

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, April 12, 2022**

Mayor Kirsch opened the meeting at 6:30 PM with the flag salute. Councilors present were Janet Zeyen-Hall, Brett Katlong, Dawn Plotts, Tony Trout and Steve Winn. 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 Karen Brooks, via phone, Randall Craig, Sgt. Steven Frambes, LCSO, Roel Lundquist, Gary Olson and Ron 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 Trout moved and was seconded by **Councilor Zeyen-Hall**, to approve items a; Approval of Minutes of Regular City Council Meeting of March 22, 2022, b; Approval of Accounts Payable, c; Acceptance of Monthly Revenues & Expenditures Report, March 2022, d; Acceptance of 2022-2023 Planning Commission Work Program, e; Ratification of Planning Commission Approval of Minor Partition for Glen Kent/Doug Doty/441 SW Kingwood LLC, 441 and 533/535 SW Kingwood Avenue, and f; Approval of OLCC Liquor License Renewals for the Following Businesses:

- 7-Star Convenience Store #4 829 S 1st Avenue
- 7-Eleven #38796A 200 NW Santiam Boulevard
- Mill City Grill 100 SE Juniper Street
- Trio Tavern 815 SW Linn Boulevard

Tree Fredrickson polled the council. The motion passed unanimously, (6:0).

LINN COUNTY SHERIFF'S REPORT: Sgt. Frambes gave the LCSO report for March. Stolen vehicles are still an issue. Vehicles are now swabbed for DNA which helps to successfully identify and prosecute car thieves.

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

Pump Report: The leak percentage is higher than expected this month. Mrs. Cook said that all of the City's water use for parks, fountains, bathrooms, etc. should be metered. This may help with the loss percentage.

Phase 2 Water Project: Engineering for Phase 2 of the water line replacement is 90% complete.

OHA passed a new rule for water lines piping, which will require documentation of the pipe material on both sides of a water meter. Documentation on connection size and pipe material will happen as new meters are installed.

Portable Pump Loan: The Grande Ronde Sanitary District had a catastrophic sewer pump failure earlier this month. Mr. Foltz was contacted by OAWU to request loan of the City's portable pump. After consulting with Mayor Kirsch, Mr. Foltz provided the pump to OAWU to transport. Mrs. Cook has received written confirmation from OAWU of the loan and will be working with Polk County, who administers the district, to get a written loan agreement drafted.

Reservoir/Well Communications Award: Mr. Foltz said that after radio communication bids were received, cellular technology was found to be only \$200+/- more than radio. The low bid was \$17,500. Installation and programming is scheduled for May 2 and 3, 2022.

EV Parking Lot Update: The planter areas at the EV parking lot have been cleared and dug out in preparation for irrigation and planting. Irrigation work is out to bid with a submittal deadline of April 20, 2022.

Street Sweeper: Mr. Foltz said that Public Works Maintenance Worker David Rupert has spent hours repairing the street sweeper and after a brief usage, another part went out. A new street sweeper is needed as the old one is beyond repair. Mr. Foltz is watching for an affordable replacement.

CITIZEN COMMENTS AND QUESTIONS: None.

PUBLIC HEARING: None Scheduled.

PRESENTATIONS: None Scheduled.

OLD BUSINESS:

Sewer Update: During the second technical review meeting DEQ provided preliminary responses to questions regarding land availability and continued connection to the system while the City moves forward in the engineering, design, and permitting processes. DEQ is looking into whether they will be able to issue the City's permit with a contingency that the City secures land for the additional drain field needs.

DEQ will not become involved with a decision on whether connections can continue to be made to existing sewer mains. The City will need to pay close attention to reports to ensure that we remain in compliance with the existing permit. With the caveat that the City is taking a risk with each, it does look as though:

- DEQ can approve a sewer line extension design before the DEQ permit is renewed.
- Construction of sewer line extension can occur before DEQ permit is renewed.
- Newly constructed sewer line can be used before DEQ issues the permit.

Mrs. Cook said that staff and the City's engineers will regularly monitor the sewer system and make determinations about the City's ability to continue to stay within the permit allowances. It is hoped that steady movement on the permit renewal with DEQ, along with concurrent movement on the steps necessary to meet the capacity expansion needs, will allow for continued land use applications and their resulting utility main connections as well as infill permits and connections. This information is preliminary and is subject to change.

Mrs. Cook and City Planner Dave Kinney discussed funding options along with potential timelines for award, agreement and how each correlate to the possible project timeline. With the funding that has already been secured for the project the City should be able to complete the immediate needs elements, engineering and design for the new treatment system components, order and purchase the package plant and possibly acquire the needed land. Mrs. Cook said that it may be a year and a half to two years before the remaining funding for the drainfield construction will be required.

Mrs. Cook and Mr. Kinney attended a one-stop meeting with multiple agencies. Four potential funding options were presented. The most viable looks to be a dual funding option with Business Oregon and DEQ. Grant dollars could be up to \$875,000 between the two agencies.

Mayor Kirsch said that Marion County and the NSSA are working closely with the City to find funding, as the Greenlight lender/grantor requires that they begin construction on their planned housing project by fall.

Councilor Trout said that a lot of water comes down from the northside mountain that could cause I & I issues. Mrs. Cook said that the project estimate of \$7.5 Million includes approximately \$500,000 for I & I work.

FEMA Projects Update: Mrs. Cook said that the following projects have been completed on FEMA's end:

- Entrance Sign
- Debris Removal
- Emergency Protective Measures
- Cedar Creek Footbridge

The Reid House / Garage / Contents and Cat Z – Administrative Costs are the final projects that are being worked through.

RV Site Update: Mrs. Cook said that all RV's have vacated the RV site. The power has been turned off at the main and water meters have been removed. Councilor Katlong offered to remove the remaining infrastructure.

Councilor Katlong said that the infrastructure at the Seventh Day Adventist Church will also need to be removed.

Legislative Storm Drainage Funding Agreement: The Storm Drainage Improvement project agreement for \$2,923,500 has been provided to the City. City Attorney Jim McGehee said that he has no problem with the agreement as it is written.

Councilor Plotts moved and was seconded by **Councilor Trout**, to Approve Coronavirus State Fiscal Recovery Fund Grant Agreement, Contract No. SR2213, City of Mill City Storm Drainage Improvement in the Amount of \$2,923,500. The motion passed unanimously, (6:0).

SW 2nd Avenue Overlay Project: The SW 2nd Avenue Overlay Project was put out to bid with a bid opening date of Thursday, April 14, 2022. If there is a qualifying bidder and the Notice of Intent to Award is issued on April 15, 2022, the award of contract will be brought to Council at the April 26, 2022 meeting.

OPRD LGGP Grant Application: Mrs. Cook submitted the OPRD LGGP grant application for Mill City Falls Park Phase II on Thursday, April 7, 2022. The final application was provided to Council for review. Total project costs are estimated at \$1,016,000 with a match of \$560,000 from FEMA funding and a grant ask of \$456,000. The project will include construction of an overlook at the falls, wall and fencing along the river side, picnic areas, pathways, landscaping and small natural play areas. An oral presentation will be required to be made before the review committee sometime in June or July.

SRTS Grant Application: Mrs. Cook said that Part One of the Safe Routes to Schools grant application was submitted in March and staff has received an invitation to submit Part Two, which will open on May 1st and is due by July 31st.

NEW BUSINESS:

Marion White Volunteerism Award Recipient: A recommendation for the Marion White Volunteerism Awardee was presented to Council prior to the meeting in order to keep the name a secret. The presentation will be made at the annual North Santiam Chamber of Commerce Awards Night on April 27th.

Ziply Fiber Franchise Agreement: Mrs. Cook said that she and City Attorney Jim McGehee have reviewed several sample franchise agreements from various Oregon cities in comparison to the one sent by Ziply Fiber. Staff wants to make sure that the agreement addresses free WiFi for City buildings, franchise fees for internet customers, ROW permits and that Council discussion will be held on the percentage that will be charged for the franchise.

City Recorder Review: Mayor Kirsch said that he has completed the City Recorder's review, which was glowing, adding that Mrs. Cook has stepped up and put in a lot of extra work these past two years, with all the issues happening in the City. Mayor Kirsch recommended a one step salary increase.

Councilor Trout moved and was seconded by **Councilor Katlong**, to Grant a One Step Wage Increase from Step 6 to Step 7 for City Recorder Based on a Satisfactory Review. The motion passed unanimously, (6:0).

Congressional Spending Application: Mrs. Cook said that an application was submitted for Congressional Directed Spending. The request was through Senators Merkley and Wyden's offices for \$3,500,000 to cover the remaining costs for Mill City's interim sewer upgrades. If the request is successful, funds would not be seen until 2025.

STAFF/COMMISSION REPORTS

City Recorder Report:

List of On-Going Old Business Items: The list of on-going old business items was provided for review.

Councilor Trout asked if the TIGER grant is finished. Mrs. Cook said that it is not yet finished.

First Budget Meeting, FY 2022-2023 – Monday, April 25, 2022: The first meeting of the Budget Committee for Fiscal Year 2022-2023 will be Monday, April 25, 2022 at 6:30 p.m.

City Attorney Report: Mr. McGehee had nothing to report.

BUSINESS FROM MAYOR & CITY COUNCILORS

Mayor Kirsch said that he will be hosting a meet and greet for Ed Diehl, Candidate for House District 17 on Friday, April 29th, from 5:30 to 7:00 p.m.

Councilor Zeyen-Hall said that a citizen complained about the lack of cleanliness in the restrooms at Kimmel and Mill City Falls Park. It was asked if there is a cleaning schedule for these restrooms. Mrs. Cook said they she believes that restrooms are cleaned on Fridays and Mondays.

Mayor Kirsch requested that the cleaning schedule be provided to Council.

A request was made for the City Hall gutters be cleaned as there is a lot of overflow when it rains hard.

Councilor Katlong said that the safety fencing has not been erected around the Reid House property or the Cedar Creek Bridge, both safety issues. Mrs. Cook said that she will issue a work order to complete the work.

Councilors Plotts, Trout and Winn had nothing to report.

EXECUTIVE SESSION:

At 7:53 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 8:18 PM Mayor Kirsch reconvened into regular session.

ADJOURNMENT

With no decisions to be made, the meeting was adjourned at 8:18 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor