

Minutes of the Special Millersburg City Council Meeting  
Tuesday, February 28, 2017  
6:30 P.M.

Meeting called to order:

Roll Call **Scott Cowen, Dave Harms, Jim Lepin, Scott McPhee and Don Miller** present

Pledge Allegiance

Agenda Changes and Additions – no changes

**Love's Development Agreement**

**Mayor Jim Lepin** noted that the Millersburg Planning Commission approved the Love's Truck Store. This approval action was appealed by ODOT that wished to intervene in the process to assure the Love's Corporation provided for certain improvements on Interstate 5's on and off ramps. To resolve this issue the City and Love's Corporation agreed to construct a development agreement where ODOT's transportation concerns will be addressed. The Mayor noted at the February 14 Council meeting the leadership directed him, the attorney and City manager to negotiate the provisions of this agreement and if they were successful in that effort to bring back the finished product for Council's ratification.

**City Manager Steve Hasson** qualified the agreement had been simplified since the February 14<sup>th</sup> meeting but still included a version of the late comer's agreement but only as a concept to be used in the event the Council chooses to employ this crediting provision at some future date.

Steve said he had constructed a document for Council's signature in the event that the leadership endorsed the agreement and this would be sent to ODOT and hopefully upon receipt, they would rescind their appeal.

**Councilor Don Miller** made a motion to approve the signed development agreement and seconded by **Councilor Scott Cowan** – the motion was approved unanimously.

**ESCI Report on phases 1 and 3**

ESCI representatives **Jack Snook and Joe Parrott** have constructed a document that reflects their analysis of Millersburg's fire and emergency service options and noting that the City is served by two fire districts, Jefferson Rural Fire Protection District which is of a voluntary construction and services rural areas of Linn County and Albany Rural Fire Protection District which is urban in nature and features a full time career staff.

The ESCI representatives provided a power point narrative that provides a comparison/contrast between the two districts and as well as offers options for the Council to consider. Council asked these gentlemen a number of questions about costs, response time, resources, statutes, emergency medical events, equipment, fire dynamics and overall service delivery concerns.

The representatives went through a menu of fire related options advising of each one's strengths, weaknesses, affiliated costs and structural impediments. Among the options they suggested was one dealing with development of an enhanced service agreement. They suggested that Millersburg negotiate a contractual arrangement with one or both fire agencies to provide a higher level of service. The contract would have specific requirements and performance measures that Council could rely upon to ensure it is receiving value for its investment. They also advised that the best place to relocate the fire station if it were to be considered for relocation would be in proximity to City Hall.

A discussion followed about initiating a community survey as a next step in the process to gain public perspective. The fire representatives suggested the survey would be comprised of 25 or 30 questions that could be distributed to the public by a number of solicitation methods.

Council felt that initiating a survey as a next step would be premature. Council determined as a next step that two of its members ought to work with the fire chiefs and the City attorney to explore various options and associated costs and come back and present their findings in a work session. Councilor's **Dave Harms and Scott Cowen** agreed to work on this effort.

### **Master Sewer Plan**

**Mayor Lepin** advised that the master sewer plan product was completed late last year, but no action was taken to adopt it at that time to afford new council members and the city manager the opportunity to get up to speed on its contents. He said that **Janelle Booth**, the City's engineer, was present this evening to provide information about the plan and hopefully when she is finished we can adopt this document.

Janelle who works for CH2MHill introduced two other members of the firm **Mark Anderson and Matt Steiner** who were available to assist with the presentation and answer technical questions. Janelle proceeded to provide information relying upon a power point presentation as well as document entitled *City of Millersburg Sanitary Sewer System Master Plan*.

She proceeded to explain how the system operated, status of the facilities and long term system needs and method of determining future needs. She advised that the sanitary sewer system had only two deficiencies and those related to lift stations that were in the process of being replaced with upgraded systems. She said overall this is a relatively new sanitary sewer system and it is in good condition.

After hearing the presentation **Councilor Don Miller** made a motion to approve the Sanitary Sewer System Master Plan constructed by CH2MHill and Seconded by **Councilor Scott Cowen**; in turn, the Council unanimously approved this plan.

### **Water System Overview**

**Janelle Booth** also provided an overview of how the City of Millersburg water system operates and noted the City's current water plan which provides for Millersburg's water development was adopted in 1999 is now a dated document that does not reflect on the current growth and development and thus

needs to be updated to be functional and also to meet certain state driven statutory requirements. She said a ball park estimate of what the plan update will cost is estimated to be \$40-\$45K.

She noted one area of concern is a section of water pipe located along Old Salem Road constructed of a material known as Transite which is an asbestos concrete material that becomes brittle and vulnerable to breakage as it gets older and will need to be replaced at some point in time. Janelle said we do not have construction drawings from the time period when this Transite waterline was installed so we only have an approximate understanding of its location. She said there were plans to evaluate the condition and location of this pipe.

She inquired whether the City Council was receptive to starting this water plan review. **Mayor Lepin** interjected stating before Council considers this need, Janelle should provide Council an overview of a discussion that occurred earlier in the day regarding storm water management.

**Mayor Lepin** said in his mind there is a need to evaluate storm water management concerns more so than a water study, although he considered both important. Janelle advised she and other CH2MHill representatives had discussions earlier in the day with the mayor and the City manager about the need for construction of a storm water master plan as well as a required storm water management plan. She noted these are different plans serving related purposes. She distinguished that a storm water management plan is a document the City will need to construct in the near future to satisfy new water quality regulatory requirements.

She said a storm water master plan, on the other hand, is a guiding document that describes the existing storm water conditions of Millersburg that would delineate the City's storm water drainage basins, topography that directs water flows, soils that influence permeability, system deficiencies and the type of projects needed to address these deficiencies. The plan would also document wetlands, flood plains and anything else related to storm water. The plan would also identify where growth and development will occur and how storm water flows from the associated impervious surfaces will be attended. She said the plan would take 12 to 18 months to construct.

Janelle noted that the regulatory clock has started with respect to the need to construct a storm water management plan.

The Council asked Janelle to come up with numbers reflecting what these storm water pursuits would cost and noting that the City was about to start the annual budget process and this need should be addressed as this time.

### **Electrical Utility Franchise Agreement Extension**

**Mayor Lepin** noted that earlier in the week the City was approached by Pacific Power, our electric utility provider, about a new franchise agreement and noting that the old one that has been in place for 20 years is about to expire on March 11. He noted that a franchise agreement takes some time to construct and the old franchise agreement is about to expire thus, the electrical utility is seeking an approximate

90 days extension of the existing franchise; so the question for council: are you receptive to a 90 day franchise extension while the parties negotiate a new contract?

**Councilor Scott Cowan** made a motion to provide for this extension and seconded by **Councilor Dave Harms**. Council unanimously agreed to this short term extension.

**Public comments:**

**Craig Ziegenhagel** provided literature he had constructed on the need for leash laws and the viability of dog parks.

Adjournment 8:54 P.M.