

**MILLERSBURG CITY COUNCIL  
JANUARY 12, 2016**

PRESENT: Councilor's Lisa Metz-Dittmer, Darrin Lane, Jim Lepin, Scott Cowan, Mayor Clayton Wood, City Planner Don Driscoll, City Engineer Janelle Booth, City Attorney Forrest Reid, 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 DECEMBER 8, 2015**

*Scott Cowan moved, seconded by Lisa Metz-Dittmer to approve the minutes of December 8, 2015 as written and sent out.*

**SIDEWALK ORDINANCE**

*Scott Cowan moved, seconded by Jim Lepin to adopt Ordinance 118 which is AN ORDINANCE REGARDING CITY SIDEWALKS.* The motion passed unanimously.

**STRATEGIC PLAN UPDATE**

Jim Lepin informed the council that members of the start-up Strategic Planning Committee are Dennis Gunner, Gary Keehne, Pat Edwards, Scott Cowan and himself. Their first meeting was January 5, 2016. They prepared a survey that was mailed out to citizens of Millersburg last week, and they have already been receiving feedback from the survey. Lepin provided the council with a summary of that feedback. The committee plans to meet the first and third Tuesdays of each month starting February 2<sup>nd</sup> at city hall at 6:30 p.m. until done with the process. There will be a lunch meeting February 11, 2016 for members of the industrial and commercial community that are interested.

**CONSER'S LUBA APPEAL UPDATE**

The State Land Use Board of Appeals will make a decision by January 28, 2016 regarding Conser's appeal of the City's decision to deny their request for a Planned Development containing less than 10,000 sf lots.

**MASTER SEWER PLAN**

Janelle Booth said the contract for the Master Sewer Plan needs to be signed. Flow monitoring is going on, and they are getting started on the scope of the lift station upgrades. They should have that information at the next meeting.

## **CROSSWALK ON ALEXANDER LANE**

Janelle Booth said the preliminary design for the crosswalk on Alexander Lane still needs final QC review, and asked if the council wants to wait until the plans are wrapped up before the project goes out for bid. It was the consensus of the council they move forward at the February meeting when the final design is completed.

## **FRANCHISE AGREEMENT WITH ASTOUND BROADBAND, LLC**

*Scott Cowan moved, seconded by Jim Lepin to approve Ordinance 119 which is an ORDINANCE GRANTING A FRANCHISE TO ASTOUND BROADBAND, LLC DBA WAVE, A WASHINGTON LIMITED LIABILITY COMPANY, TO CONDUCT A GENERAL TELECOMMUNICATIONS BUSINESS AND GRANTING A RIGHT TO USE PUBLIC TELECOMMUNICATIONS BUSINESS AND GRANTING A RIGHT TO USE PUBLIC RIGHTS OF WAY WITHIN THE CITY.* The motion passed unanimously.

## **BUDGET COMMITTEE APPOINTMENT**

The city received applications from three citizens interested in filling the vacancy on the Millersburg Budget Committee left when Kreston Koziak moved away. Applications received were from Barry Holsworth, Craig Ziegenhagel and Scott McPhee. Jim Lepin declared a conflict of interest and said he would not vote on this issue because Scott McPhee is his stepson.

*Scott Cowan moved, seconded by Lisa Metz-Dittmer to accept the application from Craig Ziegenhagel and appoint him to serve on the Millersburg Budget Committee.*

The council acknowledged both other applicants for their willingness to serve.

## **SKYLAR BAILEY**

City Attorney Forrest Reid told the council that Skylar Bailey has been a resident of Millersburg for several years and serves on the Planning Commission and Budget Committee. There are no written rules in any city ordinances or the City Charter stating residency requirements for serving on this committee. Reid said that Bailey has recently sold his house and will be moving into Albany for a short time while his new house is being built on property he owns on 54<sup>th</sup> Avenue. Reid said he doesn't see this as an issue, but wanted to make sure the council is aware of the situation so if asked, they can explain the situation.

It was the consensus of the council to check on Skylar Bailey's residency status in six months, and in the meantime, he can continue to serve on both the Planning Commission and Budget Committee.

## **DECEMBER 2015 LINN COUNTY SHERIFF'S REPORT**

Linn County Sergeant Greg Klein reviewed the December 2015 Linn County Sheriff's Report. There were 37 complaints/incidents investigated, 6 traffic citations, 5 traffic warnings, 3 traffic crashes, and a total of 113.75 hours spent in Millersburg. There will be a Crime Prevention Forum at the Millersburg City Hall on January 14, 2016 at 6:30 p.m.

## **PROPOSAL TO INCREASE MILLERSBURG'S LAW ENFORCEMENT CONTRACT WITH LINN COUNTY SHERIFF'S OFFICE**

Jim Lepin presented a proposal to the Millersburg City Council to increase the current law enforcement contract. Lepin said the current law enforcement contract was initiated when Millersburg had 700 plus residents and the 101 hours contracted per month have not changed since then. The population of Millersburg is now close to 1700 and new housing growth has brought increased crime such as the string of seven unauthorized vehicle entries last summer. Lepin said he has heard many comments from residents suggesting that we need more law enforcement coverage.

Lepin requested the City Council to agree to seek a proposal from the Sheriff's office that would double the monthly law enforcement coverage and estimated the increased cost to be around \$100,000. Lepin said the council needs to receive this proposal and act upon it during the February council meeting in order to support both the city and the county budgeting processes. Approval of an increased contract would take effect July 1, 2016.

Darrin Lane said he wouldn't have a problem looking at a proposal but couldn't promise that it would be accepted. Currently we have 70% of one deputy's time, and suggested bringing it up to 100% of one deputy's time.

Scott Cowan said he has a hard time with doubling the hours.

Citizen Craig Ziegenhagel asked if there was a crime wave we aren't aware of? Lepin told him the impact is on the number of requests for services from the increased residents. Ziegenhagel said that if the city didn't have a contract and a crime occurs, we would still be covered. He said that two deputies would be bored.

It was the consensus of the council to request a proposal for 1 – 1.25 FTE's and if other options were listed, they would look at those as well.

## **REPRESENTATIVES TO THE CASCADE WEST AREA COMMISSION ON TRANSPORTATION**

*Lisa Metz-Dittmer moved, seconded by Jim Lepin to re-appoint Darrin Lane as Millersburg's representative and Scott Cowan as Millersburg's alternate representative to the Cascade West Area Commission on Transportation. The motion passed.*

## **MILLERSBURG'S REPRESENTATIVE TO AMEDC**

As a member of the Albany Millersburg Economic Development Corporation, Millersburg is entitled to two representatives on the Board of Directors. The Mayor is automatically on the Board of Directors. Mayor Wood has been attending most meetings for several years. Al Sullivan has been Millersburg's second representative for many years, but he rarely attends meetings because of his travels. Mayor Wood asked the council if anyone would like to be the second representative to AMEDC. Lisa Metz-Dittmer was interested but has a conflict on Wednesday mornings. No one else stepped forward and Mayor Wood asked them to keep it in the back of their minds.

## **AUROCO'S UTILITY NEEDS REPORT**

Janelle Booth said that Arauco/Flakeboard has hired the firm of Kennedy Jenks to look at their water and sewer needs. They have previously had an agreement with IP for their process water and process water discharge. That relationship is ending June 30, 2016. There was a meeting at city hall with representatives of the City of Albany, City of Millersburg, Arauco, and Kennedy Jenks. They are looking for a way to discharge their process water, repurpose their fire water for process water and connect to the city's water main. There will be some wastewater but considerably less than their request to discharge it into the city sewer system a year ago.

## **PLANNING ASSISTANCE GRANT**

Barbara Castillo reported she applied for and received a grant for \$1,000 for Planning Assistance from the State of Oregon.

## **BASKETBALL HOOPS**

Barbara Castillo reported that letters were sent to the three property owners that have permanent basketball hoops placed in the city's right of way in front of their homes requesting them to remove them. Castillo has received calls from all three of the property owners asking to be "grandfathered in" since they were placed many years ago. One property owner said his son plays basketball on a daily basis and asked if the city was going to replace the permanent hoop with a portable one because they can't afford to replace it.

Darrin Lane said it is important to note that the hoops are not on their property. It is never legal to place things in public property without first obtaining a permit. The City Council discussed this issue for a long time and even thought about having a process in place to get a permit but decided against it. Lisa Metz-Dittmer commented that there is a liability when someone parks in front of the hoops and the kids still want to play basketball. There is also a liability to having the kids play in the streets.

Nathan Robbins was present at the meeting and said he purchased his home on a cul-de-sac so there wouldn't be vehicles going fast. His hoop is placed in the beauty strip between two properties and there is no room to park a vehicle there. His pole is removable and could be moved to accommodate utility work that might need to be done in that area. Robbins said according to the letter he received, he has ten days to remove the hoop.

Most of the council indicated they had no problem with giving the property owners more time.

*Clayton Wood moved, seconded by Scott Cowan to give the property owners an additional six months to get the poles removed.* The motion passed with Jim Lepin voting against the motion.

### **REMINDER**

Forrest Reid reminded the council they will be reviewing the SDC 309 Capital Improvement list at the February 9<sup>th</sup> meeting.

### **TANK FARM**

Scott Cowan reported he met with a representative from Kinder Morgan regarding them cleaning up the tank farm. He is still pursuing what can be done.

### **BILLS OF THE CITY**

*Darrin Lane moved, seconded by Jim Lepin to approve the bills of the city.* The motion passed unanimously.

The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Barbara Castillo  
City Administrator/Recorder

