

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, June 14, 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 and City Attorney Jim McGehee.

Citizens in attendance were Ann Carey, Lt. Brian Hardy, Gale Holfert, Roel Lundquist, Dave Massey and Gary Olson.

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 Katlong moved and was seconded by **Councilor Trout**, to approve items a; Approval of Minutes of Regular City Council Meeting of May 24, 2022, b; Approval of Minutes of Budget Committee Meeting of May 2, 2022, c; Approval of Accounts Payable and, d; Acceptance of Monthly Revenues & Expenditures Report, May 2022. Mrs. Cook polled the council. The motion passed unanimously, (6:0).

LINN COUNTY SHERIFF'S REPORT: Lt. Brian Hardy said that Lt. Beth Miller has moved into a new role and he has taken over for her with contract cities. Lt. Hardy gave the police report for the month of May, 2022. Deputy Caleb Scanlon, newly assigned to this area, is interested in being an SRO and has been spending time at the school getting to know staff and students.

Mayor Kirsch said that Councilor Winn is concerned about the recent mass shooting and the possibility of something similar happening in our schools.

Councilor Winn said that kids need to have something to keep them occupied so that they don't think about violence. The City could help by installing basketball hoops, batting cages and other activities.

Lt. Hardy said that deputies have been provided maps and keys to the gates around the schools, and have received training in emergency procedures if anything like this does occur.

Mayor Kirsch suggested all deputies assigned to Mill City should all receive a tour the school facilities Lt. Hardy agreed, stating that he will take this suggestion back to LCSO.

Mayor Kirsch said that if Council has any additional suggestions on how to help local youth they should be put in writing and submitted to the school board.

Lt. Hardy said that a county-wide threat assessment meeting was recently held with several agencies including OSP, the FBI, and others. This group actively searches for issues that raise potential risk levels and will send deputies to speak with parents of troubled students.

Roel Lundquist, SW Linn Blvd., asked about turning in personal firearms and if Linn County has a similar program. Lt. Hardy said the LCSO has no specific program for this, however, one can surrender their guns to the Sheriff's Office which will be held in evidence for 90 days and then destroyed if unclaimed.

PUBLIC WORKS REPORT: Public Works Supervisor Russ Foltz gave a report on the following items:

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Pump Report: Results of the leak detection test in the north side waterlines showed no leaks.

NW 7th Place Waterline: A new watermain and fire hydrant were installed on NW 7th Place. The new water main passed the pressure test. Once test results for pollutants are provided services will be connected and the watermain brought online.

Public Works Maintenance Worker Reviews: Mr. Foltz said that he has completed the review for Public Works Maintenance Worker Jonathan deRenzo. Based on a satisfactory review, Mr. Foltz recommends a step increase from Step 4 to Step 5.

Mayor Kirsch moved and was seconded by **Councilor Katlong**, to Approve a One Step Wage Increase from Step 4 to Step 5 for Public Works Maintenance Worker Jonathan deRenzo. The motion passed unanimously, (6:0).

Mr. Foltz said that he has also completed Public Works Maintenance Worker David Rupert's review. Mr. Rupert has completed his six-month probationary period and Mr. Foltz is very happy with his performance. He always finds something to do, has fixed everything in the PW shop including the street sweeper, and has not missed one day of work in six months. Mr. Rupert has also expressed an interest in obtaining certifications. Mr. Foltz recommends Mr. Rupert for permanent hire and a step increase from Step 2 to Step 3.

Councilor Plotts moved and was seconded by **Councilor Trout**, to Approve Permanent Hire of David Rupert and a One Step Wage Increase from Step 2 to Step 3. The motion passed unanimously, (6:0).

Filter Ponding: With the constant heavy rains, ponding has reoccurred on the filter bed. Cost estimates have been requested from a local company that jets the return line. Mr. Foltz noted that the filter bed is 30 years old and may be at the end of its life, although last month's testing showed everything was running perfectly.

Mr. Foltz said that there was a source of I & I found on the NE side of town where rain drains were connected to the interceptor tank. This connection has been severed and the lines capped.

CITIZEN COMMENTS AND QUESTIONS: Dave Massey, SW Swift Avenue, requested a reduction of his water bill due to a large leak. Public Works Maintenance Worker David Rupert notified Mr. Massey of a large leak when reading his meter and he immediately went to work searching for it. It was finally discovered that there was a leaking toilet. Mr. Massey stated that he did not hear the leaking toilet and does not feel he should pay for any leakage before being notified of the leak.

Mrs. Cook said that Mr. Massey's average consumption is 7 units. Fifty-five units were used last month.

Councilor Katlong said that he has a potential conflict of interest as Mr. Massey's son is his business partner. City Attorney Jim McGehee said that there is no real conflict of interest but it would be advisable to refrain from the conversation.

Councilor Trout moved and was seconded by **Councilor Zeyen-Hall**, to Adjust the Water Bill for Dave Massey, SW Swift Avenue to Seven Units for the Month of May.

Councilor Zeyen-Hall said that she would like to review the next month's bill to see if there is any further leak charge on it.

Mayor Kirsch called for the vote. The motion passed, (5:0:1), with Councilor Katlong abstaining.

Gary Olson, SW Spring Street, gave a brief update on the Hazard Mitigation Plan and asked for an update on the status of the MOUs which are to be drafted for various groups/agencies. Mrs. Cook said that she has been unable to get started on these due to other projects.

Mr. Olson said that the two fueling stations in town have agreed to sign an MOU to supply fuel during an emergency and would be interested in the possibility of obtaining generators and electric connections if grant dollars are available. Both businesses have indicated that they are ready to have consultants advise on what is necessary to allow for generator connections.

Mrs. Cook said that before private businesses spend any funds on this the City should find out what the application process entails and what the timelines for grant applications will be.

Councilor Katlong said that he has requested cost estimates for a transfer switch from several electric companies and also reached out to a couple of his suppliers for generator costs.

PUBLIC HEARING - 2022-2023 FISCAL YEAR BUDGET: Mayor Kirsch opened the public hearing at 7:59 PM and called for the staff report.

Staff Report: Mrs. 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. A public hearing is held to take public comment on the funds. State Revenue funds consist of: State Revenue Sharing Funds, Liquor Tax, Cigarette Tax, State Hwy Tax and now Marijuana 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.

Close of Hearing: Mayor Kirsch closed the public hearing at 8:01 PM

ADOPTION OF FY 2022-2023 BUDGET: Mrs. Cook said that the document before Council does not have the "approved by the budget committee column" completed. However, a copy was provided at the Council table, which can be reviewed by all.

Mrs. Cook said there were two changes to the budget:

- **General Fund** – American Rescue Plan revenues of \$218,000 were moved from the BFB to Grant Income as this grant will not be received before June 30, 2022. This does not change the budget end result.
- **Calculation Error** – Mrs. Cook said that after going over all the numbers one final time, a calculation error was found in the total budget number. This last line should have been \$15,888,971 instead of \$15,883,971.

Resolution No. 87X – Declaring the City's Election to Receive State Shared Revenues:

Councilor Trout moved and was seconded by **Councilor Zeyen-Hall**, to Approve Resolution No. 876 - Declaring the City's Election to Receive State Revenues. The motion passed unanimously, (6:0).

Resolution No. 87X – Certifying the City Provides at Least Four Municipal Services:

Councilor Trout moved and was seconded by **Councilor Plotts**, to Approve Resolution No. 877 - Certifying the City of Mill City Provides at Least Four Municipal Services as Enumerated in Section 1, ORS 221.760. The motion passed unanimously, (6:0).

Resolution No. 87X – Reaffirming the Sewer Reserve Fund: Councilor Trout moved and was seconded by Councilor Winn, to Approve Resolution No. 878 - Reaffirming the Sewer Reserve Fund. The motion passed unanimously, (6:0).

Mr. Lundquist said that he has several issues with how the Railroad Bridge Maintenance Fund as depicted in the budget. The City has an obligation to give up to \$400,000 as match for the TIGER grant. However, these funds are tied up in the UEFB and would require a supplemental budget in order to expend them should it be necessary. Mr. Lundquist said that he does not agree with the \$65,000 in Capital Outlay for holiday lighting and questioned the \$25,000 for consultation with city engineers during construction as the bridge is essentially finished.

Mr. Lundquist said that the Save Our Bridge committee should be disbanded once the TIGER project is closed out. He noted that approximately half of the \$400,000 was raised by the SOB Committee and feels that the city should distinguish between funds in the budget.

