

July 27th Version

Minutes of the Millersburg City Council Meeting
Tuesday, July 11, 2017

Meeting Call to Order

Roll Call: Scott McPhee, Jim Lepin, Don Miller, Dave Harms and Scott Cowan

Pledge of Allegiance

Meeting Call to Order

Roll Call

Pledge of Allegiance

Convening Monthly Council Meeting

Agenda Changes & Additions

Approval of June 6, 2017 Minutes: Councilor Don Miller made a motion to approve the minutes and seconded by Councilor Dave Harms. Councilor Scott McPhee noted that some of the discussion concerning the \$10,000 Council contribution to the Boys and Girls Club being tied to sports activity investment in Millersburg was not included in the minutes. Steve suggested the minutes be approved with the understanding that language would be added to the June minutes reflecting that action. Mayor Lepin noted at the last Council meeting it was understood that Steve would forward the minutes to him for review and he would pass them on to the Councilors who could suggest modifications. Motion to approve minutes passed unanimously.

Approval of Invoices from last Council meeting through July 6, 2017

Councilor Don Miller inquired whether the potage costs would be reduced when we go to a bi-monthly billing and City Recorder, Sarah Cook, replied yes. Councilor Scott Cowen mad a motion to approve and seconded by Councilor Scott McPhee and passed unanimously.

Guest Presentation: None

Jefferson Rural Fire District Bond Update

Assistant Jefferson Fire Rural District Chief, Scott Shepherd, introduced Interim Fire Chief, Kevin Hendricks and advised that a fact sheet had been constructed to provide information about the possibility of a bond issue. Scott Shepard advised that Jefferson Fire had contemplated a bond issue in November this year or May of next year but has moved away from these timeframes. Chief Hendrick said the fire district was sensitive to upcoming school bond issues and thought it likely that any bond issue they were to initiate was at least a year out. He felt a 75 percent certainty it would not be initiated in May 2018. Considerable discussion followed concerning costs, response times, fire prevention, early warning strategies, sprinkler systems, EMS and classifications of rural versus suburban response times. Mayor Lepin expressed concern that Jefferson Rural did not provide a Fire Marshall Service and noting the number of commercial and industrial type businesses located in this community. Chief Hendricks was cognizant of that concern but said the priory had to be staffing for fire/EMS responses. He added that position was not currently in their vision and such a position if funded would need to be shared with other fire duties. He said given the limited staff there may not be opportunity to do much more than incident response. The Chief noted that he was focusing on decreasing response times. Mayor Lepin asked what equipment would the new Millersburg, Jefferson Rural Fire station possess. Chief Hendricks said he envisioned a station with fully paid staff [to accommodate 6 to 8 persons] with ability to engine deploy 24 hours a day and constructed to accommodate Albany Rural. He cited several other locations where there was a sharing of resources between two jurisdictions. He said he was looking at a 50 year vision. Chief Hendricks said that it may take some time to staff a new fire station because staffing costs would not be part of a bond issue. The Chief

said there needed to be concerted action between the two fire districts to make it work. Councilor Don Miller inquired whether Jefferson Fire District had the capacity to attend to tall building structures. Chief Hendricks said they would assure any building built had sufficient fire safety features. A discussion followed concerning the nature of first responders. Councilor Dave Harms inquired about the ability to staff the fire station if the bond issue was successful. Chief Hendricks said it may be that we cannot finance both staff and a station at the same time. He said the bond would cover facilities but staffing would require a local option tax to support and those have a maximum 5-year timeframe. Mayor Lepin inquired about Jefferson Fire district's ability to retain volunteers. Chief Hendricks said that all fire districts were challenged to retain volunteers. He said it was difficult to recruit and retain firefighters and they were looking at all their options. He noted the fire district was in competition with all the family related activities. Councilor Scott McPhee asked the Chief if the district has a comprehensive plan to accommodate a major disaster. The Chief said there were programs to help improve families' ability to address major calamities. He said, in essence: The district was proposing self-help techniques. He said, in reality, we will respond to the circumstances as they arise but no one will know where the plan is or what is in the plan, rather response will be left up to the incident commander's common sense. Robert Wightman said he did not believe Millersburg had sufficient fire protection. Dennis Gunner said he could not understand the expending of 5 million dollars to build a fire station if it could not be properly staffed.

John Pascone - AMEDC Organization

Mayor Lepin said that last year when the City was developing a strategic plan questions arose about the value of the Albany-Millersburg Economic Development Corporation [AMEDC] organization and so he had invited its president, John Pascone, to provide an overview. Mayor Lepin said he has had the opportunity to work with John on a number of projects over the past 6 months and so has gained much insight to his economic development contributions. John passed out a sheet to council members that provided an overview of the operation. He discussed the role of AMEDC in matters of local economic development and said economic development in Linn County did not really start until the 1980's. John said this organization was established in 1982 as a 501-C4 and he serves as its 3rd president. John noted that the bylaws specific who the board members will be and noting that Mayor Lepin and Councilor Dave Harms are on the board of directors. He said the organization's original mission was business recruitment but that it has shifted to small business development to help businesses expand. He said the corporation was set up by member cities. He said their number one goal was job creation to generate prosperity and the perspective that a town is better off with more types of businesses. He said they focus on jobs and wages and helping communities market themselves. He noted it was a challenge to promote business growth because Oregon is not known as a business friendly state like locations in Texas and the South. He said they focused on the trading sector clientele and do extensive outreach. John said he does not have a big marketing budget so he relies upon disseminating information about the communities and the area electronically. He noted that because Millersburg is located on I-5 it is in a very good position to attract business. He explained how they connected business inquiries with local resources and responded to the multitude of site selection issues. He described how the organization worked with various state agencies to address regulatory issues as they arise. He explained the challenges of competition and the many things that will distract a business from locating in Linn County. Mayor Lepin noted that a lot of what John does is confidential because the investors do not want others to know who they are. The Mayor noted that recently we lost a business prospect because of seasonal wetland issues and that several local industrial properties have wetland liabilities. He noted, for example, that approximately 20 of the 150 acres of industrial land the City owns on the south side of Conser road are designated as wetlands.

Public Comment - Scott Stimpson advised that members of his scout troop were present for purpose of working on their community service badge and that the scouts would participate in

the National Night Out event. Mayor Lepin suggested the City could play an active role in scouting activities. A citizen inquired about the status of the Love's truck Stop. Steve Hasson advised that the ground breaking was slated for July 18th and the City's Engineer, Janelle Booth, confirmed that she had reviewed all of their development documents and they were posed to move forward with project construction. A question was raised about Morningstar Road and its realignment. Steve said that the road would be realigned sometime early in 2018 and that realigning would cause Morningstar Road to align with the Love's Truck Stop driveway entrance.

Linn County Sheriff's Report

Deputy Ryan Keys provided an overview of Sheriff related activity in Millersburg occurring over the course of the previous month. He noted the Sheriff's office invested 104 hours into the community during that time period and noted this number will rise by another 12 hours starting this month [July]. He broke down how that time was expended addressing various law enforcement issues but noted there was nothing that occurred the previous month of extraordinary concern. He said that July 4th activity would be reflected in next month's report. He said during this holiday they received 5 - 8 complaints about aerial firework related activity and committed an extra officer to work the community during for this event. In response to the complaints received they issued several verbal warnings for unruly and uncooperative behavior. He noted that the police presence was helpful to minimizing disruptive behaviors and felt that they were providing better enforcement each year. Mayor Lepin explained the challenges confronting the sheriff's office in responding to the various Fourth of July complaints. He said to minimize the noise and safety impacts, the City determined to dedicate more resources this year for that purpose. The Mayor said he drove the community that evening and was surprised at the amount of guff that the sheriff officer had to put up with especially amongst those who were intoxicated. He said he felt sorry for the officer but was appreciative of the way he handled himself. Officer Keys did note a majority of our citizens are respectful during this event.

Executive Session relying on ORS 192.660 (2)(F): to consider information and/or information and records that area exempt by law from public inspection and/or notice of Town Hall meetings slated for Wednesday July 19th and August 2, 2017

Mayor Lapin inquired whether on the basis of the information the Council heard from the fire chief was there a need to go into executive session and discuss fire protection strategies, or instead, should we hold town hall meetings for purpose of gaining public input. Council responded: There was no need for an executive session but supported town hall meetings. The Mayor explained a working committee has met the past couple month for purpose of evaluating long-term fire protection and emergency medical [EMS] needs. He said the City would like to share this information for purposes of gaining public insight. He said the City staff intend to schedule two [2] town hall meetings at City Hall. The meetings will be held on July 19th and again on August 2, starting at 6:30 P.M. for purpose of laying out various options. The Mayor noted that Councilor's Dave Harms and Scott Cowen will conduct these meetings. Councilor Dave Harms noted that one topic for discussion will be local control and noting the City presently does not have fire protection and or emergency oversight, rather those authorities are with two special purpose districts that serve the City. Councilor Scott Cowen said they intended to lay out some options for how the City Could take control of these services. Mayor Lepin said it was very important we get citizen input and noting whatever option they would be costly to initiate. Councilor Don Miller said the community would be affected by whatever decision the City made hence it was important the public be informed and participate in the process.

Councilmember Comments No Council comments at this time

Mayor's Comments

Introducing Sam Gollah

The Mayor introduced Sam Gollah who will serve the role of development coordinator. The Mayor noted that Sam will be our go-to-guy for planning and field research related activities.

National Night Out - August 1

The Mayor advised that there would be a National Night Out in Millersburg on August 1 with four [4] neighborhood Groups taking part in this activity. This event will occur at the Millersburg City Park between the hours of 5- 8 P.M. He noted that the fire department and emergency services would be present as well as Pacific Power and prizes will be handed out. He said the City will be paying for the food and city councilors will participate in its preparation. He said, it will be an opportunity for citizens to interact with one another and familiarize themselves with our law and justice and emergency service providers. He said this activity is a precursor to the establishment of a community- wide event.

Fireworks Related Issues

The Mayor passed over this topic because it had been discussed earlier in the meeting.

Solar Speed Control Signs [suggesting 4 locations]

The Mayor discussed the fact considerable speeding occurs along certain roadways and that Council has approved monies to install two [2] solar speed control signs but there were differing viewpoints where they should be installed. He is suggesting that two additional signs be purchased to cover all of the areas of concern by residents. Two of them would be placed on Old Salem Road, one on Millersburg Drive and one on Alexander Street. The proposed cost is \$28,000 with the signs installed by Linn County Road Department. He advised that not only do we have issues with traffic speeds but also the volumes of traffic and traffic complexity. The council agreed to consider a proposal with further details for final approval.

Economic Development and Strategic Plan Update

The Mayor said his views on economic development were changing. He said we need to shift our attentions to the 150 acres of City land located on the south side of Conser Road as well as the 24 acres surrounding the City Hall. He said we do not have a plan for this acreage and meantime we are getting conflicting positions how it should be developed. He also noted there are conversations occurring about the development of an intermodal facility and possibly located in Millersburg. He said this facility will be of major benefit to the region and hopefully to the City. He noted, at present, we are monitoring this proposal and hope to take an active role in its development. The Mayor shared information about the current community workforce and where jobs were distributed. He said important to this discussion was the need to update our comprehensive plan. He said the plan update should help us determine our destiny as opposed to others doing it on our behalf without our active participation. He also wished to inform those present that next Tuesday the 18th at 7:30 P.M. there would be a meeting to review the strategic plan that was developed last year. He said approximately 40% percent of the strategic goals have been completed but there is a need to examine the rest and see if they are still viable. He said the public was welcome to attend but only to observe as this was work session.

City Manager's Report

Steve Hasson started off his portion of the evening program by providing information about all of the growth and development occurring in Millersburg over the past 6 years and its implications for change.

Steve noted at the first of the year the State designated Millersburg as possessing its own water system as opposed to being an extension of Albany's water system. He said that even though we have only been in existence a short time we were notified today we had received an outstanding performance award from the Oregon Health Authority. He said that designation means we will be subject to less state oversight because they have confidence in our water evaluation ability.

Utility Billing Procedure

Steve Noted that efforts were in the work to transform our present billing system, whereby we bill 16 time a year to one where we bill 6 times a year, yet provide citizens the opportunity to continue paying their bill every 30 days if they so desire. He said the aim is to have a more efficient and cost effective utility billing system and thereby free-up staff time to concentrate on other matters.

Wetlands Bank

Steve said there has been an effort to evaluate 64 acres of City owned land currently used for farm land purposes for purposes of converting it to a wetlands bank to mitigate wetland issues associated with considerable Millersburg properties. However, after a property review by wetland bank specialists, it was determined the cost to convert the land, per acre, for wetland mitigation use was approximately \$70,000 and with that type of cost outlay, the City would not receive a good financial return. Therefore, Steve is exploring the idea of selling this land for farming purposes with the intent of taking the revenues available from its sale and making them available to fund some Major City related activity - be that a down payment on a fire station, purchase of wetland's credits or something of that nature. Steve estimated the land could be sold for \$8,000 to \$10,000 per acre and there was a ready market for its purchase and given the land's soils are exceptionally fertile. Steve said once he has an accurate valuation of its worth - he will approach the Council and see their reception to its sale. Councilor Scott McPhee inquired as to its zoning? Steve said that the land did not have the capability to be developed regardless of its zone because the it had limited public access and thus its highest and best use was either recreational or for farming purposes.

Woods Roads Rebuilding Status

Steve noted that finally work on Woods road was underway after delays due to bonding concerns and other matters. He said the paving of this roadway should occur the first week in August and that its completion was slated for the middle part of that month. He noted that additional lighting was contemplated along this roadway to accommodate community walkability. There was a question from the audience about sidewalk placement. Janelle Booth advised the Woods Road improvement will be a full-width road improvement with sidewalks located on both sides of the roadway and noting the road plans were available for inspection at City Hall. Steve noted the Woods Road improvement extends approximately 1200 feet south of intersection with Millersburg Drive and thus, does not extend southward all the way to the Sedona Court entryway into Becker Ridge Subdivision.

Fees and Permit Evaluation

Steve deferred this item to a later time in the meeting.

South Ball Field Improvement Strategy

Steve noted that in the Council packet was an email that outlines how the City intended to move forward with the rehabilitation of Millersburg Park's south infield so that it will remain safe for all of the people who use it. Councilor Scott McPhee noted that the City has previously made a motion to have the Boys and Girls Club remit that portion of the money they received [\$2000] they had not yet expended, prior to receiving further ballfield services. Steve said the club had countered by requesting that the monies be available at Millersburg Park for procurement of a portable pitcher's mound that would be placed in a City building

when not in use. Steve said he would send them a letter advising they need to return the money as a next step but also advised, he intended to proceed forth with the rebuilding of this infield unless there was Council desire to do otherwise. Councilor McPhee also thought it proper the City start the process of forming a park committee that may evaluate other related matters. Steve agreed suggesting we need to construct a park plan as time allows that will lend guidance to this action. Mayor Lepin was in agreement we needed a committee for this purpose but it needs to be thought through and considered in light of other pressing matters confronting this community. Councilor Don Miller said he wanted it understood that the money the Boys and Girls Club returns to the City is intended to accommodate all of our Citizens. He said any dugout or portable pitcher's mound purchased is intended for all rather than exclusively for that club's usage.

Fire Marshal Services

Steve expressed concern that the City does not have a fire marshal and the fact the Jefferson Rural district fire chief had expressed earlier this evening an inability to staff that position. Steve said that without either a fire marshal or a business license to identify what actions or activities our ongoing with our commercial and or industrials users - the City is health and safety vulnerable within the Jefferson Rural District portion of the City. Steve said as part of the City's efforts to develop a long-term fire protection and emergency medical [EMS] program, we need to give consideration to the staffing of this position and/or contracting for this service. Councilor Scott Cowen advised that he had spoken with the Albany Fire Chief about providing this service throughout Millersburg and he was receptive to accommodating our needs through some type of contractual arrangements. Steve said this conversation ought to occur now as whatever will take place between the City and the fire districts will likely be a protracted process and this is something that cannot wait.

City Maintenance Supervisor Report Playground equipment slide

Sean Shearer, the City's maintenance supervisor, was present and advised the Council that on a number of occasions he had attempted to patch the playground slide that had been vandalized and the patch effort shave continually failed. He said the best bet was to replace that portion of playground equipment and the associated cost was in the neighborhood of \$8400.

Drainage of Millersburg Park Playground Area

Sean advised Council the original engineering estimates to acquire a contractor to drain this playground area was in the neighborhood of \$30,000. Staff suggested we take on this effort and the Council approved \$15,000 for that purpose. Sean said he had overseen 95 percent of the work and the costs to date were about \$6,000. He said the remaining work consisted of replacing a concrete cut and he intended to initiate that action because it would take months to acquire concrete contractor services, given the present development climate. He also noted 65 yards of wood chips have been placed around the playground to make it safe and pleasing to the eye.

City Attorney Report

Forrest Reid, the City's attorney, advised he did not have anything for Council to review at this time.

City Engineer Report Water Master Plan Update

Janelle Booth noted she has been working on the water master plan. She noted, at present, her firm is working on modeling components and water capacities as they exist today and

from that information she is able to advise, the City has considerable water supply to accommodate public need for the foreseeable future. She said at some point - the City's water supply will max out and through this analysis they will have some ability to predict when that might occur. She said this study was being developed because it was regulatory required and also helpful to guiding all of the City's development. She said, the plan should be concluded in September and prior to that date she will review a working draft with Council.

Sewer lift stations construction update

Janelle said the construction of two [2] new lift stations should be underway within the next couple weeks. She said the work on them will be completed sometime in October and before the start of the rainy season. She said the work associated with the new ATI lift station will occur at that business location so the public will not be impacted by its construction. She noted, the Morningstar lift station construction will be seen and felt. Mayor Lepin asked if the present construction climate might delay this project. Janelle said no and observing a majority of the lift station was comprised of prefab material and it should be installed in the ground over the course of a day, with minimal traffic disruption on Millersburg Drive. Mayor Lepin requested a stormwater status update at the next council meeting. Steve said there were stormwater strategies underway and noting efforts made to gain physical control of the City's storm drainage ponds and noting the Council had recently approved a grading permit and now, the evaluation of a certificate of occupancy - all with the idea of exercising more influence and control over stormwater management.

Unfinished Business

Status update: review of Fire and EMS protection services

Mayor Lepin asked Councilor Scott Cowen if there was more he would like to discuss about fire and EMS protection services and he [Scott] replied that he would save his comments for the July 19 town hall meeting.

New Business

Recommending Grove, Muller & Swank, P.C. to provide for the City's Auditing Services for the time period 2017-2019 @ \$12,000 for next year's services

Sarah Cook, City Recorder, advised that the City had sent out 17 solicitations for this auditing service and received two [2] back and both were valid but one was considerably less cost than the other. Sarah noted that we did not receive a bid from the auditing firm that had provided the City this service for many years. She also noted we checked on the recommended firm's references. She also called to the Council's attention that she had had firsthand experience working with this firm for a number of years. Councilor Don Miller made a motion to approve this firm and seconded by Councilor Scott Cowen with unanimous Council approval.

Replacement of Park Slide - estimated costs \$8,500

The Mayor noted there had been considerable discussion on this item and thus called for Council action. Councilor Scott Cowen made a motion to approve purchase of a new slide and seconded by Councilor Dave Harms with unanimous Council approval. Councilor Cowen was of the belief this item should have been resolved without Council direction but understood that Steve's spending authority was limited to \$5,000 and asked an item be placed on the next council agenda increasing his spending authority to \$10,000.

Cleanup and restoration of Crook's Creek for flood abatement purposes and awarding the work to Poe's Backhoe Operation for a sum of \$8,400

Steve noted that he had contacted Justin Albion with Poe's Construction who has traditionally provided for the cleaning of different sections of Crooks Creek as the vegetation reclaims that

waterway. Steve noted he [Justin] has specialized equipment for removing the vegetation and the environmental training necessary to do the work without gaining a public agency's wrath. He said that Justin had offered to do the work in two [2] components to keep the costs down but realistically the remainder of Crooks Creek needs to be defoliated to where it heads southward to abate flooding conditions that would otherwise impact the residents along that waterway. Councilor Scott Cowen said this is an ongoing maintenance issue that should be attended every year as needed and that we also need to be sensitive to impacting the property owners located along this waterbody as the work is done. Mayor Lepin noted that we have likely never cleaned that portion of the waterbody located on the east side of Old Salem Road. Janelle cautioned that the removal of the vegetation is likely to speed up the water volume on Crooks Creek. She said the water pressure in the channel will be stronger or potentially stronger but she is not recommending the work not be done. Councilor Scott Cowen made a motion to approve this action and seconded by Councilor Dave Harms with unanimous Council approval.

Purchase of a new John Deere Gator - estimated cost \$12,000 - \$15,000

Steve noted that Barbara Castillo and Sean Shearer had both observed the John Deere Gator was on its last legs and noting the City had purchased it in 1998 and used it extensively since that time period. Councilor Scott McPhee said he was in favor of the purchase but believed they drove the gator places where it would be better to walk and noting he had seen gator tacks on the Millersburg Park lawn that interfered with park usage. After some further discussion, Councilor Don Miller made a motion to approve this action and seconded by Councilor Scott Cowen with unanimous Council approval.

Resolution 2017-13 setting employee cost of living allowance [COLA] for fiscal year 2017-18

Sarah Cook advised that she had determined that the cost of living increase this year and based on a CPU measurement she has used historically for that determination. She said this measurement shows a 1.9 percent increase over the past year. She noted she had constructed this increase in the form of a resolution for the Council's consideration. Attorney Forrest Reid noted that previous Council would convene in executive session and determine the COLA amount as well as whether an employee deserved a bump in wages but now with our new form of government, that determination resides with the City Manager. Steve noted the purpose of the COLA was to offset inflation that reduces the value of a dollar. A long discussion followed on whether employees should receive a fraction of the COLA if they were hired anytime other than the time the COLA increase starting date. Councilor Scott Cowen made a motion to approve this action and seconded by Councilor Don Miller with Councilor Scott McPhee dissenting.

Adoption of a merit based Employee Salary Scale

Sarah Cook provided Council a salary scale that identifies a method of providing City employees with merit pay when that action is warranted. Councilor Scott McPhee inquired the basis for determining the first step in this 10 step scale. Sarah advised the first step reflected employee current salary. Councilor McPhee expressed concern about the 3 percent per step pay scale because when he extrapolated current salaries with a 3 percent increase through the 10 steps, he said these numbers resulted in very high ending salaries. He suggested because some of these employees had been here considerable amount of time there starting point ought to be further up the step range to assure there ending step is in keeping with the market place. Mayor Lepin inquired what if one of our long time employees is started at a step 8 [essentially their current salary but in step 8] does that mean if they hit step 10 in 2 years they are out of salary movement and Councilor McPhee said yes. Mayor Lepin said he thought the ranges were tied to merit not longevity or union negotiation but wonder why 3 percent if the employee is deserving of 1 percent or 6 percent. Councilor McPhee responded having a consistent increase reduces discrimination claims. Steve said a merit based pay

system does not mean that a person will automatically move up annual to the next step, in fact they never may move up, because they never warrant merit pay. He compared it to everyone in the room signing up for martial arts training. He said we would all start at the same level [a white belt] to reflect we were a novice. He said some of us who were aggressive would move up to the next color belt [yellow] and continue to move up through the martial arts ranks. Others of us would not move up and would remain a white belt or it might take us twice as long to get to the yellow belt. He said eventually someone might make it to the highest rank [black belt] but not everyone would do so and many might not advance beyond yellow. This is how Steve envisioned the merit system to work. Councilor McPhee thought the merit pay was tied to the position and not the person and noting that frequently you will see engineer 1 and engineer 2 positions and so on. Sarah pointed out what Councilor McPhee was referencing were different positions with differing levels of competency based on a posted salary range with those with more competencies or more experience starting at higher salaries within the posted salary range and that was different from merit pay. Sarah said the merit increase would be tied to an annual review or some other measurement. Councilor Dave Harms asked why we were considering this action if Steve already had the capacity to provide for raises if they were deserved. Steve said the reason he was bringing this to council is a belief the establishment of a merit based process was a policy decision and more so because it involved the expending of monies. Mayor Lepin said he supported the concept but felt it shroud be constructed in the form of an ordinance or resolution to assure the concept does not get lost into some annual compensation adjustment not based on a merit basis. Councilor Scott Cowen said he supported the proposal as presented with some possible fine tuning. Attorney Forrest wondered about the determination of percentage increase based on an up to certain percentage. He said if you adopt a step increase of 3 percent and you only provide them a 1 percent then you throw them out of a standardized system. Councilor Don Miller said that nationwide there is a shortage of people and it is getting harder to secure and retain employees and so we need to have a compensation strategy that attracts and keeps employees. Considerable discussion followed about various methods of compensation. Mayor Lepin asked Sarah to take the various components of this conversion and thread them into an ordinance that can be brought back at the next meeting. Councilor Scott McPhee went back to his original position that overtime the recorder position could creeps up to \$100,000 or something like that based on this process. He said we should have the ability to realign that pay if it gets off track or place a cap if that action be necessary. Mayor Lepin felt that the possibility that a positon would go through the roof was conjecture and noting that Barbara Castillo had been here 42 years and her final pay after all that time was \$72,500.

Consensus to move forward with a bi-monthly utility billing program [the intent is to combine the sewer and water billing sand bill 6 times a year rather than the current 16 times a year]

Councilor Don Miller made a motion to approve this action and seconded by Councilor Scott Cowen with unanimous Council approval.

Ordinance - 130 Approval of a Certificate of Occupancy [C of O] to assure local development oversight

Steve advised the Council that Linn County provides for inspection services within Millersburg. He said this is by way of contractual arrangement that has been in place by way of an IGA since 1998. He said by way of this inspection agreement, the City warrants the work when a homeowner takes possession of their house. He added, the County issues a certificate of occupancy before a given residence may be occupied. Steve said as the development level increases - he is more frequently seeing items associated with residential construction that are not being attended by the county as part of their inspecting process or incomplete evaluations. He cited examples of grading, sidewalk installation, approaches, easements and

