr. Kreitman shared that the Code of Ordinances, the City of Millersburg's governing document had not been codified since 2014 and is not in the best format. One of the items to be addressed is renaming to Municipal Code and updating the code. There are several things that also need to be addressed at the same time: Charter, Land Use code, Development Code and Ordinances. Staff is working on which needs to be updated first as all are interconnected.

Mr. Morgan then spoke about the online code not matching the printed documents and the plan to address: systems, processes, database, and the lack of a filing system. He shared the reason these need focus is so the City can:

- Better service citizens, developers, business owners, etc.
- Help the City Council and Planning Commission make decisions for success by providing training
- Protect the City and reduce financial and risk liability
- Create efficiency

Mr. Morgan shared that Mr. Straite's working on a filing system – electronic and paper then will work backward to repopulate older information.

He noted there was discussion around determination to revise current code or create a new code from scratch and that the Planning Commission supported creating a new code from scratch. Mr. Morgan said that the City Council would play a key role in adopting amendments in the code that hadn't been adopted previously.

Mayor Lepin noted that when the City has a new code, staff will have to make sure everything done is handled right. He also noted the comprehensive plans are usually first but with the code needs, maybe revising in parallel is the way to go.

Councilor Cowan asked about how long records need to be retained. Mr. Morgan said that decisions have to be kept forever.

Mr. Morgan shared that one of the things being looked at is the City's integration with Linn County GIS and that needs to be built to make the queries the City needs and he will be setting up files to tie into the County GIS.

Councilor Cowan noted that as the City has been old schooling it for some time, he's looking for that whatever we do, we don't just put a band-aid on things.

Mr. Kreitman said there are no policies and procedures and this is something Mr. Morgan and Mr. Straite are working on so the City staff knows how to handle the planning and permitting. He also shared that they'd met with County regarding their electronic system so the City can have access to enter data into system instead of handling by hand. Mr. Morgan noted that is an investment that will help in the long run.

Councilor Harms asked who will be writing the staff report for the Planning Commission and who will be present. Mr. Morgan shared that he or Mr. Straite would write the staff report and attend the sessions with the idea to get everyone straight and on the same path.

Mr. Kreitman noted the options for Mr. Morgan's training is to attend two 4 hour sessions or one 8 hour session on a Saturday.

Councilor Cowan expressed a concern that he can't think of anything that came back to the Council from the Planning Commission. He noted that when the Planning Commission approves a variance, the Council doesn't often know about it until everything is done and the citizens are upset. He believes there need to be checks and balances until the Council is comfortable with the Planning Commission.

Mr. Kreitman said that things will be much different with Mr. Morgan and Mr. Straite overseeing the process.

Mayor Lepin told the Councilors that the Planning Commission was quite responsive to Mr. Morgan and that they are looking for guidance and a good code to work with.

Councilor McPhee also mentioned the need for checks and balances and more transparency. Councilor Cowan reminded everyone that it's the City Council who takes the heat of the Planning Commission decisions.

Mayor Lepin said that Council is now getting Planning Commission meeting minutes.

Discussion ensued regarding what happens with a call-up, what is the time period and suggestions there needed to be some sort of plan.

Mayor Lepin asked what happens when the Council notes something inappropriate.

Mr. Morgan said there is nothing in the code that allows the Council a call-up – there is no authority to do this. Having good code is the best defense. The Planning Commission drafts and recommends while the Council adopts. He strongly encourages participation in the training.

Mayor Lepin noted it would be good to have criteria for the selection of the Planning Commission members. Mr. Morgan agreed and said that is something to work on. He shared that other cities have allowed outside planners into the Commission but it's the Council's decision.

Councilor McPhee noted that even with training and processes, there still needs to be a call-up way to address the Council being brought into decisions being made. He said the appeal processes doesn't change and even if the Council gets the

minutes to see the decision, what if a Councilor doesn't approve of the decision? The Council needs to be able to stop and put on a hold period to discuss. Mr. Morgan confirmed that the code need to be updated to reflect what the City wants/needs.

Mrs. Lepin, member of the Planning Commission, noted there were two administrative decisions made which the Planning Commission never saw but those should come back to the Planning Commission. Mr. Morgan said it's about making the Council aware of what's going on. A discussion ensued about Zuhlke Lane as an example of why the Council needs the ability to call-up a decision made by the Planning Commission.

Councilor Harms said that three quarters of the Planning Commission appear to be happy to see what is going on but there is the one quarter that does have issues with the change. Mayor Lepin reconfirmed the Planning Commission meeting was pretty positive and he's received good feedback.

Councilor Cowan noted this is a "make or break time" as this time period is looked back from the future. Mr. Morgan asked if the City is ready to face what's coming and doesn't believe the City is prepared and that time to assimilate and repair is needed.

Several attendees expressed their pleasure at having Mr. Morgan.

- 2) Mayor Lepin shared with the Council a handout regarding some property discussions and where things are. In particular, he wanted to talk about the questions on page 3. The things discussed were:
 - i. Pacific Power substation. After discussion regarding the size Pacific Power wanted and other options, there was direction from the Council that Mayor Lepin was to go back to Pacific Power and let them know the size in their proposed area was prohibitive and that the City would like them to strongly consider the area near ATI. Councilor Cowan noted the area they want, for the size they want, is in a bad area, and Councilor Harms reminded the Councilors about push back from citizens. City Attorney, Forrest Reid, said Pacific Power did a study in the past that showed their proposed location is the best location. Councilor Harms thought the Arnold Road location was not preferred but doable and wondered if the City couldn't just say no. A lengthy discussion ensued regarding the proposed size of the substation and going back to Pacific Power to clarify size and discuss options. Councilor Cowan suggested Mayor Lepin, when he next met with Pacific Power staff, bring up the location on Arnold. Mayor Lepin agreed he would.
 - ii. Mayor Lepin brought up the idea to create a city-owned industrial park. Councilor Cowan suggested the City put out feelers for a partner and look for someone who knows the best options for an industrial park. Mayor Lepin asked if the City is on the right track conceptually and suggested a

future need for resources to help the City lay out the plan and someone to help with financial aspects and decisions. He noted he'd like to see the City address without going to the citizens for money and asked how we manage what we have effectively.

Mr. Kreitman suggested that Mr. Morgan has all of the experience and contacts to assist. Councilor Cowan said this is a pretty big decision and Council needed to make sure whatever is eventually decided is done the right way. He also indicated he was willing to explore the idea of finding the right person to help to determine path forward.

- 3) Janelle Booth, Assistant City Manager/City Engineer presented an update to the Stormwater Master Plan project. She noted the plan to bring forward a scope and contract soon for Council approval. She said everyone is aware that stormwater issues are a big concern. Mr. Kreitman shared the goal to bring material forward at the February 13, 2018 Council meeting.

H. CLOSING PUBLIC COMMENT

None

I. CLOSING MAYOR AND COUNCIL COMMENT

- 1) Mayor Lepin spoke about the subcommittee of the Parks Committee – the Annual Event Committee and the chair of that committee, Jenny Wolfenbarger. He noted she'd asked about attending an event planning conference in March in Seaside and if the City would be willing to send her.

Councilor Cowan said he totally supports this on some level but needs to know what they are approving. Mayor Lepin said approval would be for about \$500 for all expenses to attend and would give her tools and connections for the upcoming event and help her continue the role down the road. He said she didn't ask for travel but recommends reimbursing her. No one objected to the City expending funds to reimburse Mrs. Wolfenbarger from her attendance at the event planning conference.

- 2) Councilor Cowan shared that he appreciated the Parks Committee and all they do including all the work on the recent survey. There was some discussion about citizens noting they hadn't received a copy of the survey. Mr. Kreitman shared that going forward, there's a plan to put a sign up on website to collect email addresses so we can ensure all citizens are notified. He also said the survey was posted to the website.

J. WORK SESSION ADJOURNED: Mayor Lepin adjourned work session at 5:53 p.m.

Recess

K. EXECUTIVE SESSION: Council convenes into Executive Session to discuss Potential Litigation (ORS 192.660(2)(h)).

L. COUNCIL RECONVENES INTO PUBLIC WORK SESSION

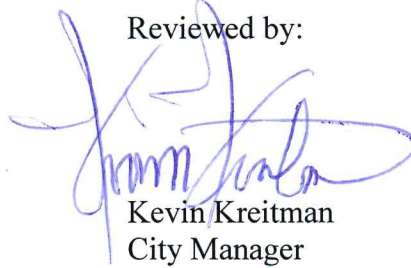
M. ADJOURNMENT: Adjourned at 6:20 p.m.

Respectfully submitted:

Reviewed by:



Kimberly Wollenburg
City Recorder



Kevin Kreitman
City Manager

Upcoming Meetings:

February 13, 2018 @ 6:30 p.m. – Council Meeting