

**MILLERSBURG CITY COUNCIL  
MARCH 8, 2016**

PRESENT: Mayor Clayton Wood, Councilors Darrin Lane, Jim Lepin, Lisa Metz-Dittmer, City Attorney Forrest Reid, City Engineer Janelle Booth, City Planner Don Driscoll, City Administrator/Recorder Barbara Castillo

The Millersburg City Council was called to order at 7:30 p.m. by Mayor Clayton Wood. The Pledge of Allegiance was said.

**MINUTES OF FEBRUARY 9, 2016**

*Jim Lepin moved, seconded by Lisa Metz-Dittmer to approve the minutes of February 9, 2016.* Darrin Lane requested that the word agree be changed to the word allow under Street Lighting so the sentence will read, "Lane said that Linn County would allow street lights where ever the city would like them along Old Salem Road." The motion passed unanimously with those changes.

**SEWER FACILITY MASTER PLAN**

Janelle Booth reported the flow monitoring has been completed, and all the equipment has been removed. They did not end up calibrating the rain gauge at the Morningstar Lift Station. Instead, they will use the rain gauge data from two other locations in Albany to compare to the rain gauge at the Waste Water Treatment Plant.

Staff is working on getting a grant for \$20,000 from the Business Oregon Infrastructure Finance Authority to help pay for the Sanitary Sewer Facility Master Plan.

**SANITARY SEWER LIFT STATIONS**

Janelle Booth reported she has received information from Albany regarding the existing lift stations including the nature of the maintenance issues. According to Albany, the Morningstar Lift Station is the highest priority of being updated. Booth said there is quite a lead time on getting the pumps from the manufacturer so they need to be ordered very soon in order to have them here for summer of 2016 construction. However, the Sewer Master Plan isn't quite far enough along to know all the details in ordering the pumps. They are aiming to construct one or both lift station upgrades this summer 2016.

**OLD SALEM ROAD BRIDGE**

Janelle Booth reported they have confirmed the 8" water line is active where the Truax Creek Bridge will be replaced on Old Salem Road. The 8" AC line will need to be cut and capped at each end of the bridge work area and a new tie-in between the 8" AC pipe and 20" DI pipe will need to be constructed on the north side of the bridge and the first industry that is fed off of the 8" pipe. All work needs to be completed by July 2016 ahead of the County's construction schedule. Staff will get three quotes and not have to go through the entire bid process.

**ALEXANDER LANE CROSSWALK**

Janelle Booth reported that the technical design is completed for the proposed crosswalk on Alexander Lane adjacent to the Millersburg City Park. A decision needs to be made how to contract and perform the work. There are two options. Option 1 is to hire a General Contractor and Option 2 is for the City to be the General Contractor with CH2M as the Construction Manager.

Booth said they recommend Option 1 as then there will be only one contract for the city to administer, one set of documents and front-ends to put together, get three quotes one time, one contractor is responsible for

all work and management of subs, and one contractor for the city to pay which is less paperwork on the city's end.

Darrin Lane said that Option 1 makes sense. The council directed Janelle Booth to come back next month with a whole package for this project.

### **PROPOSED CHARTER CHANGE**

The Millersburg City Council received a Proposed Charter Change at the last City Council meeting. Changes proposed were term limits and residency requirements for the City Council, voting of mayor by the citizens, and term limits on all city committees.

City Attorney Forrest Reid said he has done some research and there are two other cities in Oregon that have term limits for their city council. They are Oak Ridge and Baker City. Reid spoke with the City Manager of Oakridge who told him that term limits were voted on in 2012 and their city charter was amended. Since that time, they can't get enough people to run for the council, so this issue will be put back on the May 2016 ballot to vote the term limits back in. Term limits have not been beneficial to Oakridge.

Millersburg City Councilor Lisa Metz-Dittmer said she doesn't see the benefits of having term limits. Qualified citizens can run for city council and be voted on by the public. Everyone has that equal opportunity. If the citizens want a change in the council, they can vote for that change at election time. She did see a benefit on the council maintaining their permanent residence in Millersburg.

Jim Lepin said the last council election was when the public was the most upset with the council. There were two available positions and three people ran. The incumbent, Scott Cowan received the most votes and he was running for about his fourth term. Our voters selected who they thought was the best candidate and they voted for him at the ballot box.

Lepin said electing the mayor has merit, but we've only heard the request from 2 people. If the citizens want to change the process, we should hear from them. If no one ran for mayor, the city council would appoint them. It makes sense to hear what people's opinions are.

Darrin Lane said he agrees with Jim Lepin. He was a supporter of term limits in selected states. Several legislators were term limited out. Lane said there is a certain amount of expertise they develop when they are on the job for a long time. When people have been there and term limited out, the institutional knowledge resides in the staff members that don't go away instead of with the people we vote for. If people don't want us here, then don't vote for us. Lane said the forum we have here has served the city well, and it doesn't make sense to mess with it. Lane said he is not in favor of changing the way the mayor is elected among the council. He would like to clear up the residency issue. He is in favor of appointing a committee to go through the city charter to clean it up.

Clayton Wood said this fall there will be three open positions and a chance to change the majority of the council. Mayor Wood said he is not running again, and he doesn't see the need to make the change now.

Don Miller said the reason they brought this up was that several people have said they would like to see those changes made. However, he said he called several people to get them to come to the meeting but they were too busy. Miller said it is obvious it is not the thing to do.

Barbara Castillo said she would like to get the definition of the words "resided" and "continuously" clarified because prospective candidates for city council for the election in November must have resided in Millersburg continuously during the 12 months immediately preceding the election.

Mayor Wood appointed Darrin Lane Chairman of the committee to review the city charter and make neutral changes.

**STREET LIGHTING**

Barbara Castillo reported that Doris Johnston has provided some information regarding upgrading street lights to LED. Jim Lepin said the Strategic Planning Committee will most likely come back with a recommendation for a lighting plan for the city. The issue was tabled.

**FEBRUARY 2016 LINN COUNTY SHERIFF’S REPORT**

Sergeant Greg Klein presented the February 2016 Linn County Sheriff’s report to the city council. There were 4 traffic citations, 12 traffic warnings, 28 complaints investigated and 5 traffic hours for a total number of hours spent in Millersburg of 118.

**HOLD HARMLESS CLAUSE**

*Darrin Lane moved, seconded by Lisa Metz-Dittmer to amend the lease and approve a Hold-Harmless and Release for the Planting of Perennial Grasses for Creekside Valley Farms, LLC.* The motion passed unanimously.

**FAMILY TREE RELIEF NURSERY**

Marie Jennings, Director of Development for the Family Tree Relief Nursery explained that her organization helps to keep kids out of foster homes. They are a child abuse protecting agency for children under the age of six. They focus on families that have the greatest risk of abusing their children who don’t know how to be good parents. They teach parenting skills and build on what things are being done right. It costs \$6,000 per child per year for their services, \$28,000 per child per year to pay for them in the foster care system and \$79,000 a year if the child goes into the juvenile justice system. 98% of the children of parents they work with stay safe and out of foster care. Jennings said they just wanted to let us know they were here and they would like to set up a barrel for diapers to be dropped off here at city hall.

**CITY ADMINISTRATOR/RECORDER CONTRACT**

City Administrator/Recorder Barbara Castillo presented a Temporary Employment Contract to the city council. Castillo said she would like to retire effective July 1, 2016 from the Public Employees Retirement System (PERS) and remain working in her same position with the City of Millersburg until June 30, 2017 receiving the same salary and benefits she is currently receiving except payment to PERS. The payment of rent paid for the house at 3924 Old Salem Road NE will remain the same until at least 07/01/2019.

It was the consensus of the council that this was a “win-win” situation for the City of Millersburg and they appreciated having a year’s notice to find a replacement. The council will start the discussion and evaluation of what they are looking for at the July 2016 council meeting.

*Darrin Lane moved, seconded by Lisa Metz-Dittmer to approve the contract as submitted and proposed by Barbara Castillo.* The motion passed unanimously.

**RESOLUTION TO PARTICIPATE IN PERS UNUSED SICK LEAVE PROGRAM**

*Darrin Lane moved, seconded by Jim Lepin to approve Resolution No. 2016-2 to participate in the PERS Unused Sick Leave Program.* The motion passed unanimously.

**PERMITTING PROCESS FOR NEW DEVELOPMENTS**

Janelle Booth explained that the city is currently in the process of updating the IGA’s with Albany regarding the Water Distribution System Maintenance Services and the Jointly Owned Water Facility. Part of the water IGA includes a change to the way permitting of projects had been handled in the past. This change will separate Millersburg from Albany’s SI (System Improvements) permitting process. This means that both City designed projects and those designed by others (developers) will no longer be required to submit plans, pay fees, and be reviewed by the City of Albany. Millersburg will need to

develop our own permitting process, including more documentation, a fee structure, and clear steps for developers. Millersburg would then collect the fees that have previously been paid to Albany. Millersburg will also be responsible for more paperwork, review time, and construction oversight. The permit fees will need to cover the costs associated with this increased work. By the time both the Water and Sewer IGA's are reviewed and approved, an appropriate fee schedule should be adopted.

### **READER BOARD**

Jim Lepin reported that during the Strategic planning process, they have had requests for an electronic Reader Board to be placed at the intersection of Old Salem and Conser Road. Lepin said if the city put \$25,000 in the budget, it would be more than adequate to pay for all of the costs associated with installing the sign.

Darrin Lane said it makes sense to put it in the budget, but not commit to it at this time.

### **BILLS OF THE CITY**

*Jim Lepin moved, seconded by Lisa Metz-Dittmer to approve the bills of the City.* The motion passed unanimously.

### **AUDIT REPORT**

The council received the Audit Report for 2014-15. Dick Perdue of Koontz, Perdue, Blasquez & Co. P.C. told the council it was their job to review the city's finances and stewardship of city staff. Perdue said the city had a clean audit. Perdue explained there were a few issues they noted in a letter to the council that were kind of "nit-picky", but the council is part of the checks and balances.

### **RESOLUTION NO. 2016-3**

*Lisa Metz-Dittmer moved, seconded by Darrin Lane to approve Resolution No. 2016-3 which in accordance with ORS 297.466 (2) the City Council hereby adopts the following plan of action in response to the items noted in the letter to the City dated February 16, 2016 from Koontz/ Perdue, and Blasquez & Co. P.C., the City's auditors.*

The motion passed unanimously.

### **CONSER'S**

Forrest Reid reported that Conser's did not appeal LUBA's decision. They can submit a revised plan or not do anything. The deadline is July 18, 2016.

### **MISCELLANEOUS BUSINESS**

- Darrin Lane reported that in the last month, he has attended two MPO meetings, a Strategic Planning meeting and a Cascade West Council of Government Transportation meeting. He has also replaced Doris Johnston as Linn County's representative on the Executive Board of COG's Transportation Committee.
- Clayton Wood will be honored at the Albany Area Chamber of Commerce Distinguished Service Awards Banquet for his long time service to the community.

The meeting adjourned at 9:17 p.m.

Respectfully submitted,

Barbara Castillo  
City Administrator/Recorder