

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, June 27, 2023**

Mayor Kirsch opened the meeting at 6:30 PM with the flag salute. Councilors present were Janet Zeyen-Hall, Jason Saari and Steve Winn. Brett Katlong arrived at 6:55 PM. Dawn Plotts was excused. Staff members in attendance were City Recorder Stacie Cook and City Clerk Tree Fredrickson.

Citizens in Attendance were Ben Barnes, Legacy Power Systems, Ann Carey, Roel Lundquist, Andi Park, MCRFPD, Lari Rupp, Marion County Economic Development Dept, Don Strasser, Julie Strasser, Misty Strasser and Ronald Van Vlack.

DECLARATIONS OF POTENTIAL CONFLICTS OF INTEREST: Mayor Kirsch stated that anyone who felt they may have a potential conflict with anything on tonight's agenda may say so at this time or at any time during tonight's meeting.

CONSENT AGENDA

Councilor Zeyen-Hall moved and was seconded by **Councilor Saari**, to approve items a; Approval of Minutes of Regular City Council Meeting of June 13, 2023, b; Approval of Accounts Payable, c; Approval of Minutes of Budget Committee Meeting of April 24, 2023, and d; Approval of Minutes of Budget Committee Meeting of June 6, 2023. Mrs. Fredrickson polled the Council. The motion passed unanimously, (4:0).

CITIZEN COMMENTS/QUESTIONS: Misty Strasser, NW River Rd., requested an update on an IGA between LCSO and MCSO to allow for mutual aid enforcement. Mayor Kirsch said that he does not have an update on this issue but will speak with the incoming Marion County Sheriff.

Mrs. Strasser asked if the loading/unloading only zone that was discussed will be created in front of Hammond Park. Mrs. Cook said this was on hold for the completion of the first phase of the Mill City Falls project. Now that the project is near completion she will contact ODOT to discuss the potential parking changes.

Mrs. Strasser asked if emergency services will be increased with the additional population from the Beech Street Apartments and if there is a law or an ordinance requirement to provide increased services as populations increase.

Mill City Fire Station Captain Andi Park said that she is no up to speed on the apartments but would like to have more volunteers to increase the ability to respond. Mrs. Park said that she works with several departments within the canyon and Mill city probably has the best response time in the area.

Mrs. Park said that she was recently hired as the Station Captain for MCRFPD she is a paramedic, has ALS capacity and is taking steps to get more response capacity for the district.

Ron Van Vlack, SE Fairview St., asked about age requirements for volunteering with the fire department. Mrs. Park encouraged Mr. Van Vlack to become a volunteer, stating that there are many volunteer opportunities available.

Mrs. Park stated that she will be looking to do as many community events as possible and is looking into creating a cadet program for the fire department. Graduating cadets would come out with an Emergency Medical Responder certificate and a Firefighter I certificate.

Mrs. Strasser said that a metal post was placed on her property and asked if the City did this. Mrs. Cook said that she is unaware of any reason for the City to place a post but will check with Public Works.

Councilor Katlong arrived at the meeting.

PRESENTATION – LARI RUPP, MARION COUNTY ECONOMIC DEVELOPMENT: SANTIAM RAIL TRAIL PROJECT UPDATE: Lari Rupp, Marion County Economic Development Dept, stated that the attempt to obtain a Community Paths Program grant was unsuccessful. The Santiam Rail Trail ranked 17 out of 19.

Marion County will continue to work on the Minto Park section of the path and right-of-way acquisitions. Engineers are looking at potentially aligning the trail with the NSSA forced main sewer line placement.

PRESENTATION – BEN BARNES, LEGACY POWER SYSTEMS: PORTABLE GENERATOR HOOK UPS: Ben Barnes, Legacy Power Systems, gave the Council information on the requirements and costs for portable generators and hook ups at City Hall and the local gas stations. Mr. Barnes said that he also looked at the SCSD auditorium but did not include a cost estimate due to the variables and high costs for a hook up.

The portable generator for City use is estimated to cost \$71,056. Each docking station will run approximately \$9500. Mr. Barnes said that the SCSD has both 800 and 1,000-amp services. Generators that would run both the auditorium and food services could cost upwards of \$160,000 and two would be needed.

RESOLUTION NO. 881A AMENDED – DECLARING THE PUBLIC NECESSITY TO ACQUIRE LAND TO EXPAND KIMMEL PARK AND AMENDING RESOLUTION NO. 881: Resolution No. 881A, declares the necessity to acquire land for parks expansion and amends Resolution No. 881 per City Attorney Jim McGehee's direction.

Councilor Katlong moved and was seconded by **Councilor Winn**, to Approve Resolution No. 881A Amended – Declaring the Public Necessity to Acquire Land for Kimmel Park and Amending Resolution No. 881. The motion passed unanimously, (5:0).

491 SE FAIRVIEW STREET, MILL CITY – RATIFICATION OF AUTHORIZATION TO PURCHASE: The Council has been negotiating the purchase of the parcels of land located at 491 SE Fairview St., Mill City. After the June 13, 2023 Council meeting the property owners agreed to the purchase terms and requested a closing date by July 1, 2023. Council was contacted to obtain consensus to purchase, which must be formalized by motion.

The terms of the sale include:

- \$275,000 purchase price
- Waiver of two (2) variance application fees for 781 SE 4th Ave and 189 SE Kingwood Ave
- Subject to inspections

Budgeting had been completed to allow for the purchase of the property in the 2023-2024 FY, however, with the request to close by July 1, 2023, staff reviewed the existing budget and found funding to allow for the purchase in the existing FY.

The intent is to demolish the existing structure, clean up the property and incorporate the parcel into Kimmel Park.

Councilor Zeyen-Hall moved and was seconded by **Councilor Saari**, to Ratify June 19, 2023, Email Consensus to Purchase 491 SE Fairview St., Mill City and to Direct Mayor Kirsch to Sign for the Purchase at Closing. The motion passed unanimously, (5:0).

PUBLIC HEARING – 2023-24 FY BUDGET: At 7:40 PM Mayor Kirsch opened the budget hearing and called for the staff report.

Staff Report: City Recorder Stacie Cook said that the City is required to formally declare its election to receive state revenues as well as certify that the City provides at least four municipal services and formally adopt the budget. The public hearing is to take public comment on use of the funds, which consist of Liquor Tax, Cigarette Tax, Marijuana Tax and State Hwy Tax. These revenues are allocated to the City's General Fund except for the State Hwy Tax which goes in the Street Fund.

General Testimony: None.

Mayor Kirsch closed the public hearing at 7:42 PM.

Mrs. Cook said that the budget document has been changed from what was adopted by the Budget Committee in June. Since the Budget Committee reconvened to approve changes to the budget recommended for approval in April the City negotiated the purchase of a property, which was anticipated for purchase in the next fiscal year. The property owner requested that closing on the property take place by July 1, 2023, which requires the transfer of dollars within the current budget to cover the expenditure.

Funds for the property purchase will be taken from the General Facilities Reserve Fund, which requires no changes, and the General Fund, which requires dollars to be transferred within the fund. The changes are as follows:

Materials & Services	Adopted \$529,879	Change (\$44,000)	Revised \$485,879
Contingency	\$116,820	(\$116,000)	\$ 820
Capital Outlay	\$20,000	\$ 160,000	\$180,000

In addition to the transfer for the property purchase, staff is erring on the side of caution to ensure enough funds are available for personnel costs through June 30. Transfers of \$5,000 from Contingency to Personnel will be made in the Street, Water and Sewer Funds.

The beginning balance of the General Fund will reduce to \$210,000 and the General Facilities Reserve Fund to \$52,400. These changes reduce the overall budget amount to \$15,631,245.

ADOPTION OF FY 2023-2024 BUDGET:

Resolution No. 88X(9) authorizes the transfer of appropriations for the 2022-2023 fiscal year.

Councilor Winn moved and was seconded by **Councilor Zeyen-Hall**, to Approve Resolution No. 889 – Authorizing the Transfer of Appropriations for the 2022-2023 Fiscal Year. The motion passed unanimously, (5:0).

Resolution No. 89X(0) declares that the City of Mill City provides at least four municipal services. Without adoption of this resolution the City is unable to collect these funds which are: Revenue Sharing (from State General Fund), State Highway Tax, Liquor and Cigarette tax.

Councilor Zeyen-Hall moved and was seconded by **Councilor Saari**, to Approve Resolution No. 890 – Declaring the City’s Election to Receive State Shared Revenues. The motion passed unanimously, (5:0).

Resolution No. 89X(1) certifies that the City of Mill City provides at least four municipal services. This resolution states that the City will provide police, streets, water, sewer, storm sewer and planning.

Councilor Katlong moved and was seconded by **Councilor Saari**, to Approve Resolution No. 891 – Certifying That the City of Mill City Provides at Least Four Municipal Services as Enumerated in Section 1, ORS 331.760. The motion passed unanimously, (5:0).

