

**MILLERSBURG CITY COUNCIL  
DECEMBER 8, 2015**

PRESENT: Councilors Scott Cowan, Darrin Lane, Jim Lepin, Lisa Metz-Dittmer,  
Mayor Clayton Wood, 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 NOVEMBER 10, 2015**

*Darrin Lane moved, seconded by Lisa Metz-Dittmer to approve the minutes of November 10, 2015 as written.* The motion passed.

**NOVEMBER 2015 LINN COUNTY SHERIFF'S REPORT**

Lt. Michelle Duncan gave the November 2015 Linn County Sheriff's Report. There were a total of 212.5 hours spent in Millersburg with 12.5 of them being traffic hours. 43 complaints/incidents were investigated, 4 adults were arrested, 9 traffic warnings and 2 traffic citations.

**ORDINANCE REGARDING CITY SIDEWALKS**

The City Council reviewed a proposed ordinance regarding city sidewalks relating to requiring property owners to repair the sidewalk if directed to by the City of Millersburg. Jim Lepin asked what is the definition of what needs to be repaired. Darrin Lane suggested that wording be put in the ordinance that would read, "If in the opinion of the City Engineer it represents a safety hazard, the property owner will be given notice to have the repair done."

Forrest Reid will bring the revised ordinance back to the Council at the January 2016 meeting.

**STRATEGIC PLANNING WORK SESSION**

The Council will hold a Strategic Plan work session on Monday, December 14, 2015 at 6 p.m.

**REVISIONS TO LAND USE DEVELOPMENT CODE REGARDING SUBDIVISION AND LAND PARTITIONS**

City Planner Don Driscoll explained that the existing Millersburg Land Use Development Code specifies all of the criteria for approval of land divisions within the City including the Tentative Plan and Final Plat for Subdivisions and Partitions. A limited number of approval problems have occurred that are not the fault of the Code, but were the result of administrative interpretations and decisions that were not carefully considered or lacked needed follow-through. Driscoll said the two step approval process provides clear safeguards for all Land Divisions. Additional safeguards are provided during the building permit process.

Driscoll stated that the Millersburg Land Use Development Code clearly specifies that all streets shall be Public Streets unless approved by the Planning Commission. The Planning Commission has given property owners a lot of latitude permitting Private Street Easements. Multiple partitioning or serial partitions may be permitted. If a Private Road was approved for the initial Partition, the addition of another Partition constitutes a Subdivision and requires conversion to a subdivision standard for Public Roads and Utilities.

Darrin Lane said he doesn't want to see all the private streets converted to public streets, but wants to see that the right of ways are reserved for the future.

Scott Cowan said he wouldn't have been able to do his recent land partitions if he would have had to put in a public street to city standards.

Jim Lepin said the Council's role is not to consider the cost effects, but long term condition of the neighborhood.

*Jim Lepin moved, seconded by Darrin Lane to approve the clarifications to the code as proposed in the three page document provided by Don Driscoll and dated 12/8/15. Amendments are to Section 5.326 (page 2-13), Section 5.122 (page 5-11) and Section 5.123 (pages 5-14 & 5-16). The motion passed with the voting as follows: Jim Lepin, Darrin Lane and Lisa Metz-Dittmer voted in favor of the motion and Clayton Wood and Scott Cowan voted against the motion.*

#### **ENTERPRISE ZONE BOUNDARY**

*Darrin Lane moved, seconded by Jim Lepin to approve Resolution 2015-7 which changes the boundary of the South Santiam Enterprise Zone. The motion passed unanimously.*

#### **SEWER MASTER PLAN SCOPE & BUDGET**

*Darrin Lane moved, seconded by Lisa Metz-Dittmer to approve the Scope of Work for the Sanitary Sewer Flow Monitoring by SFE Global and delegate authority to Barbara Castillo to sign the contract. The motion passed unanimously. The total cost will not exceed \$20,925.*

Janelle Booth told the Council that the total cost for the Sanitary Sewer System Master Plan is \$167,842. The Council discussed how to pay for this. If the plan is paid from the General Fund, it is just a matter of approving a resolution to transfer the funds into the Planning Consultant Engineering account. Ideally, the funds should be paid from the Sewer Utility Fund. There is money in the Unappropriated Ending Fund Balance, but to spend any of that money in this current fiscal year would require going through a Supplemental Budget. The Council directed Barbara Castillo to find out how long that process would take.

The Council wants to move forward with this project.

*Jim Lepin moved, seconded by Scott Cowan to approve the proposed Sanitary Sewer System Master Plan Scope of Service dated 12/8/15. The motion passed unanimously.*

#### **ALEXANDER LANE CROSSWALK**

Janelle Booth informed the Council that the design for the Alexander Lane crosswalk will be completed before the January Council meeting.

#### **ORDINANCE NO. 116 REGARDING OBSTRUCTING CITY STREETS**

*Scott Cowan moved, seconded by Jim Lepin to approve Ordinance 116 which is an ORDINANCE AMENDING MILLERSBURG CITY CODE SECTION 72.04 REGARDING OBSTRUCTING STREETS. The motion passed unanimously.*

#### **ORDINANCE NO. 117 REGARDING TREES & VEGETATION ADJACENT TO CITY STREETS**

*Darrin Lane moved, seconded by Scott Cowan to approve Ordinance No. 117 which is AN ORDINANCE REGARDING TREES AND VEGETATION ADJACENT TO, OCCUPYING, OR OVER-HANGING CITY SIDEWALKS AND/OR CITY STREETS AND/OR CITY RIGHT OF WAY. The motion passed unanimously.*

#### **COMMENTS FROM THE PUBLIC**

- Doris Johnston of Pacific Power gave the City Council a gift of "goodies". She recommended that the Council look into attending a Non-Profit Stewardship Training January 23, 2016 at the LaSalle Stewart Center in Corvallis.

- Craig Ziegenhagel informed the Council of a possible hazard on the east side of Old Salem Road at the east end of Alexander Lane. A large real estate sign is about to blow over onto the road. Barbara Castillo said she will have Sean take care of it.

#### **RESOLUTION TO TRANSFER FUNDS**

*Darrin Lane moved, seconded by Lisa Metz-Dittmer to approve Resolution 2015-8 which is A RESOLUTION TO TRANSFER APPROPRIATIONS FROM OPERATING CONTINGENCY IN THE WATER UTILITY FUND TO WATER LINE CONSTRUCTION.* The motion passed unanimously.

#### **BILLS OF THE CITY**

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

#### **VACANCY ON MILLERSBURG BUDGET COMMITTEE**

Barbara Castillo informed the Council that there is a vacancy on the Millersburg Budget Committee because Kreston Kosziuk moved out of Millersburg. Castillo said she has City of Millersburg Committee Application forms if anyone is interested in being on the Budget Committee. A notice will be put in the newspaper and on the website.

#### **BRIDGE REPLACEMENT ON OLD SALEM ROAD**

Darrin Lane reported that the Albany MPO has approved the distribution of STP funds. Federal Funds will pay for the replacement of the bridge over Cox Creek on Old Salem Road just north of ATI. The STP funds will pay to extend the curb and sidewalk over the bridge from ATI. Old Salem Road will be overlaid to the interchange.

The meeting adjourned at 9:04 p.m.

Respectfully submitted,

Barbara Castillo  
City Administrator/Recorder