

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, November 23, 2021**

Mayor Kirsch opened the meeting at 6:30 PM with the flag salute. Councilors present were Janet Zeyen-Hall, Dawn Plotts, Tony Trout and Steve Winn. Councilor Katlong arrived at 6:40 pm. Staff members in attendance were City Recorder Stacie Cook, Public Works Supervisor Russ Foltz and City Clerk Tree Fredrickson.

Citizens in Attendance were Matt Etzel, Susie Foltz, Dan Lemke, Ruth Lemke, Roel Lundquist, Dave Olson, Gary Olson, and Craig Prosser.

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

Mayor Kirsch pulled item 'c' be pulled from the consent agenda for discussion per Mrs. Cook's request.

Mrs. Cook added item 'g'; Acceptance of Certified Election Results for Linn and Marion Counties to the consent agenda.

Councilor Trout moved and was seconded by **Councilor Zeyen-Hall** , to approve items a; Approval of Minutes of Regular City Council Meeting of November 9, 2021, b; Approval of Accounts Payable, d; Authorization to Accept City Engineer's Approval of Substantial Completion and Initiate the One Year Warranty Period on the Phase I Water Project Improvements, e; Acceptance of Resignation of Ann Carey from the Budget Committee, f; Approval of Lease Amendment to Extend FEMA Lease of 360 SE Remine Road to May 31, 2022 and g; Acceptance of the Certified Election Results for Linn and Marion Counties, of the consent agenda. Mrs. Fredrickson polled the Council. The motion passed unanimously, (5:0).

Mrs. Cook said that interviews were held for the Utility Maintenance Worker I position. The interview panel recommends hiring Jeffrey Davidson with a wage starting at Step 2 of the pay scale, subject to completion of all paperwork and background check. Mrs. Cook said that the job description requires that the employee reside within 15 miles of the City, however, Mr. Davidson is just outside of this at 16.5 miles and requested that Council waive the requirement at this time.

Councilor Trout moved and was seconded by **Councilor Winn** to Approve item 'c'; Acceptance of Recommendation to Hire Jeffrey Davidson to Fill the Vacant Public Works Maintenance Worker I Position Beginning at Step 2 of the Salary Scale, Subject to Completion of Required Paperwork and Waiver of 15 Mile Residency Requirement. The motion passed unanimously, (5:0).

Councilor Katlong arrived.

Mayor Kirsch introduced special guest Craig Prosser, President, West Central Operators Section of the Pacific NW Clean Water Association. Mr. Prosser introduced his associates; Matt Etzel, Vice-President, W Central Operators Section of the NW Clean Water Association and Dave Olson, Xylem Sales.

Mr. Prosser said that every year the W Central Operators Section of the NW Clean Water Association accepts nominations for operators who have shown exceptionalism throughout the year. Public Works Supervisor Russ Foltz was nominated for 2020 and was selected as the West

Central Operators Section of the Pacific NW Clean Water Association Operator of the Year. Mr. Prosser presented Mr. Foltz with a plaque, noting the long hours and dedication to the City and its residents that Mr. Foltz provided during the Beachie Creek fire and assisting FEMA to create temporary housing for those displaced by the fires.

Mr. Etzel said that Mr. Foltz's award will be forwarded in 2022 to the regional section, which covers Oregon, Idaho and Washington for consideration of a regional award.

Mr. Foltz thanked Mr. Prosser, Mr. Etzel and Mr. Olson for the nomination and ultimate award.

CITIZEN COMMENTS/QUESTIONS: There were no citizen comments or questions.

MISCELLANEOUS UPDATES – PUBLIC WORKS SUPERVISOR RUSS FOLTZ: Mr. Foltz gave a report on the following items.

Wall Street Pump: The malfunctioning grinder pump at the Wall Street Pump Station was pulled and, due to extensive damage to the grinder impeller, must be repaired or replaced. The replacement cost of \$8,300.00+/- is roughly \$1000.00 more than repair. However, replacement allows for a new pump to be here within 7-10 days vs. a month for repair and comes with a full warranty. Staff will place the order for the new pump this week.

North Reservoir Control Panel: A control panel heater at the reservoir has stopped working, which keeps sensitive components protected from the cold and condensation. Mr. Foltz said that he has had difficulty finding a replacement heater but will continue to look for other vendors or see if it can be repaired.

Mrs. Cook said that there have been discussions about the potential of creating a position with a focus on parks, grounds and facility maintenance. Mrs. Cook said a great candidate for this position was among those recently interviewed and requested authorization from Council to do some research and draft a job description that would be brought back to Council as soon as possible. In the meantime, Mrs. Cook will contact the candidate about the possibility of taking this part-time position. Council consensus for Mrs. Cook to draft the job description.

Councilor Katlong said that he was impressed by this candidate's experience and knowledge in parks and agrees that she would be great for the position. He also noted that another employee would take the stress off of Public Works.

NATURAL HAZARD MITIGATION PLAN PRESENTATION – GARY OLSON: Mr. Olson gave a brief presentation on the Mill City portion of the Marion County Natural Hazard Mitigation Plan, beginning by thanking the steering committee, Rick Lentz, Emergency Coordinator for Linn County Sheriff's Office, Mike Long, Mike Lewellyn of Freres Lumber, Todd Miller, Superintendent of SCSD 129J and Councilor Steve Winn as well as City Clerk Tree Fredrickson for her assistance in drafting the plan changes.

Mr. Olson said that the steering committee reviewed each hazard listed in the plan and assigned a numerical rating in four categories of probability; warning time, magnitude/severity and duration of the event, with the combined score showing the final rating as either low, moderate or high. Top of the list concerns: fire, severe weather events, and extreme heat waves. Also noted was school violence and transportation issues as Highway 22 was closed due to the wildfires. Mr. Olson said that the lack of an early warning was the biggest concern of citizens that he spoke to, many stating that they did not receive or hear any warning when it was time to evacuate during the Beachie Creek fire.

Mr. Olson stated that FEMA has hazard grants available which the City, school and others could apply for to obtain items to help with these concerns including purchase of large back-up

generators for the City and the school and installation of a PA system similar to one that Depoe Bay installed for tsunami warnings.

Mr. Olson explained that the City of Aumsville has an option on their website where people can sign up to receive evacuation help during a hazard event and suggested that this may be an option that Mill City could consider offering its residents.

Mayor Kirsch thanked Mr. Olson for his hard work.

ORDINANCE NO. 40X – REPEALING BAN ON MARIJUANA: Ordinance No. 40X will formalize the electors decision to repeal the ban on marijuana within the City of Mill City. Mrs. Cook said that after City Attorney Jim McGehee reviewed the document he agreed that Section 4 – Exception was unnecessary and should be removed.

Mrs. Cook said that with the emergency clause, this Ordinance would become effective upon the second reading by title only, which will be scheduled for December 14th.

Councilor Trout moved and was seconded by **Councilor Katlong**, to Read Ordinance No. 40X for First Reading by Title Only. The motion passed unanimously, (6:0).

Mrs. Cook read Ordinance No. 40X by title only, noting that “referring ordinance” will be struck from the title for the final reading and enactment.

AUTHORIZATION TO SUBMIT MARION COUNTY ARPA GRANT APPLICATION FOR WASTEWATER IMPROVEMENTS: Mrs. Cook said that the Marion County ARPA Grant application has been written to secure funding for the immediate repair and capacity ‘fix’ needed to accommodate the potential growth Mill City may see within the next five to seven years. The project description and cost estimates are draft only and are expected to change before submittal.

The deadline to submit the application is December 9, 2021, which is prior to the next Council meeting. Due to the tight deadline for submittal, the ARPA grant application was brought to the Council for consideration.

The anticipated budget includes City funds of \$200,000 as a match to the potential \$1 Million +/- grant. Staff is also exploring potential funding from the State Housing Authority to use toward this project.

Councilor Zeyen-Hall moved and was seconded by **Councilor Trout** to Direct Staff to Submit Marion County ARPA Grant Application for Wastewater Improvements. The motion passed unanimously, (6:0).

Councilor Zeyen-Hall amended and **Councilor Trout** seconded the amendment of the motion to include authorizing Mayor Kirsch to sign the application. The amended motion passed unanimously, (6:0).

APPROVAL OF AGREEMENT FOR PROFESSIONAL SERVICES WITH KELLER ASSOCIATES, INC. AND TO COMPLETE TASK ORDERS 001 AND 002, SUBJECT TO CITY ATTORNEY REVIEW: An Agreement for Professional Services with Keller Associates, Inc., including Task Order 001 and Task Order 002, was presented to Council for review.

Task Order 001 authorizes Keller Associates to coordinate with DEQ regarding WPCF planning criteria and permitting requirements as well as seek ARPA or other state allocated funds for WPCF improvements on a time and material basis, with an estimated fee of \$10,000. Task Order 002 authorizes Keller Associates to provide general project administration services, engineering design and cost for WPCF short term improvements, at a lump sum of \$59,800.

Mrs. Cook said that after reading over the contract, City Attorney Jim McGehee indicated that he would like the last sentence of number nine on page two to be removed. Additionally, proof of errors and omissions, liability and negligence insurance will need to be submitted before signing.

Councilor Trout said that while he does not believe that there is a true conflict, to err on the side of caution, he will declare a potential conflict of interest and abstain from voting due to his involvement in real estate interests within the City.

Councilor Zeyen-Hall moved and was seconded by **Mayor Kirsch**, to Approve Agreement for Professional Services with Keller Associates, Inc, and to Complete Task Orders 001 and 002 with the Omission of the Last Sentence in #9 on Page 2 and Submittal of Errors & Omissions and General Liability and Negligence Insurance. The motion passed, (4:0:1) with Councilor Trout abstaining.

MISC. CITY RECORDER ITEMS:

Out of Office, Vacation: December 3-10, 2021: Mrs. Cook will be out of the office between Friday, December 3 and Friday, December 10 on vacation.

PSU Preliminary Population Estimate: Mrs. Cook said that the Preliminary Population Estimate from Portland State University shows Mill City at 2,012 as of July, 2021.

Mrs. Cook said that City Attorney Mr. McGehee has a complaint drafted and is proceeding with a of breach of contract case.

Councilor Trout noted that the flashing crosswalk sign is still saying to change the password. Mrs. Cook said that she has advised Linn County and was informed that the sign must be accepted by Linn County before they are able to change the password. Councilor Trout also noted that the flashing lights cannot be seen heading south across the bridge due to the 20mph sign. Mrs. Cook will advise Linn County.

ADJOURNMENT

The meeting was adjourned at 8:34 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor