



## December 10, 2019 City Council Meeting Minutes

Millersburg City Hall  
4222 NE Old Salem Road, Albany OR 97321  
6:30 p.m.

A. CALL TO ORDER: Called to order by Mayor Lepin at 6:30 p.m.

B. ROLL CALL

Councilors Present: Mayor Jim Lepin, Councilors Scott Cowan, Dave Harms, Scott McPhee, John Sullivan

Councilors Absent: None. Councilor Scott Cowan departed at approximately 7:50 p.m. to attend a emergency.

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's Office – Lieutenant Michelle Duncan

C. PLEDGE OF ALLEGIANCE

D. SWEARING IN OF COUNCILOR

E. CHANGES AND ADDITIONS TO THE AGENDA

Mayor Lepin discussed revisions to order of items and clarified items on the agenda, including the process during public comment.

F. CONSENT AGENDA

- 1) Approval of November 12, 2019 City Council Meeting Minutes
- 2) Approval of November 21, 2019 Special City Council Meeting Minutes
- 3) Acceptance of Council Approval Report for City Bills

Action: **Motion to Accept Consent Agenda made by Councilor Scott Cowan; seconded by Councilor Scott McPhee.**

|                                 |            |
|---------------------------------|------------|
| <b>Mayor Jim Lepin:</b>         | <b>Aye</b> |
| <b>Councilor Scott Cowan:</b>   | <b>Aye</b> |
| <b>Councilor Dave Harms:</b>    | <b>Aye</b> |
| <b>Councilor Scott McPhee:</b>  | <b>Aye</b> |
| <b>Councilor John Sullivan:</b> | <b>Aye</b> |

Motion PASSED: 5/0

G. GUEST PRESENTATIONS

- 1) Linn County Sheriff's Office Report  
Lieutenant Michelle Duncan reviewed November's LCSO report. She reminded residents to make sure their garage doors are closed and to lock vehicles and do not store valuables even in locked cars.

2) Recognition of Service – Ed Perlenfein

Mayor Lepin spoke about Mr. Perlenfein's service to the City over the past forty years. Current Planning Commissioner Steve Vogler made a brief comment. Mr. Perlenfein recognized the efforts of past contributors to the history and growth of the City.

H. PUBLIC HEARING

1) Sewer Rate Increase

Mayor Lepin went over the process for the public hearing then opened the public hearing at 6:51 p.m.

Mayor Lepin asked about conflict of interest among the Council. None noted. Mayor then recognized and asked that a letter received from Craig Ziegenhagel on December 9, 2019 be introduced into the record. Assistant City Manager/City Engineer Booth reviewed the staff report and provided a power point presentation on the history of sewer rate increases and how the City got to the point it is today with the need for an increase. After she did presentation, Mayor Lepin opened to public comment.

Doug Iverson, 2113 Summit Drive, went over the history of the past City increases and how they accumulated over the years noting that rates went up over 110% in just sewer alone. He spoke about the history of COLA increases. He mentioned putting in small amount of increases over the years in the new billing system so it doesn't fall through the cracks.

Jim Zolotoff, 2121 Millersburg Drive, asked about Millersburg Drive and who pays for the repairs to roads. He asked why the developers aren't paying for all of the repairs to the sewer systems with all of the new homes.

Kathy Strathern, 4322 NE Katelyn Way, asked about the future adjustment to the sewer usage based on winter water usage and how that will affect sewer rates. She also asked where wastewater went.

Mayor Lepin closed the public hearing at 7:18 p.m.

Assistant City Manager/City Engineer Booth responded to the questions and comments from residents, including how developers are charged. City Manager Kreitman discussed the use of general fund dollars. He said general funds have not been used to supplement the water and sewer accounts for quite some time, and Council has elected not to do that even if it is allowed by law, to ensure the City maintains a healthy general fund balance for situations that arise such as stormwater and TMDL requirements.

During the discussion among the Council, Mayor Lepin clarified this was a time for comment but not a decision-making time which would happen in January.

Councilor Cowan spoke about the history of the City water and sewer rates prior to the current arrangement with the City of Albany and the level of increases over that time. Councilor McPhee noted that, for some residents, first sewer rates would go up then they would go down once the restructure

happens and clarified that there might be water rate increases that balance out the costs so there might not be a significant decrease in sewer rates for some residents. He also noted, along with Mayor Lepin, that there are some regulatory costs coming to hit the City. Councilor Harms reminded everyone that the City is starting out behind given the increases that should have happened but did not in prior years.

City Manager Kreitman followed up by stating that the City has a fairly new system so some operations costs are less than Albany's as parts of their system is over 100 years old.

Mayor Lepin recessed meeting at 7:44 p.m.

Mayor Lepin recalled the meeting at 7:56 p.m.

I. PUBLIC COMMENT

None

J. COUNCIL MEMBER AND STAFF COMMENTS

1) Mayor – Manager's Compensation

Mayor Lepin discussed work accomplished as a result of City Manager Kreitman and Assistant City Manager/City Engineer Booth's leadership.

Action: **Motion to Increase Salaries by 5% of City Manager Kreitman and Assistant City Manager/City Engineer Booth with City Manager Kreitman effective January 1 and Assistant City Manager/City Engineer Booth effective February 1 made by Mayor Jim Lepin; seconded by Councilor Dave Harms**

|                                 |               |
|---------------------------------|---------------|
| <b>Mayor Jim Lepin:</b>         | <b>Aye</b>    |
| <b>Councilor Scott Cowan:</b>   | <b>Absent</b> |
| <b>Councilor Dave Harms:</b>    | <b>Aye</b>    |
| <b>Councilor Scott McPhee:</b>  | <b>Aye</b>    |
| <b>Councilor John Sullivan:</b> | <b>Aye</b>    |

Motion PASSED: 4/0

2) Mayor – Council Committee Assignments

Mayor Lepin explained the various committees Millersburg belongs to and the open positions. He asked new Councilor John Sullivan who agreed to fill the spots vacated by Councilor Miller. Councilor Harms said he'd be a Council liaison for the Millersburg Celebration.

3) Mayor – COG/CSC Merger

Mayor Lepin briefed the council on the Community Services Consortium and Council of Governments merger. Both organizations are losing their administrators and it was suggested they combine for more effective provision of services. No impact on Millersburg except the possibility that some residents will receive improved services.

K. CITY MANAGER'S REPORT

1) Project Updates

City Manager Kreitman and Assistant City Manager/City Engineer Booth went over the project updates staff report, discussing various projects, including a

submission of ideas by a resident. Mayor Lepin said he likes the idea of Tree City and labeling trees but doesn't want to expend funds or see staff tackle it right now—would like to see it turned into a volunteer activity. Rest of the Council agreed.

L. CITY ATTORNEY'S REPORT

None

M. UNFINISHED BUSINESS

None

N. NEW BUSINESS

1) Commission/Committee Appointments – Resolution 2019-21

Mayor Lepin introduced the material, asking for the Council to consider the two resumes received for the position. Mayor Lepin asked for staff to provide an orientation to Mr. Raum.

Action: **Motion to Approve Resolution Appointing Planning Commission, with Addition of Mark Raum to Planning Commission and Events Planning Committee made by Councilor Scott McPhee; seconded by Councilor Dave Harms.** Resolution 2019-21

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

Motion PASSED: 4/0

2) Stormwater Systems Development Charges Proposal – Galardi

Assistant City Manager/City Engineer Booth went over staff report.

Action: **Motion to Approve Stormwater Systems Development Charges Proposal by Galardi Consulting made by Councilor Scott McPhee; seconded by Councilor John Sullivan.**

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

Motion PASSED: 4/0

3) Sale of City Property (moved to Agenda Item #1)

City Manager Kreitman went over staff report and presentation on property sale, including the granting of easements. City Manager Kreitman noted some issues with regard to encroachment from an adjacent business onto City property. There was discussion regarding the options for an adjustment that could address the encroaching property or require him to remove his material. There followed lengthy discussion regarding how to address the encroachment and how to ensure the sale goes through.

Action: **Motion to Authorize Kevin to sign the documents to transfer by easement and eventually through a deed to Pacificorp the approximate 4.5**

**acres of land and secondly, authorizing the repayment of approximately \$11,500 in funds to Paul Kuehne for revenue he will lose as a result of his not being able to harvest his crop and lastly authorizing staff to contact the owner of the scrap metal yard to see what we can do regarding remediation of that 6,000 square feet encroachment made by Councilor Scott McPhee; seconded by Councilor John Sullivan.**

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

Motion PASSED: 4/0

4) Surface Water Code – Ordinance 166

Assistant City Manager/City Engineer Booth went over staff report.

Action: **Motion to Adopt Ordinance Amending the Millersburg Municipal Code by Adopting Title 12, Surface Water Code Made by Councilor Scott McPhee; seconded by Councilor John Sullivan.**

**Ordinance 166**

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

Motion PASSED: 4/0

5) Engineering Standards – Resolution 2019-22

Assistant City Manager/City Engineer Booth went over staff report.

Action: **Motion to Approve Resolution Adopting Engineering Standards made by Councilor Dave Harms; seconded by Councilor Scott McPhee.**

**Resolution 2019-22**

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

Motion PASSED: 4/0

6) Linn County Sheriff's Office IGA

Mayor Lepin went over information on intergovernmental agreement..

Action: **Motion to Approve Intergovernmental Agreement with the Linn County Sheriff's Office and Authorize the City Manager to Sign made by Councilor Scott McPhee; seconded by Councilor John Sullivan.**

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

Motion PASSED: 4/0

O. CLOSING PUBLIC COMMENT  
None

P. CLOSING COUNCIL COMMENT

1) City Manager Kreitman asked the Council about closing the City Hall at noon on Christmas Eve to allow staff to enjoy the holiday with their families.

Action: **Motion to Authorize the Closing of City Hall at Noon on December 24, 2019 made by Councilor Dave Harms; seconded by Councilor Scott McPhee.**

|                                 |               |
|---------------------------------|---------------|
| <b>Mayor Jim Lepin:</b>         | <b>Aye</b>    |
| <b>Councilor Scott Cowan:</b>   | <b>Absent</b> |
| <b>Councilor Dave Harms:</b>    | <b>Aye</b>    |
| <b>Councilor Scott McPhee:</b>  | <b>Aye</b>    |
| <b>Councilor John Sullivan:</b> | <b>Aye</b>    |

Motion PASSED: 4/0

Q. ADJOURNMENT

Meeting adjourned at 8:45 p.m.

Amendment approved April 14, 2020 and respectfully submitted by:

*Kimberly Wollenburg*

Kimberly Wollenburg  
City Recorder

Reviewed by:



Kevin Kreitman  
City Manager

Upcoming Meetings & Events:

December 17, 2019 @ 6:00 p.m. – Planning Commission Meeting

*The location of the meeting is accessible to the disabled. If you have a disability that requires accommodation to attend or participate, please notify the Millersburg City Hall in advance by calling 541-928-4523.*