Resolution No. 89X(2) adopts the budget, appropriates funding per direction during the budget process and authorizes levying of taxes at the rate of 4.1578 per \$1000 of assessed value.

Councilor Saari moved and was seconded by **Councilor Katlong**, to Approve Resolution No. 892 - Adopting the Budget, Making Appropriations and Levying Taxes for the 2023-2024 Fiscal Year. The motion passed unanimously, (5:0).

TASK ORDER NO. CE-23-1; ENGINEERING SERVICES – SAFE ROUTES TO SCHOOL:

Ashley Engineering Design provided a task order for engineering services for the Safe Routes to School (SRTS) grant, totalling \$340,600. The task order includes project management and meetings, engineering design and services during the bid, award process, construction, and project closeout and record drawings.

Keller Associates and Newberg Surveying will be subconsultants for this project. Surveying will need to begin as quickly as possible to allow for the engineering and design to be completed in order to meet the City’s “Key Milestone” for planning, design, permitting and land acquisition of January 31, 2024. The project completion is scheduled for December 31, 2025.

Roel Lundquist, SW Linn Blvd, said that SCSD should contribute dollars for the infrastructure at SW 4th Ave and SW Cedar St as they own this parcel and project will benefit them. Mrs. Cook said that the bulk of the grant match came from improvements done by SCSD in previous years.

Councilor Katlong asked if grant dollars for the infrastructure at this parcel could be used for another area near the project if SCSD paid for some or all of the improvements. Mrs. Cook said that she would have to look into this. It would require a modification to the scope of work from the granting agency if it were allowed.

Councilor Saari moved and was seconded by **Councilor Winn**, to Approve Task Order No. CE-23-1 With Ashley Engineering Design, P.C. in the Amount of \$340,600. The motion passed unanimously, (5:0).

MISC. CITY RECORDER ITEMS:

4th of July Update: Mrs. Cook said that at this time there are approximately 25 vendors signed up for the 4th of July Celebration. Due to a lack of sponsorship there will not be a beer garden and therefore music will not be scheduled. To date there are not enough registrations to hold a horseshoe or basketball tournament.

Grand Marshals include:

Charlie Fisk – US Marine Corp Sergeant (E5); Purple Heart Recipient
Lynn Minton – US Marine Corp Sergeant (E5)
Patrick Rahm – US Marine Corp Private First Class
Misty Strasser – US Coast Guard Health Services Technician Petty Officer 2nd Class

A “train” has been secured for the Grand Marshals to ride in, which accommodates at least 12 people. Mrs. Cook said that if there are any Veterans who would like to ride in the parade, they are welcome to join.

Mayor Kirsch thanked Mrs. Cook, and all the volunteers, for stepping up to put the 4th of July Celebration together in such a short time.

Amendment No. 2 to Owner-Consultant Agreement; Keller Associates, Inc. Engineering Services (Sewer): The agreement for engineering services was modified to increase time and materials in March 2022 from \$10,000 to \$30,000. Since then Keller Associates has continued to work on the City's sewer needs with the following items contributing to meeting/exceeding the \$30,000:

- DEQ capacity letter and associated coordination, data analysis, discussions/meetings
- SCADA at WWTP including coordination with City and TAG
- Coordination with OREVAC to develop new I&I task order
- Beech Street Apartment plan reviews and meetings

Amendment No. 2 increases the time and materials fee limit up to \$50,0000, which will cover continued coordination on capacity expansion, SCADA support services, project development for I&I and continued support for the Beech Street Apartments as well as items outlined in the previous scope of work.

Councilor Zeyen-Hall moved and was seconded by **Councilor Winn**, to Approve Amendment No. 2 to Owner-Consultant Agreement; Keller Associates, Inc. Engineering Services. The motion passed unanimously, (5:0).

Mayor Kirsch said that Councilor Winn removed dangerous tree tops in Kimmel Park and noticed the poor condition of the road through the park. Councilor Winn paid to have the road scraped and gravel is now necessary. Councilor Winn stated that he would pay for transport if the City pays for the gravel. Councilor Katlong said that the road will need approximately 13 loads of gravel, adding that D & I Excavating offered to compact the gravel at no charge to the City.

Mayor Kirsch expressed his appreciation for Councilor Winn's get-it-done attitude and all that he has done for the city and thanked Councilor Katlong for his assistance, reminding Council that any project that needs to be done should be brought to City Hall first to ensure that funds are available.

Councilor Katlong said the concrete sleeves for the basketball hoops have been poured and the hoops will be installed on July 1. Councilor Saari will paint the court at the end of July.

ADJOURNMENT

The meeting was adjourned at 8:20 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor