

CITY OF MILLERSBURG

City Council Meeting

October 10, 2017

6:30pm

COUNCILORS PRESENT: Mayor Jim Lepin, Scott McPhee, Don Miller, Scott Cowan, Dave Harms
COUNCILORS ABSENT: None
STAFF PRESENT: Steve Hasson, City Manager; Sarah Cook, City Recorder; Forrest Reid, City Attorney; Janelle Booth, City Engineer

Mayor Lepin called the meeting to order at 6:30pm and Councilor Cowan led in the flag salute. Changes were made to the agenda to move the items relating to the student representative up under the Mayor's comment section.

CONSENT AGENDA

Staff notified the Council of the additional invoice from R.L. Reimer's, which was pay request #5 for the lift station projects, in the amount of \$434,178.50. The bill had been submitted in time for the approval report; however, it was submitted to the City engineer rather than staff and everybody agreed they shouldn't be put off another month. In addition, Steve Hasson explained the change order from R.L. Reimer's, which was a 1.6% increase or about \$22k. The cause was the unanticipated work regarding excess water and the need to resolve it. Councilor Miller expressed concern that additional monies may need to be budgeted in next year.

Councilor Cowan moved to approve the minutes of September 12, 2017 as presented. Councilor Miller seconded. All in favor: Ayes – 5, Opposed – 0. **APPROVED.**

Councilor Miller moved to approve the accounts payable invoices. Councilor McPhee seconded. Discussion: Scott Cowan noted the engineering expenses were high just a few months into the fiscal year, as was the line item for Linn County Building Dept. He also asked staff to check if the dumpster at the park was locked. It was pointed out that the line item used for the Kubota purchase was over-spent. All in favor: Ayes – 5, Opposed – 0. **APPROVED.**

In regards to the additional items needing approval, Councilor Cowan moved to approve the change order for R.L. Reimer's lift station project. Councilor Harms seconded. All in favor: Ayes – 5, Opposed – 0. **APPROVED.**

Councilor Miller moved to approve the R.L. Reimer's invoice add-on. Councilor McPhee seconded. All in favor: Ayes – 5, Opposed – 0. **APPROVED.**

PUBLIC COMMENT

Charles Lewis, Heather Ct. – reported there were a lot of fractures in the pavement on his road. Mayor Lepin was aware of it, as he had done his own assessment recently. Brief discussion

took place on the importance of crack and chip sealing, with Steve Hasson pointing out Conser Rd. had just been done at a cost of \$26k.

Linn County Sheriff's Report – Lt. Duncan provided a variety of statistics from the September report and noted that with increased people and housing, comes increased traffic and traffic incidents. She spoke on the change in cell phone laws that went into effect the first of October. She also shared that they had arrested a man suspected of being responsible for a string of thefts in the area and he was being held on multiple charges. She noted the reports still consisted of a lot of alarm calls and went on to share some details about the recent incident at the market where a mentally unstable female had attempted to break in.

MAYOR'S COMMENTS

Mayor Lepin recalled back in February when new City Manager, Steve Hasson first talked to them about a youth serving on Council. Language to approve the process had been prepared and incorporated into the City Council rules and procedures. Councilor Cowan questioned the language regarding participation in executive sessions and wondered if it was necessary. He felt it should be struck out, but knew the Mayor had concerns about it. Councilor Miller thought the student should be allowed to participate in executive sessions generally, but was worried about the impacts on him or his parents if some legal matter came about that put them in an awkward position. City Attorney, Forrest Reid, commented that there likely would be certain topics from time to time where a student should or shouldn't be involved and would accept the responsibility of vetting it on a case by case basis. All agreed to change the language in the document to read ".....and determined by the City Attorney".

Councilor Cowan moved to approve the rules and procedures of the City Council as amended, to include the language discussed that would have the City Attorney decide whether or not the student should sit in on certain executive sessions. Councilor Miller seconded. All in favor: Ayes – 5, Opposed – 0. **APPROVED.**

With that, Mayor Lepin called upon Bradley Johnston, a senior at South Albany High, to join the City Council at the table. The Mayor explained his role on the Council and, while he was not a voting member, they welcomed his input and looked forward to his view points, opinions and thoughts.

Last, Mayor Lepin shared a thank you letter offered by Clover Ridge for the City's contribution to the summer reading program.

CITY MANAGER'S REPORT

Steve Hasson spoke on the importance of a capital improvements plan (CIP) for streets and the different improvements that needed tending to, including Millersburg Dr. fronting Eagle's Nest, which was in very poor condition. He sought a green light from the Council to get drawings, costs and a contractor on board if they were planning to approve that project in the next year. Also mentioned was Parker Lane, which was a point of contention when the cable barrier was removed. Mayor Lepin indicated the residents feel uneasy without sidewalks and a wider

street. He couldn't say they'd get to it next year but noted they needed to consider the right-of-way and decide if they should add it to the CIP for 2018. Councilor Cowan expressed concern with existing roads and wondered if funds should be used to address those older roads first, fearing they'd be forgotten with all the continued new growth. He understood the safety concerns regarding Parker Ln. and simply cautioned them on getting too far behind.

Steve Hasson spoke about a road rater program, chip seal improvements, and the year it took to reconstruct a road. The Mayor talked about a road survey that had been done 3 years ago, noting they had been focusing on road improvements that were tied to development and he agreed they needed to focus more on existing roads and put together a task list to work on over the next few years. Councilor Miller would love to see Millersburg Dr. continued to the end, but Woods Rd. really needed attention with all the new housing going in. City Engineer, Janelle Booth expressed the need to look at the right-of-ways down Woods Rd. and agreed the pavement was in poor condition; however, she was concerned about improving it and then having it torn up again. To that, Steve Hasson stressed the need to get ahead of the needs and the development that was moving very quickly. Mayor Lepin suggested they look into a fuel tax, noting it was something they should be considering and it wouldn't hurt to look into it. Councilor Cowan suggested that be added to the list of topics to discuss at their next worksession, along with the 3 yr. old street maintenance program. Councilor McPhee expressed concern about the impact Morningstar Rd. re-alignment would have and suggested that be a topic for the worksession too.

Moving on, Steve Hasson noted they were waiting on a third bid in relation to the infield project at the park, which he hoped to have in another week or so.

CITY ATTORNEY'S REPORT – None

CITY ENGINEER'S REPORT

Janelle Booth indicated she'd hold off on the water master plan update until the worksession. Regarding the leaking vault, she explained the water sampling had been completed and there was indication of fluoride in the results, but it was not conclusive as some say it could exist in ground water and others say it doesn't. Further investigation was needed which may require closing a valve nearby.

PARKS COMMITTEE REPORT

Councilor McPhee was pleased to report all but one member attended and the meeting was mostly informational with education on the City's background, financials, etc. They elected member David Francis as their chairperson and he did a good job. Mayor Lepin commented that the committee had the potential to be a huge success story, as there was a lot of expertise in various areas and they were building momentum with people's involvement in the City, which was great.

UNFINISHED BUSINESS – None

NEW BUSINESS

Planning Commission Candidates – Mayor Lepin noted there were 4 applicants, two of whom were present, for one open position. He encouraged the Council to select an applicant who demonstrated strength in making a difference, as the committee had a lot of work to do. While there was only room for 1 at the time, 3 more terms would expire at the end of December. Councilor Cowan noted the two applicants he felt were the strongest were both in the audience, Jim Kirkendall and Robin Wilson Whitney, and it would be tough to pick just one. Mr. Kirkendall had years of experience on both Planning and Council at the City of Independence and Ms. Whitney had been very active in the community and organized several Becker Ridge meetings. Councilor Miller nominated Mr. Kirkendall, indicating the Planning commission was in need of somebody with his level of experience. Motion failed for lack of a second.

Other Councilors asked to hear from the applicants before coming to a decision. Ms. Whitney introduced herself, spoke on her profession as a loan officer, and expressed high interest in being more involved and vested in her community. Mr. Kirkendall introduced himself, indicated he'd moved to Millersburg a couple years ago after living in Independence for the past 20 years where he served as both a Planning commission member and City Councilor during that time. He thought Millersburg was a beautiful community with great potential. Councilor McPhee, considering what he thought the Planning Commission currently needed, felt Mr. Kirkendall would be the best choice, with all his prior experience. Councilor Harms agreed, noting there would be opportunities for others to apply again at the end of the year. A suggestion was made to name Ms. Whitney as an alternate, to which the rest of the Council agreed, noting she would be considered first for any vacancy on the PC prior to December 31, 2017. Councilor McPhee made a motion reflecting as such. Councilor Miller seconded and the decision was unanimous.

Ordinance 133, Amending Ordinance 55 for purposes of modifying the City's fine structure for certain prohibited activities – Mayor Lepin recalled the first citation that had been issued in the City a couple months prior, which led them to begin talking about the fees for various violations and the need to clean up the ordinance in terms of how violations were classified, as well as identifying the use of state mandated fines and fee structures, which would help the deputies. City Attorney, Forrest Reid added that he had incorporated the Oregon Motor Vehicle Code, which the deputies were familiar with, and cleans up and consolidates several ordinances, making it easier on the deputy when issuing citations going forward. Councilor Cowan moved to approve Ordinance 133 as presented. Councilor McPhee seconded. All in favor: Ayes – 5, Opposed – 0. **APPROVED.** Brief discussion took place afterward regarding the need to update the municipal code books.

PUBLIC COMMENTS

Gary Keehn, Clearwater St. – asked for information regarding a storm water tax as well as the status of the drain tiles at the park. Steve Hasson explained that the City had SDC's for 4 components, but not one for storm water, and that he was working on a storm water master plan and evaluation process and methodology for storm water SDC's. Councilor McPhee added that Mr. Keehn may have been referring to a storm water fee that would be added to water bills, not the SDC fee. Janelle Booth expanded more on the subject and explained what the City

of Albany was doing in that regard; however, it was not on the radar for Millersburg. As to the drain tiles at the park, Steve Hasson indicated they had not been found and he was not sure if they intended to spend any more time on it, noting the original plans said they do in fact exist. He said the area where children play had been tended to, but not the center of the park.

Bill Schraeder, Sonora Dr. – thanked staff for changing the settings on the reader board so it wasn't so bright. He also expressed concerns regarding what he'd heard from his wife about the change in the billing cycle and combining of water and sewer bills, which the City Manager clarified for him. Finally, Mr. Schraeder expressed concern over people speeding through the neighborhood and requested to see deputies spending more time within the neighborhoods and not just on the main roadways. Mayor Lepin encouraged him and all others to phone in a complaint to the Sheriff's every time they witnessed such activity.

Robin Wilson Whitney, Becker Ridge – expressed interest in neighborhood watch programs. She'd noticed very few lights were left on at night and wondered if holding a community meeting to discuss the program would help. Mayor Lepin explained similar meetings had been held multiple times and only a handful of people show up. That said, if the community wanted such a forum, he would be glad to put it together if she would be willing to help get the word out.

Deb Keehn, Clearwater St. – expressed concern regarding itinerant merchant/solicitors, to which the City Manager responded by discussing the need for business licenses and perhaps a separate itinerant merchant permit.

COUNCIL COMMENTS

Councilor Cowan shared that a meeting was scheduled with the City of Albany on October 9th at 9am to discuss preliminary plans for fire & emergency service protection and to confirm the \$2.15 rate had not changed.

Concern was also expressed regarding the oversized shops in town and the need to address those issues and make sure the City continues down the right path for future developments.

With no further comments, the meeting was adjourned at 8:25pm.