



Approved at the February 9, 2021 City Council Meeting

CITY COUNCIL MEETING & EXECUTIVE SESSION

Electronic Meeting

January 12, 2021 @ 4:00 p.m.

- A. CALL TO ORDER Regular meeting called to order by Mayor Lepin at 4:01 p.m.
- B. ROLL CALL
Councillors Present: Mayor Jim Lepin, Councilor Scott Cowan, Councilor Elects, Dave Harms, Scott McPhee, John Sullivan
Councillors Absent: None
Staff Present: Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; Forrest Reid, City Attorney; Kimberly Wollenburg, City Recorder
- C. SWEARING IN OF COUNCILORS HARMS, MCPHEE, AND SULLIVAN
City Attorney Forrest Reid provided the Oath of Office and swearing in, for Councilor Elects Dave Harms, Scott McPhee, and Councilor John Sullivan.
- D. ADJOURN TO EXECUTIVE SESSION, AUTHORIZED AND IDENTIFIED IN THE OREGON REVISED STATUTES BELOW:

ORS 192.660(2)(e): Conduct deliberations with persons designated by the governing body to negotiate real property transactions.

ORS 192.660(2)(h): Consultation with legal counsel regarding the legal rights and duties of a public body with regard to current litigation or litigation to be filed.

Mayor Lepin adjourned the regular meeting and entered Executive Session at 4:04 p.m.

The executive session concluded at 5:06 p.m., the City Council reconvened into regular session at 6:35 p.m.

RETURN TO REGULAR MONTHLY MEETING @ 6:30 P.M.

- A. CALL TO ORDER Regular meeting called to order by Mayor Lepin at 6:35 p.m.
- B. ROLL CALL
Councillors Present: Mayor Jim Lepin, Councilors Scott Cowan, Dave Harms, Scott McPhee, John Sullivan
Councillors Absent: None
Staff Present: Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; Forrest Reid, City Attorney; Kimberly Wollenburg, City Recorder
Presenters: Linn County Sheriff Lieutenant Brandon Fountain

Albany Fire Department – Fire Chief Shane Wooten

C. VOTE FOR MAYOR; VOTE FOR COUNCIL PRESIDENT

- 1) Councilor Cowan nominated Councilor Lepin for the position of Mayor for the next two years.

Action: **City Council voted to Elect Councilor Jim Lepin as Mayor for the City of Millersburg for a new 2-year term.**

Councilor Jim Lepin: Aye

Councilor Scott Cowan: Aye

Councilor Dave Harms: Aye

Councilor Scott McPhee: Aye

Councilor John Sullivan: Aye

PASSED: 5/0

- 2) Councilor McPhee nominated Councilor Cowan for the position of Council President for the next two years.

Action: **City Council voted to Elect Councilor Scott Cowan as Council President for a new 2-year term.**

Mayor Jim Lepin: Aye

Councilor Scott Cowan: Aye

Councilor Dave Harms: Aye

Councilor Scott McPhee: Aye

Councilor Scott Sullivan: Aye

PASSED: 5/0

D. CHANGES AND ADDITIONS TO THE AGENDA

None

E. CONSENT AGENDA

- 1) Approval of December 8, 2020 City Council Meeting Minutes
- 2) Approval of December 22, 2020 City Council Work Session Minutes
- 3) Acceptance of Report on City Accounts Payable

Action: **Motion to Accept Consent Agenda as Presented made by Councilor John Sullivan; seconded by Councilor Scott Cowan.**

Mayor Jim Lepin: Aye

Councilor Scott Cowan: Aye

Councilor Dave Harms: Aye

Councilor Scott McPhee: Aye

Councilor John Sullivan: Aye

Motion PASSED: 5/0

F. GUEST PRESENTATIONS

- 1) Linn County Sheriff's Office Monthly Report
Lieutenant Brandon Fountain reviewed the December 2020 monthly report and answered Council and staff questions regarding the report.
- 2) Albany Fire Department Quarterly Report
Albany Fire Chief Shane Wooten gave the quarterly report from October to December 2020. He shared highlights regarding the toy drive and Celebration of Lights parade and Albany Fire Department's participation. Mayor Lepin thanked the Albany Fire Department for their attendance at the parade.

G. PUBLIC COMMENT

None

H. COUNCIL MEMBER AND STAFF COMMENTS

- 1) Mayor Lepin discussed the current Council committee appointments and checked with the Council regarding any desired changes to the assignments. Councilor Cowan indicated he was fine with his assignments but volunteered to participate as the Council liaison on the Events Planning Committee instead of Mayor Lepin.
Action: **City Council Approved Committee Appointments as Presented with a Revision to Replace Mayor Lepin with Councilor Cowan as Council Liaison on the Events Planning Committee.**

I. CITY MANAGER'S REPORT

- 1) Housing Needs Analysis and Buildable Lands Inventory – John Morgan
Planning Director Morgan provided a brief background, and update, of the tasks accomplished to this point for the Housing Needs Analysis and Buildable Lands Inventory. He noted that every city in Oregon with a population over 2,500 has to have the ability to provide for the 20-year projected growth needs within their Urban Growth Boundary (UGB) based on the Oregon Population Forecast Program (OPFP) managed by Portland State University. Director Morgan and City Manager Kreitman spoke about timeline for the study and next steps.
- 2) Regionally Significant Industrial Sites (RSIS) Program
City Manager Kreitman spoke about the RSIS program noting that a local government can apply if they own industrially zoned site/s or act as a sponsor for a privately owned industrially zoned site/s. Staff is working with Business Oregon regarding the process. The Council supports staff submission of an application.
- 3) Project Updates
Assistant City Manager/City Engineer Booth reviewed the project updates memo. She reviewed the status for our adoption of the proposed new rate structure changes and proposed water and sewer rate adjustments that will be reviewed for a final time at the upcoming Open House, prior to the public hearing scheduled next month. She also noted that permit documents were received for the fire station project. Council was then asked if they were prepared to select a name for the proposed new street that will provide access to the new fire station and the City's industrial property. The Council discussed the names which had been proposed since the last council meeting, and the following motion was made for the new street name.

Action: **Motion that the New Street be named Transition Parkway made by Councilor Sullivan; seconded by Councilor Harms.**

Mayor Jim Lepin:	Aye
Councilor Scott Cowan:	Aye
Councilor Dave Harms:	Aye
Councilor Scott McPhee:	Aye
Councilor John Sullivan:	Aye

Motion PASSED: 5/0

Assistant City Manager/City Engineer Booth updated the City Council regarding the Kathryn Avenue stormwater and pavement repair and reported that the stormwater system was full of solids and is currently being cleaned. She also noted that on Friday, January 8, there was some emergency pavement repair done on Kathryn Avenue, with the plan to have the permanent repair done this spring.

J. CITY ATTORNEY'S REPORT

- 1) City Attorney Forrest Reid reviewed the Oregon Open Meetings Law with City Council and after the review, asked each Councilor sign Exhibit B of Resolution 2018-26 stating the law had been reviewed with them by the City Attorney and to provide the signed forms back to the City Recorder.

K. UNFINISHED BUSINESS

- 1) Budget Committee Appointments – Continuation to fill positions #3 and #4 (Resolution 2020-21)

City Manager Kreitman and Assistant City Manager/City Engineer Booth provided information for the four applications received for the two open Budget Committee positions. Council shared their thoughts about individual candidates.

Action: **Motion for the Appointment of Lorri Headrick to Position 3 and Rob Yencopal to Position 4 on the Budget Committee made by Councilor Harms; seconded by Councilor McPhee.**

Mayor Jim Lepin:	Aye
Councilor Scott Cowan:	Aye
Councilor Dave Harms:	Aye
Councilor Scott McPhee:	Aye
Councilor John Sullivan:	Aye

Motion PASSED: 5/0

L. NEW BUSINESS

- 1) Ordinance Updates

- a. *Repealing and Replacing MC 1.20.010, Repealing MC 1.20.030 and Repealing and Replacing Title of Municipal Code 1.20* – Ordinance 179-21
City Manager Kreitman and City Attorney Reid provided background on the various revisions to clarify language and bring the Municipal Code up-to-date.

Action: **Motion for the Adoption of Ordinance 179-21 Updating Section 1.20, General Penalty of the Millersburg Municipal Code made by Councilor Sullivan; seconded by Councilor Harms.** Ordinance 179-21

Mayor Jim Lepin:	Aye
Councilor Scott Cowan:	Aye
Councilor Dave Harms:	Aye
Councilor Scott McPhee:	Aye
Councilor John Sullivan:	Aye

Motion PASSED: 5/0

- b. *Repealing MC 7.28.245* – Ordinance 180-21

City Manager Kreitman spoke about the genesis for making the revisions to the Municipal Code addressing camping. Mayor Lepin asked what options LCSO and the City have for humane consideration of the homeless. City

Attorney Reid explained that the language being repealed is surplus and the new language in the Code provides options.

Action: **Motion for the Adoption of Ordinance 180-21 Updating Section 7.28 Parks and Open Space of the Millersburg Municipal Code made by Councilor McPhee; seconded by Councilor Harms.** Ordinance 180-21

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye
Councilor John Sullivan: Aye

Motion PASSED: 5/0

c. *Amending MC 14.16.010, Repealing and Replacing 14.16.020(1), and Amending 14.16.060 – Ordinance 181-21*

City Attorney Reid noted that the amendment adds language and provides clarification of property owner's responsibility. It eliminates the City's responsibility to identify sidewalk concerns even as the City will continue to be proactive when areas of concern are noted.

Action: **Motion for the Adoption of Ordinance 181-21 Updating Section 14.16, Sidewalk Repairs of the Millersburg Municipal Code made by Councilor McPhee; seconded by Councilor Harms.** Ordinance 181-21

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Scott McPhee: Aye
Councilor John Sullivan: Aye

Motion PASSED: 5/0

M. CLOSING PUBLIC COMMENT

None

N. CLOSING COUNCIL COMMENT

- 1) Councilor Cowan shared his appreciation for City Attorney Reid reading the Ordinances. City Manager Kreitman noted there are some upcoming modifications proposed to the Charter to clarify some language and update some provisions. The plan is to bring them to Council in February's meeting.

O. ADJOURNMENT Mayor Lepin adjourned the meeting at 8:13 p.m.

Respectfully submitted:



Kimberly Wollenburg
City Recorder

Reviewed by:



Kevin Kreitman
City Manager

Upcoming Meetings & Events:

January 19, 2020 @ 6:00 p.m. – Planning Commission Meeting

January 26, 2020 @ 5:00 p.m. – Open House – Water and Sewer Rates

