

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, February 8, 2022**

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. Brett Katlong was excused. Staff members in attendance were City Recorder Stacie Cook, Public Works Supervisor Russ Foltz, City Clerk Tree Fredrickson and City Attorney Jim McGehee.

Citizens in Attendance were Ann Carey, Roel Lundquist, Lt. Beth Miller, LCSO, Gary Olson, Pierce Torres and Chris Warren.

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 Trout moved and was seconded by **Councilor Plotts**, to approve items a; Approval of Minutes of Regular City Council Meeting of January 25, 2022, b; Approval of Accounts Payable, and c; Acceptance of Monthly Revenue & Expenditures Report, January 2022. Mrs. Fredrickson polled the Council. The motion passed unanimously, (5:0).

LINN COUNTY SHERIFF'S REPORT: Lt. Beth Miller gave the police report for January.

LCSO held a successful hiring event on January 29th. There were approximately 50 applicants with more than half passing the testing phase.

In December, a radar trailer was placed near SE Kingwood Avenue and SE 5th Avenue. A compliance and risk report showing the results was provided to Council for review. Of the 13,657 vehicle trips during the week that the trailer was placed, 4,092 were at or under the speed limit; 8,719 were five to ten mph over the speed limit; 824 ten to twenty mph over and 22 were twenty mph or more. Lt. Miller said that this data is helpful for traffic enforcement.

PUBLIC WORKS REPORT: Russ Foltz, Public Works Supervisor, reported on the following items:

Pump Report: Normal.

AMR Meters: The auto-read meters are still back-ordered and scheduled to arrive in May.

Well/Generator Communications Update: Two of the three bids required to meet procurement law have been received for the well/generator radios. Staff hopes to have the third within the week. The first two estimates have come in at just over \$17,000.

Construction Update: The pedestrian bridge waterline installation was delayed due to illness. The waterline is now installed. Chlorination and testing will be completed next.

The punch list items are being completed now for the Broadway Street Improvements. Mrs. Cook said that the manufacturing information for the street lights was provided to the City. Contact was made with the company, who advised that the lights are medium brightness. There are shields for the building side of the lamps but confirmation needs to be gotten as to whether they have been installed.

CITIZEN COMMENTS/QUESTIONS: None.

PUBLIC HEARING: None scheduled.

PRESENTATIONS: None scheduled.

OLD BUSINESS:

Marion County Funding Request – Sewer System Improvement: The City received notification from Marion County of a \$1 Million award from their ARPA funding. Marion County has requested additional information on the project and budget by February 11, 2022. Peter Olson and Garret Frerichs, Keller & Associates will be working to put together the necessary information for Marion County.

Mrs. Cook, Mayor Kirsch and City Planner Dave Kinney will be attending a meeting on February 10, 2022 with Marion County to discuss maintenance requirements and financial resources needed for the sewer system.

Mayor Kirsch said that a capital funding request was sent to Senator Fred Girod for funds to assist with the City's sewer needs.

Councilor Trout asked if the combined grant monies will be enough to accomplish the proposed sewer upgrades. Mrs. Cook said that the actual cost is still undetermined, however, if the actual cost is over the funding request there are other entities that are being approached for additional funds.

Mrs. Cook said that an email with Keller's initial capacity report was sent to each Councilor for review.

Oregon Main Street Program: Mrs. Cook said that after Ms. Allaben's presentation last month there was no additional discussion or decision about participating in the regional program that is being tested.

A liaison was requested to participate in the process. While the request was for a member of the Council to be a liaison, Council could also request a volunteer from the community or have staff participate.

Mayor Kirsch said this is a great opportunity to work in a partnership with other Canyon communities to create a welcoming 'Main Street'. Consensus that the program is a good idea and to explore what it can do for the Canyon.

FEMA Request for Extension: Mrs. Cook said that she received a request today from FEMA for consideration of extending the lease for the SE Fairview Street FEMA site through September 2022, with the potential to go longer. The original lease was set to expire this spring.

Mayor Kirsch said that information as to why the extension is needed should be gathered and noted the site has not inconvenienced the City and residents have been considerate.

Councilor Trout said that he would be agreeable to the extension but is against an open-ended lease.

NEW BUSINESS:

Development & Reimbursement Agreement – 715 NW River Road, LLC: A Development & Reimbursement agreement was provided for Council review. This document is a requirement of the land use approval for a minor partition approved by the Planning Commission in May.

The agreement outlines which party will engineer, design and pay for the construction of an 8" water main, a 14'-wide half-street AC pavement overlay, a 7'-10'-wide AC pavement overlay, installation of a fire hydrant, installation of water and sewer services and the driveway approaches for each parcel within the partition.

The developers will complete the public improvements with the City reimbursing for the cost of the 8" water main, two new water services to the existing homes which will be moved to the new main, 7'-10'-wide AC pavement overlay and the engineering services for the City's share of design, project management and construction inspection. The City's portion of the project will be a fixed amount of \$80,082.

Mayor Kirsch stated that he knows the developers for this project, adding that his property is located across from the site. however, there is no financial impact to him.

Councilor Trout moved and was seconded by **Councilor Winn** to Approve Development and Reimbursement Agreement Between City of Mill City and 715 NW River Road, LLC for NW Sunset Court and NW 7th Place Pavement Overlay and NW 7th Place Water Main Improvement. The motion passed unanimously, (5:0).

Contract for Water Assistance Provisions – Community Services Consortium (CSC): Mrs. Cook said that Oregon has received \$13.8 Million for the Low-Income Water Assistance program (LIHWA), which provides water and wastewater utility payment assistance.

Oregon Housing and Community Services (OHCS), which administers the funding, has developed a vendor agreement for utilities to sign up as official participants in the LIHWA program. This agreement will allow utilities to share residential customer billing information with CSC so that they are able to submit payments on behalf of the customer.

Mrs. Cook said that considering the number of customers that staff refers to other groups for assistance with utility payments, the City should move forward with this agreement.

Councilor Trout moved and was seconded by **Councilor Zeyen-Hall**, to Approve Contract for Water Assistance Provisions Between Community Services Consortium and City of Mill City Water Department. The motion passed unanimously, (5:0).

STAFF/COMMISSION REPORTS:

City Recorder Report:

List of Ongoing Old Business Items: A current list of on-going business items was presented to Council for review.

TMDL 2022 Annual Submittal: The updated TMDL matrices was provided to Council for review. Mrs. Cook said that every five years the City must fully update the TMDL plan, which will again take place in 2023.

Legislative Funding Requests – Sewer System Improvement & Mill City Falls Park: Mrs. Cook advised that legislative funding requests were submitted to Senator Girod seeking dollars for sewer and park improvements. Mayor Kirsch said that Senator Girod is a strong supporter of the Canyon communities.

Request for Cost-Sharing; Tree Removal: Mrs. Cook said that she received a request from Spring Aerni for sharing the cost of removing a tree that borders her property on SE 3rd Avenue and SE Hazel Street. Ms. Aerni believes this tree is partially located on the City's property. However, Mrs. Cook said that after looking at an aerial photo it looks as though this tree is located entirely on Ms. Aerni's property. This is not a certainty, though, as the angle at which an aerial photo is

taken can make a difference. Mrs. Cook requested that Ms. Aerni mark where she believes her property lines are so that staff can review this further. A cost estimate for the tree removal has not been obtained.

Zipty Franchise Request: Mrs. Cook said that she discussed the request for franchise from Zipty with Mr. McGehee to determine whether a firm specializing in franchise agreements should be brought in to assist. Mr. McGehee explained that this is a very specialized field of law with many federal regulatory implications and suggested requesting a cost estimate from a specialty firm before moving ahead.

BUSINESS FOM MAYOR & CITY COUNCILORS:

Councilor Winn said that he would like to explore placing hard surface to exterior doors so that people aren't walking through flowerbeds. Mrs. Cook suggested stepping stones be installed.

Councilor Zeyen-Hall requested confirmation that a permit is not needed to remove the siding on the Kimmel Park shelter. Mrs. Cook said that as long as the structure itself is not changed, a permit is not needed. An electrician will be able to determine if an electrical permit will be needed.

Councilors Trout and Plotts had nothing to report.

Mayor Kirsch said that he received notice that Zipty Fiber has installed fiber optics for Mill City. A press release will be forthcoming, advising of the upgrade. Mill City will have one of the fastest residential internet services in the northwest.

The North Santiam Sewer Authority has begun discussing hiring a part-time project manager for the Authority.

Mrs. Cook said that as the City moves forward with different projects, staff is reviewing the budget to determine whether a supplemental budget will be needed. This will likely be the case.

Mrs. Cook said that the bid opening for Phase I of the Mill City Falls Park project is set for February 15, 2022. This is one of the projects that may be included in a supplemental budget.

EXECUTIVE SESSION:

At 8:15 PM, Mayor Kirsch adjourned into executive session under ORS 192.660 (2)(h) To Consult With Your Attorney Regarding Current Litigation or Litigation That is More Likely Than Not to be Filed.

At 8:37 PM Mayor Kirsch adjourned Executive Session and reconvened into regular session.

ADJOURNMENT

The meeting was adjourned at 8:37 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor