

**MILLERSBURG CITY COUNCIL
MAY 12, 2015**

PRESENT: Councilors Darrin Lane, Lisa Metz-Dittmer, Jim Lepin, Mayor Clayton Wood, City Attorney Forrest Reid, City Engineer Matt Baldwin, 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.

MINUTES OF APRIL 14, 2015

Lisa Metz-Dittmer moved, seconded by Jim Lepin to approve the minutes of April 14, 2015.
The motion passed.

CITY COUNCILOR APPOINTMENTS

Mayor Wood made the following appointments:

President of the Council – Darrin Lane
Roads/Drainage – Darrin Lane
Personnel – Lisa Metz-Dittmer
Parks – Scott Cowan
Council of Governments Representative – Jim Lepin

AWARD BID FOR WATER LINE PROJECT

Matt Baldwin reported the city received bids from six qualified bidders for the Water Main Completion Project. Pacific Excavating was the low bidder.

Darrin Lane moved, seconded by Jim Lepin to award the Water Main Completion Project bid to Pacific Excavating for Schedule A (Conser to Alexander), Schedule B (Woods from Alexander to Senora) and Schedule D (Senora to Millersburg Drive) omitting Schedule C (Waverly, Amanda, Bain) because after taking a poll of the property owners, they don't want to connect to city water. The motion passed.

The total of Schedules A, B and D is \$981,057.50. The city is using property taxes to pay for this project.

MUNICIPAL ELECTRIC UTILITY

The Millersburg City Council appointed the Power Implementation Committee led by Darrin Lane as the Chairman to come up with a Business Plan to set up and operate a city owned Municipal Electric Utility. They met several times and came up with a proposed Business Plan that was sent to the City Council for their review. The Business Plan was labeled draft because the committee wanted to leave it open for the City Council to provide any comments. Lane said the plan could be complete if the council doesn't send the committee back to do any more work.

Lane said the Business Plan was comprehensive and looks at all aspects of forming and operating a Municipal Electric Utility. Lane said that most of the committee believes that the actual cost of the MEU is \$25 million, but they opted for a \$40 million scenario because they wanted to make sure to ask the voters for more than what is anticipated. This includes \$16 million of contingency.

Lane explained that using the \$40 million, they figured on a 5% annual increase of PacifiCorp's rates and an 8% increase of BPA's rates every two years. They believe those are very

conservative numbers because when you look at rates from 11 years ago to where they are today, PacifiCorp's rate increases have actually been 7.4 %. They are being conservative on all sides.

Lane said the first year savings would be \$26.7%, the second year savings would be 35% projecting out to the year 2028 of 40% savings. Lane said these were also using extremely conservative growth rates.

Jim Lepin reminded everyone that if this project can't be done with the numbers presented, the city can walk away from it with no cost to the city. The city would hire an experienced manager; form a Citizens Advisory Committee that would work closely with both the manager of the MEU and the council. If we go to the voters and get approval for \$40 million and it costs \$41 million to do it, we don't do it. This document gives the citizens an opportunity to vote on it.

Victoria Miller read a prepared statement that said in part, "As a member of the Implementation Committee that is responsible for the document before the City Council today—Let it be known that in no way do I, or the citizens I represent, approve now or in the future the borrowing in any way shape or form of the 40 million dollars necessary to create this utility. I implore that the Council listen to the people and end the process at this juncture. By approving this wild expensive venture and sending this to the ballot, you are forcing the people to vote against the recommendations of our own city government. We will go to the polls once again if you force us.

Sharon Henschel told the audience that she wants to be able to vote and asked Victoria Miller why can't we vote on it? We voted on the recent initiative to be able to vote and she doesn't want to be told she can't.

Doug Bauer told the Council that 89% of the people already voted against the MUD. Steve Vogler told Bauer that the vote wasn't on the MUD.

Jim Lepin said he came on the Council in January, and what is important is for this process to get a fair shake. It is important for the citizens to get a chance to look at it.

Jim Lepin moved, seconded by Darrin Lane to send the proposed Municipal Electric Utility to the people for a vote in the November 2015 Election. Lisa Metz-Dittmer abstained from voting and Darrin Lane, Jim Lepin and Clayton Wood voted in favor of the motion.

PROCLAMATION OF MAY 2015 TO BE OLDER AMERICANS MONTH

Mayor Clayton Wood proclaimed May 2015 to be Older Americans Month and urged every resident to take time this month to celebrate older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to the community.

CITY ATTORNEY AND CITY PLANNER CONTRACTS

Darrin Lane explained to the Council that the city does not have contracts with either the City Attorney or City Planner and said it was a good idea for every party that the City works with to have a clear relationship.

Darrin Lane moved, seconded by Lisa Metz-Dittmer to approve the City entering into contracts with the City Attorney and City Planner in the form as presented. The motion passed unanimously.

AN ORDINANCE REGARDING THE GENERAL ELECTION OF COUNCILORS

Forrest Reid explained to the Council that the ordinance written several years ago regarding the election of councilors was not clear regarding the staggering of the terms of office for the councilors. This proposed ordinance states, "At the biennial general election, no more than three Councilors may be elected to serve a term of four years. At the subsequent biennial general election, no more than two Councilors may be elected to serve a term of four years".

Jim Lepin moved, seconded by Darrin Lane to approve Ordinance No. 112 which is AN ORDINANCE REGARDING THE GENERAL ELECTION OF COUNCILORS. The motion passed unanimously.

REVISIONS TO THE MILLERSBURG CODE OF ORDINANCES

Jim Lepin recommended two revisions to the Millersburg Code of Ordinances regarding the election of Millersburg Planning Commission President and Vice President and the election of the Millersburg Planning Commission Secretary.

It was the consensus of the Millersburg City Council to direct Forrest Reid to prepare the appropriate ordinance in June for amending part of 33.04 and 33.05 regarding the election of the President, Vice President and Secretary of the Millersburg Planning Commission.

SERIAL LAND PARTITIONING

Jim Lepin requested that the City Council request the Planning Commission to draft language that would limit the ability to use the land partition process in a way that can result in some number of homes to be constructed without becoming a subdivision or having to comply with certain subdivision criteria. Lepin asked that the Commission make recommendation on which criteria is most applicable as well as the number of homes to be allowed.

Darrin Lane said he supports this request 100% but doesn't want it to get where someone can't divide their property. Lane said if a developer puts twelve lots with street improvements, etc. he is in favor of that. But, if someone comes in and does the same thing over a period of years without putting in city standards, he is not in favor of that.

Jim Lepin moved, seconded by Darrin Lane to make the above request to the Millersburg Planning Commission. The motion passed unanimously.

Don Driscoll told the City Council, that the Planning Commission is already working on the Serial Partitioning issue.

DEVELOPMENT OF A STRATEGIC PLAN

Jim Lepin proposed that the City Council develop a Strategic Plan that will be used to provide direction and support for key decisions and budgets impacting the City. The Plan would identify short and long term needs and be updated at some frequency determined by the City Council. The objective is to develop a process for engaging citizens and businesses in the development of input for consideration by the Millersburg City Council the results would be used to develop a Millersburg Strategic Plan, for approval, that could then be used for aiding in short and long term decisions and budgeting.

It was the consensus of the Council to approve Council members Jim Lepin and Lisa Metz-Dittmer to design a low cost process for developing a Millersburg Strategic Plan.

J CONSER & SONS INFORMAL PRESENTATION OF CHANGES TO AN APPROVED SUBDIVISION TO A PLANNED DEVELOPMENT

Matthew Conser of J. Conser & Sons gave an “informal” presentation to the Millersburg City Council of their upcoming plans to change the previously approved 111 lot subdivision of minimum lot size of 10,000 square feet to a request for a Planned Development with 138 lots with a minimum lot size of 5,000 square feet.

Conser said that the market, taste and demographics have changed since their first request in 2008, and a portion of the housing market is no longer being served in Millersburg. Conser said according to the MLS (Multiple Listing Sales), the average new home in Millersburg costs \$299,164 with the average size of 2,300 square feet. Conser said there is “unintended economic discrimination in Millersburg” by not allowing smaller, affordable lots and they want to propose a neighborhood and not just a subdivision.

Darrin Lane pointed out that most of the new homes sold in Millersburg were pre-sold homes and would not be included in the MSL data.

Conser said the open spaces shown on the drawing would eventually be donated to the City of Millersburg. Lane said he is aware of open spaces that become problems to the governments that end up owning them, and said he would hope the property lines adjacent to the open spaces would be extended to the middle of the open spaces so it would be the responsibility of the property owners and not the city to maintain them.

There will be a public hearing in June regarding J. Conser & Son’s request. This is a three phase process. The first process was an informal presentation for the Millersburg Planning Commission that was done April 14, 2015. The second process was an informal presentation to the Millersburg City Council that was done May 12, 2015. The third process will be a joint meeting and presentation to both the Millersburg City Council and Millersburg Planning Commission where they will both vote on the issue separately. That meeting will take place in June 2015.

PUBLIC COMMENT

- ❖ Members of the audience had several questions and comments for the Conser’s regarding their proposed development:
 - I live on Clearwater and love our 10,000 square foot lot and hate to see anything smaller.
 - I watched the growth west of the park; there is a strong demand for large lots and don’t see any reason to go into smaller lots
 - 80-90% of the homes are pre-sold so don’t show up in the MLS.
 - What is the difference between affordable housing and low income housing?
 - What will be the impact on our property values and traffic?
 - Will J. Conser & Sons be the builder of the homes?

- ❖ Annis Holsworth said that she has lived in Millersburg since 1968 and is sad of how fractured this community is now. Annis thanked the Council for all of the time they have given to this issue and pointed out that the Council has successfully developed many projects for the City including the water treatment plant and Talking Water Gardens.

- ❖ Sandy Decker said the Annual Flea Market and Garage Sales will take place May 15th and 16th. There are 17 garage sales.

- ❖ Scott Bolton of PacifiCorp said there seems to be cavalier attitude of the Council regarding the proposed Municipal Power Utility decision. There is nothing conservative of coveting that which isn’t yours. They have had an opportunity to review the report

and have looked into the assumptions behind the analysis. They are defending their rights to maintain their property. Bolton said this would be the riskiest formation of a utility ever.

BILLS OF THE CITY

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

DONATION REQUESTS

Jim Lepin moved, seconded by Lisa Metz-Dittmer to approve the following donations: \$10,000 to Boys and Girls Club of Albany for their After School Program; \$7,500 to ABC House; \$3,000 for the Linn County Fair; \$1,500 for the Northwest Art & Air Show; \$1,000 for Meals on Wheels; \$400 for the Clover Ridge Summer Reading Program; up to \$150 for each neighborhood group that participates in the National Night Out. The motion passed unanimously.

SPEED STUDY FOR WOODS ROAD

It was the consensus of the Millersburg City Council to direct Darrin Lane to fill out the paper work to request a speed study for Woods Road from ODOT for a directive on the speed.

STATUS OF ALEXANDER LANE CROSSWALK

The money is in the budget for the crosswalk on Alexander Lane. Darrin Lane said they are collecting data as part of the TSP (Transportation System Plan) They are waiting for that data so we don't have to pay for it twice.

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Barbara Castillo
City Administrator/Recorder