height restrictions where the inspections were incomplete or inadequate. He said the County's certificate of occupancy does not necessarily protect the homeowner. Accordingly, he is looking at the City to create its own certificate of occupancy [in addition to the County's] to assure housing items, and more land use in nature, are evaluated to protect homeowners and noting residences are selling for close to \$500,000. He noted that Sarah Cook had called to his attention that the City of Jefferson enacted a certificate of occupancy to complement the County's similar permit to help safeguard the public. He said he was looking to initiate a similar oversight control in Millersburg. He said if the City institutes a C of O it will withhold water connection until this inspection occurs. He said he was looking at a minimal fee for this extra protection. He said more than anything this would place another enforcement tool in the City's inspection tool box to assure positive outcomes. Councilor Scott McPhee said he had questions and needed some items clarified. He noted he had called Suzanne Larson, the Linn County building official about this possible City action and she had expressed concern. He said that lenders, appraisers, insurers and builders would not likely acknowledge our separate C of O and that also it was unlikely we could withhold water to a residence once the County issued its C of O. Councilor McPhee said the City did have concerns that were prompting this consideration and asked Ms. Larson what could she do to improve the process. She advised him, if the inspectors were not doing adequate inspections she would remedy the situation. She suggested rather than create our own system that we develop a checklist and send it to her with respect to every building inspected. He suggested that we sit down with her and work this out to which Steve replied he did not like the way she did business. He said he did not want her telling us how to do our business. Steve that he had met with her and asked if he could job shadow her or her staff so that he could understand exactly what they checked for and she was not receptive to that request. Steve said right then and there he lost faith in her capacity to represent the City's best interests if she did not want me to know what they inspected. Steve said he had a newly built garage torn down that exceeded the City's high limitation by 8 feet because of lack of inspection. He said when he became aware of this height excess, he contacted Linn County about this violation and they put the blame back on the City, stating we should have caught it and these types of violations are not their issue. Steve said, if they are going to advise us that something as basic as a height violation is our problem, then I want a tool in the inspection tool box to remedy the situation. Councilor McPhee was adamant that Millersburg would not have the power to keep someone out of their house if it passed County inspection. Steve said the City would advise the developers or homeowners when they came in the door about his process. He said anyone could make the argument they were unfamiliar with the City's permitting processes and thus our actions did not apply to them. He said if this process is incorrect then how is it that in has been in place in the nearby City of Jefferson for more than a decade. Councilor Scott Cowen thought it was wrong Linn County would not accommodate the job shadow request and noting we are an important customer. He said it is apparent that Steve doesn't have the control he is seeking over the process. Mayor Lepin said we ought to discuss this matter with them because some of the items on our list we do not have the authority to do at this time such as utility inspections. Steve said he did not intend to do anything that the City employees did not have the license to address. Mayor Lepin said we intend to address utility inspections and Steve said no he would not do anything that requires a license until staff was trained to assume that role. Steve said he did not wish to accommodate them further given their shortfalls. Councilor Dave Harms inquired why would we look to them to provide resolution if it is doubtful they are doing what is required of them now. This discussion continued for some time. Finally, Councilor Scott Cowen made a motion to approve Ordinance 130 and seconded by Councilor Don Miller. Councilor Don Miller said he had spoken with several of the developers and they observe that Linn County inspectors are not the best in the world that they let stuff slip by that should have been caught. Mayor Lepin said our passing this ordinance may raise hackles with the county but that action might open the door for discussion. Councilor Scott McPhee did advise Suzanne Larson of this meeting so

she could come and represent her position but apparently she could not be present on such short notice. Council approved this ordinance with Councilor's Harms and McPhee voting no.

Resolution 2017- 14 Amending Resolution 2017-11 to include addition of permit fees for grading, certificate of occupancy [C of O] and food vendor fees

Steve had brought forth three [3] fees for the Council's consideration and noting that likely from now on he would be offering up fee modifications on a regular basis and noting many of the City's fees had been approved several years ago without adjustment. Councilor Scott Cowen made a motion to approve this action and seconded by Councilor Don Miller with unanimous Council approval.

Closing Public Comments No comments

Closing Council Comments Councilor Don Miller advised the Council that ODOT would be doing work on various segments of southbound I-5 between here and Salem over the next month and half. Councilor Scott Cowen again requested that Steve's spending authority be placed on the next council agenda for increase to \$10,000 to facilitate completion of work projects. Mayor Lepin asked Council and the public to consider, over the next few weeks, the value of seeking a Millersburg Zip Code. He also thought that we cannot keep meeting until 11 o'clock and if we were to continue this practice we ought to consider have two [2] Council meetings a month starting in January.

Adjournment: 11:00 P.M.

Note: Council may adjourn to executive session in accordance with ORS 192.660