Councilor Trout moved and was seconded by **Councilor Winn**, to Approve Resolution No. 879 - Adopting the Budget, Making Appropriations and Levying Taxes for the 2022-2023 Fiscal Year. The motion passed unanimously, (6:0).

PRESENTATIONS: None scheduled.

OLD BUSINESS:

Storm Water Project Update: Three proposals were received for the Storm Drainage Master Plan Update. Mrs. Cook said that she, City Planner Dave Kinney, Planning Commissioner Sandy Lyness, a consultant from Willamette Partnership and possibly a Marion County engineer will be meeting June 16, 2022 to review the proposals. Interviews may be scheduled.

Cedar Creek Bridge - IGA: An updated draft of the IGA with Linn County for Project Management Services on the Cedar Creek Bridge Project as well as Worth Order No. 1 were provided to Council for review. Mrs. Cook said she is waiting for a reply from Daineal Malone for clarification on a couple of minor items. Mrs. Cook asked that this issue be held until the next meeting to allow a response from Mrs. Malone. City Attorney Jim McGehee said that he had no issues with the document.

NEW BUSINESS:

Mayor Kirsch left the room at 8:19 PM Council President Trout took the Chair.

Request for Waiver of Water Charges – Lunsford, Jeff & Vanessa; SE 2nd Avenue: A letter was received requesting a waiver of water charges for Jeff and Vanessa Lunsford. The Lunsford's state that there was a leaking hose spigot in their garden shed that went unnoticed until the top came off causing a gushing noise. They believe it may have been leaking for the past two months. The broken spigot was quickly repaired.

Due to the type of leak, staff was unable to provide any relief, therefore, this must be a Council decision. The Lunsford's average consumption is four units. The April and May usage were five units each.

Councilor Katlong moved and was seconded by **Councilor Zeyen-Hall**, to Approve Request for Waiver in the Amount of Two Units of Water for Lunsford, Jeff & Vanesa; SE 2nd Avenue. The motion passed, (5:0).

STAFF/COMMISSION REPORTS

Mayor Kirsch returned at 8:21 PM and retook the Chair.

City Recorder Report:

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

Councilor Trout asked if the camera issue was still outstanding. Mrs. Cook said that it is. Councilor Trout asked if the substation can have access to the camera feed. Mrs. Cook said that she believes that would be possible but would need to look into it.

Out of Office, Friday, June 17, 2022: Mrs. Cook will be out of the office on Friday, June 17, 2022.

City Attorney Report:

Mr. McGehee said that he is moving forward on several nuisance abatement issues including one that the City will pay to have cleaned and lien the property. A complaint has been drafted for a property on SW 1st Avenue but needs to be revised to include setback issues. After being served, the property owner will have 30 days to respond before the matter can move forward.

BUSINESS FROM MAYOR & CITY COUNCILORS

Mayor Kirsch said that, along with his position, there are three council positions that will be open for re-election, adding that he is appreciative of the current council and will be running for Mayor.

Councilor Zeyen-Hall said the restrooms are looking better, stating her appreciation.

Councilor Zeyen-Hall said that there is interest within the community for a small water park.

Mr. Lundquist said that the conceptual plans for Mill City Falls Park include a small water feature and suggested looking into this before the park is finished.

Mrs. Cook said that there is a 'natural play area' component included in the OPRD grant application, which may be somewhere that a water feature could be placed.

Councilor Winn said that he obtained a cost estimate for solar powered flashing speed signs from the City of Scio. The signs are reasonably priced at about \$3,500 for all of the necessary components.

Mayor Kirsch said that this would be a great tool to help with the speed issues in town and asked for more information.

Councilor Winn said he presented the picture donated by Mayor Kirsch to the Detroit Mayor at the grand opening of their new Community Center.

Councilors Katlong, Plotts and Trout had nothing to report.

EXECUTIVE SESSION:

At 8:46 PM Mayor Kirsch adjourned into Executive Session under ORSS 162.660(2)(h) – To Consult with Your Attorney Regarding Current Litigation or Litigation That is More Likely Than Not to be Filed.

At 8:52 PM Mayor Kirsch reconvened into regular session.

ADJOURNMENT

The meeting was adjourned at 8:52 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor