

**CITY OF MILLERSBURG**

Executive Session

City Council Meeting

August 8, 2017

6:00pm

**COUNCILORS PRESENT:** Don Miller, Mayor Jim Lepin, Scott Cowan, Scott McPhee, Dave Harms  
**COUNCILORS ABSENT:** None  
**STAFF/OTHERS PRESENT:** Steven Hasson, City Manager; Sarah Cook, City Recorder; Forrest Reid, City Attorney; John Pascone and Floyd Collins of AMEDC; Roger Nyquist, Linn County Commissioner

Citing ORS 192.660(2)(e) Real Property Transactions, Mayor Lepin called the executive session to order at 6pm. The closed session concluded at 6:32pm, when Mr. Pascone, Collins and Nyquist were all excused. Mayor Lepin called the regular Council meeting to order at 6:35pm and Councilor Scott McPhee led in the flag salute.

**CONSENT AGENDA**

Councilor Miller moved to approve the consent agenda including the minutes of July 11, 2017 and the accounts payable. Councilor Cowan seconded. All in favor: Ayes – 5, Opposed – 0. **APPROVED.**

**GUEST PRESENTATIONS**

John Anderson introduced himself as CEO of Albany Boys & Girls Club and resident of Millersburg. He looked forward to future partnerships with the City and expressed interest in the new Parks Committee. Shawn Rubush addressed the return of the funds the City had previously provided to the JVO Baseball program for improvements to the Timber Ridge field, noting he was a board member at the Boys & Girls Club and a parent. He recalled the request for a \$1,000 contribution, to which the City kindly provided \$2,000; however, he found working with the schools to be more difficult than was anticipated and the bulk of the funds were unspent. Brief discussion took place on their use of the fields at Millersburg Park and noting, while the money belonged to the City and they could use it however they saw fit, he did hope the funds would be directed towards improving the City fields and felt the first priority should be the field drainage and soil type, then fencing, backstop, dug outs and a portable pitcher's mound. A check for \$1,800 was presented back to the City for the remaining funds that were not spent. A clarification was also made that the original contribution was to the JVO Baseball team and not the Boys & Girls Club.

Also present was Logan Hoffman from the TFA Soccer Club to discuss long term needs for the program. Mr. Hoffman explained the soccer club membership consisted of youth all over the valley and had grown significantly in the last year from 100 members to over 300 and pointed out roughly 80% of the players were from the Albany/Millersburg area. The club prided themselves on being a community based organization and they wanted to be part of a solution in serving the needs of the youth. He expressed his desire to start a dialogue with the City and work collectively toward the community's needs, noting the availability of various grants. Handouts were provided outlining a Millersburg Sports Park, which Mr. Hoffman explained was a wish list of sorts at that time, but a way to get communication started amongst them. Mayor Lepin noted the document was very well done and thanked him for

coming. Councilor McPhee confirmed with Mr. Hoffman that he did not need anything specific from the City at this time.

### **PUBLIC COMMENT**

Robin Wilson Whitney addressed the Council with questions on when the sewer line would be finished at the end of her subdivision in relation to Woods Road. The Mayor noted that item was scheduled on the agenda later in the meeting.

Scott Stimpson complimented everybody involved in organizing and planning for National Night Out. He was pleased to see about 250 people in attendance and thought it was a fun time for all.

### **LCSO REPORT**

Sergeant Klein provided a monthly summary of citations and enforcement activity in Millersburg and spoke on the Woods Road detour, which deputies spent more time focusing on. He noted 133 hours spent in Millersburg during the month of July. On a personal note, he indicated his family reunion was held at Millersburg Park and he heard nothing but compliments from his family about the park.

### **COUNCILOR COMMENTS**

Councilor McPhee questioned the status of the City's certificate of occupancy permits (C of O) and if they would be coordinated with Linn County's. City Manager, Steven Hasson explained the City was moving forward with it and looking at what items would be part of the consideration for issuing such a permit. He noted staff would be referring to the City's municipal code and relying on the City's land use regulations as opposed to building code inspection and yes, it would coordinate with Linn County's C of O.

Councilor McPhee also had questions for Steve Hasson regarding the 54<sup>th</sup> Ave easement, to which the City Manager provided an update, noting an agreement had been prepared and the property owner, Mindy Cordle was reviewing it, after which it would be recorded. At the end of the day the City would have a public easement providing the opportunity to access the property for inspections or repairs without worry of trespassing, in addition to a private easement that protected the owner, all of which had been confirmed with land use attorney, Wally Lien.

### **MAYOR COMMENTS**

Mayor Lepin also thanked everybody for their work and participation with National Night Out and offered special thanks to Connie Lepin and Donna Harrington. He continued his comments to announce the appointment of Councilor Harms and himself to the Cascades West Regional Consortium, which was part of COG. He was unsure where the committee was going but he was hopeful and thought Millersburg's participation was important.

Mayor Lepin also provided an update on the radar speed signs, pointing out the map in Councilor packets that indicated their approximate locations. It was noted that the entire project had been done thus far with no engineering costs involved and that Darrin Lane from the Linn County Road Department was working with the City and would be installing them. The locations included 2 on Old Salem Road, 1 on Millersburg Dr. and 1 on Alexander Lane, noting the importance in having the proximity an appropriate distance from homes and driveways. The Mayor pointed out \$28k of the cost would be paid from street SDC funds, which had been discussed and approved during the budget cycle.

Questions arose regarding maintenance of the signs and the costs associated, to which the Mayor explained the City would likely contract with Linn County Road Department; however, he felt there would be minimal maintenance needs. Councilor McPhee moved to approve the purchase of the 4 radar speed signs as proposed. Councilor Harms seconded. All in favor: Ayes – 5, Opposed – 0.

**APPROVED.**

Mayor Lepin continued his comments, moving on to discuss employee benefits, which he pointed out cost the City approximately \$94,000, as the City pays 100% benefits for its full time employees. He added that he values the staff immensely; however, he felt it was a topic that needed reviewed and discussed. Councilor Cowan agreed the model should be reviewed, noting it probably hadn't been in some time and the trend seemed to be moving toward employees picking up a portion of their premiums. He suggested looking at what other cities were doing, also pointing out the limited number of employees Millersburg had. City Recorder, Sarah Cook, spoke about the benefits of City County Insurance (CIS) and utilizing them for employee health plans in addition to the coverages the City already has with them for property/liability and work comp. She explained their efforts to advocate for the cities in Oregon and abilities to keep costs down by shopping for a pool, rather than individual employers. The Council directed Mrs. Cook to research that option and what other cities were doing in the way of sharing costs with their employees as well.

Last, Mayor Lepin commented on the strategic plan, noting he would update the plan to remove all the goals that had been completed. He planned to bring the latest version back to the Council for adoption in September and asked for input or edits from the City Council before that time.

**CITY MANAGER'S REPORT**

City Manager, Steven Hasson, noted one of the goals was to bring in an intern to shadow City employees and gain work experience. What came out of that conversation was the idea to have a student on the Council as a non-voting member, which he believed was generally supported at the time. Mr. Hasson thought doing so would add to a student's leadership abilities as well as their personal and professional abilities, not to mention the hope that other youth would then get involved. A similar program had been done at his previous place of employment where students served for one semester. He went on to say he'd met with the South Albany High School Assistant Principle, Nate Munez, who was very receptive, noting that Mr. Munez was also a resident of Millersburg.

Mayor Lepin provided some background, in that the subject came about at the first meeting the City Manager had attended upon being hired, then again during the review of the strategic plan; however, it had only been discussion and he felt there needed to be parameters and guidelines established before starting the program. Some of the Mayor's concerns included whether or not the student should be a resident to Millersburg and if they should be allowed to sit in on executive sessions. Councilor Cowan indicated support for the idea since the start and felt Mr. Hasson should be granted the leeway to pursue it. Whether or not certain guidelines needed to be captured in some form of document was neither here nor there; however, he did feel the student should be a resident of Millersburg. In regards to the concern about confidentiality of executive session topics, Councilor Cowan felt a conversation between the student and City Attorney could handle that. Councilor Miller agreed and thought the City should do all they could to get youth involved.

Councilor Harms expressed concern with a 17 year olds ability to sign a non-disclosure agreement, to which City Attorney Forrest Reid confirmed a minor could not do. He also cautioned the Council to steer clear of swearing in a minor, as the Charter required members of the City Council must be 21 years of age; therefore, this position should be called something other than “City Councilor”, but perhaps “student representative” instead. Attorney Reid was in support of the position but agreed some parameters should be set up. Councilor McPhee agreed as well and suggested perhaps the executive sessions be handled on a case by case basis. He also expressed some concern with the meetings going so late.

Mayor Lepin summarized all were in favor of a youth serving on the Council, but that there needed to be some form of written document outlining it. He asked Steven Hasson to move forward in talking with the high school staff to bring on a youth resident. Members of the audience agreed it was a great idea. Steve Hasson noted in addition to getting more youth involved, another benefit they experienced at his last job was less bickering and better behavior amongst the Council with young people present.

City Manager, Steven Hasson moved on to his next topic; the sale of 63 acre farmland. He spoke on the sufficiency of the City’s reserves, much of which were restricted, and the concern that one or two big ticket items could eat away at what was available. He noted the land brought in about \$14k in rental income annually and wondered if the Council would be interested in selling it. Mr. Hasson introduced Paul Terjeson to the Council, who had provided an extensive property analysis for the City to consider. The gentleman shared information about the property’s highest and best use, which both agreed was in fact farmland, though the property was zoned industrial. Mr. Terjeson believed the value of the property to be about half of a million dollars, which Steve Hasson pointed out would take the City until the year 2052 to make that kind of money off of it at the current rental rate. Discussion took place on the extensive road improvements that would be necessary to gain access to the property before it could be used for its zoned purpose. Paul Terjeson also spoke briefly on the water rights existing on the property, and the drainage tiles that were present, which improved the value. All agreed with the importance of maintaining the water rights and it was noted the current renter should be documenting the use of the water through photographs. Open discussion continued regarding the water rights and the point of diversion coming off the Willamette, before moving on to the access points and need for an easement should the City sell.

Councilor McPhee expressed interest in holding on to the property, noting the 30 feet of river frontage on the south side, and thought if the City was in the market to sell assets for instant cash, they should be considering property with the highest dollar value, namely the 150 acres across the street from City Hall. While the 63 acres may not hold much value or be of use to the City today, he wondered what the next 10 years would bring. Steve Hasson replied with an explanation that a second access point would be needed on the property, as was required of any development with a roadway of 700 feet, and he felt there were significant improvements needed and a lot of uncertainty surrounding the property. He agreed the City could hang on to the property; however, there was already lot of other industrial land available to compete with it. Councilor Cowan understood both points of view but thought there were still a lot of unknown questions and suggested the City keep the subject on their radar for now, as he didn’t see any pressing reason to sell at that point. Mayor Lepin summarized and all agreed to hold off for now.

## **CITY ENGINEER'S REPORT**

Janelle Booth provided a brief update on both the Storm Water Master Plan and the Lift Station Projects. The scope of work had been developed and RFP documents prepared for the master plan. In regards to the lift station, they were waiting on Pacific Power and then would run the bypass system to test it before demolition. Robert Wrightman from the audience expressed concern in that there were no construction signs in the work zone and Steve Hasson took a minute to explain his work on a right-of-way (ROW) permit that would address encroachment, access and any work in the ROW so the City was made aware of activity in the roadways.

## **UNFINISHED BUSINESS**

- Dog Park Petition

58 signatures had been collected from 52 addresses and City Manager, Steven Hasson thought it was a good idea to add to the list of projects for the new parks committee to work on. He thanked Scott Stimpson for collecting the signatures, which he believed signified a real interest in the community.

- Old Salem Lighting Upgrade

Mayor Lepin spoke on Old Salem Road being the gateway to the Millersburg community and the desire to replace the existing lighting with LED lights as well as add several more new lights to complete the roadway. The proposal had no impact on the area of the incoming Love's Truck Stop. The Mayor looked for the project to be completed before winter at a cost of \$65k, which had been included in the adopted budget. Councilor Cowan moved to accept the proposal as presented to which Councilor McPhee seconded. Discussion: Scott Cowan suggested replacing burned out lights with LED lighting rather than continuing to put in the old style. Mayor Lepin noted the cost would be about \$600 each. All agreed to move forward as replacements were necessary. All in favor: Ayes – 5, Opposed – 0.

**APPROVED.**

- Resolution 2017-18, adopting a merit based pay scale

City Recorder Sarah Cook recalled last month when the Council wished to have the policy set by resolution, to include language precluding automatic raises without first an evaluation from the City Manager and limiting merit increases to no more than one per year. Councilor McPhee agreed with the resolution, but still expressed concern over the salary scale regarding the amount of pay per position, noting it was the Council's job to be good stewards of the tax dollars. He offered comparisons on various salaries he researched from the City of Albany, noting the proposed scale for Millersburg went significantly higher over time. He thought staff should look at cities of similar size for salary matches and Councilor Dave Harms agreed; however, Mayor Lepin thought considerations should also include the local economy of cities surveyed, not just cities of like size.

The City Manager thought the Council was confusing the matters and offered an example for them to rely upon. He said, for instance, the City decided to hire an electrician and the job was posted with a salary range in mind of \$50-\$60k. He noted there were no steps at that point, but rather just what the market provided for that kind of work, how many people applied and the amount the City was able to secure them for. Once hired, the agreed upon salary becomes their step one and merit pay would go into effect after a year, but only if warranted. He commented that some employees may earn a merit increase every year and others may take several years, but either way, the earliest one could get through the full 10-step scale would be 10 years. Councilor Miller thought the merit increases were

critical. Councilor Cowan expressed some concern with the 3% merit increase coupled with the annual COLA increase but was prepared to approve it so long as they agreed to keep an eye on it. Responding to a question from Councilor McPhee, Forrest Reid indicated it all boiled down to Council's need to be good stewards of the taxpayer's money. Brief discussion took place on reviewing the pay scale again down the road before Councilor Cowan moved to approve the resolution and pay scale as presented with a sunset clause of 3 years to compare the market trends and salaries at that time. Councilor Miller seconded. All in favor: Ayes – 4, Opposed – 1(McPhee). **APPROVED.**

### **NEW BUSINESS**

- Determination to set public hearing for withdrawal from Jefferson & Albany Fire

Mayor Lepin provided background on the two town hall meetings that had taken place where options were presented in relation to the future of emergency services in Millersburg. He noted all the feedback had been positive and Councilor Cowan added moving on with formal public hearings was the natural process to further determine what the public wanted to do; therefore, he moved that the City go forward with scheduling a public hearing on September 12<sup>th</sup> at 7:30pm. Councilor Miller seconded. Discussion: Forrest Reid would prepare the notices for required publication. All in favor: Ayes – 5, Opposed – 0. **APPROVED.**

- Resolution 2017-15, establishing a Parks Committee

Steve Hasson thought this was a very important next step in the community's development. Mayor Lepin was concerned with limiting citizen membership to 3 and thought that should be the minimum. Council agreed to insert "minimum" of 3 members into the language. In regards to the specific tasks, Sarah Cook noted they were pulled directly from the City's strategic plan; however, all agreed a new bullet point should be added for other general park related tasks in the City and authorized Mrs. Cook to make that change. Councilor Cowan moved to approve Resolution 2017-15 with the agreed upon amendments. Councilor Miller seconded. All in favor: Ayes – 5, Opposed – 0. **APPROVED.**

- Resolution 2017-16, increasing the City Manager's spending authority

Councilor Cowan felt with the growth, changes and development happening, he did not want to hinder daily business by having to wait for a City Council meeting to approve some basic need and moved to approve Resolution 2017-16. Councilor Miller seconded. Discussion: Mayor Lepin shared his opposition to the idea, indicating Steven had set the limit himself, and added the delay in getting the park slide purchased was not due to the spending limit, but rather the City's multiple attempts to repair it first. All in favor: Ayes – 2, Opposed – 3 (McPhee, Lepin, Harms). **FAILED.**

- Resolution 2017-17, implementing credit card fees

Both Steve Hasson and Sarah Cook provided information on the new credit card payment option at City Hall and spoke to the merchant fees the City would be charged. A resolution was presented that would pass a 1% fee on to customers other than those paying utility bills. Councilor McPhee commented that he typically would avoid using a credit card for payment if he knew fees would be charged and thought it should be a service provided by the City. A woman from the audience shared her employer, the State of Oregon, had recently implemented customer fees because of the high costs that were associated with their merchant account. Brief discussion took place regarding staff's time in preparing bank deposits, trips to the bank and other things related to processing payments and Councilor Harms felt having more people use their credit cards would alleviate some of those tasks creating a wash with the

need for fees. In the end, Council agreed not to take any action on the resolution and to evaluate the costs to the City after a year and possibly implement them later.

- Love’s Truck Stop High Rise Sign

Steven Hasson said the plans for Love’s were all approved and picked up from the County; however, one aspect of the development was the need for a highway sign. The City’s ordinance required Council approval for signs higher than 35 feet and the proposal for the Love’s sign is roughly 120 feet, which allowed for it to be seen for half mile in each direction of I-5. The County had no further provisions and ODOT came up with a couple, which should be included in Council’s approval. Councilor McPhee moved to approve the signage request for Love’s as presented and to include the ODOT conditions. Councilor Miller seconded and read the ODOT conditions aloud. All in favor: Ayes – 5, Opposed – 0.

**APPROVED.**

- Woods Road Sewer Extension/Draft Reimbursement Agreement

City Engineer, Janelle Booth provided some background on the Lone Oaks subdivision, explaining the sewer line in Woods Road extends only so far northward because other subdivisions that would provide for its completion don’t yet exist; however since Woods Estates had been developed 1100 feet of sewer line has been extended southward on Woods Road from Millersburg Drive, now leaving only 375 feet of separation distance between the two sewer lines. She said there was an opportunity to complete that sewer connection gap now rather than tear up the road again later causing further public disruption, and it would also eliminate a connection they intended to be temporary anyway. Steve Hasson spoke briefly about the agreement in the Council packets and Councilor Miller moved to approve the agreement with Duke’s Construction. Councilor Cowan seconded. Discussion: Mr. Duke was present if anybody had questions for him. Robin Wilson Whitney clarified the timeline of events and wondered when sidewalks would be finished. The City Engineer offered some clarification on the developer’s responsibility and process of collecting road frontage fees. All in favor: Ayes – 5, Opposed – 0.

**APPROVED.**

**PUBLIC COMMENTS**

Mr. Duke thanked Council for the approval and noted the importance of the late comer’s language as well.

Connie Lepin commented that it was hard to hear the Councilors when there were side conversations going on.

**COUNCIL COMMENTS**

Don Miller mentioned the colors used on the reader board looked really good. He also thought the amount of paper and materials provided for the Council packets was excessive. There were mixed reviews from Council, as some liked all the reports and others didn’t have a preference.

With no further comments, the meeting adjourned at 9:35pm.

Respectfully submitted,

Sarah Cook  
City Recorder