

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, July 12, 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 and. Brett Katlong arrived at 6:34 PM. 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, Stephen Floyd, The Canyon Weekly, Lt. Brian Hardy, Roel Lundquist, Gary Olson and Ryan Vogt, OCWCOG.

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 stated that item 'd' should include "effective July 1, 2022" at the end.

Councilor Trout moved and was seconded by **Councilor Zeyen-Hall**, to approve items a; Approval of Minutes of Regular City Council Meeting of June 28, 2022, b; Approval of Accounts Payable, c; Approval of Monthly Revenues & Expenditures Report, June 2022, d; Approval of COLA for All Permanent City Employees, as Outlined in FY 22/23 Budget, Effective July 1, 2022, e; Approval of Temporary OLCC Liquor License for North Santiam Fraternal Order of Eagles #3384 August 5-6, 2022 Between the Hours of 10:00 AM and 10:00 PM for Mill City Music and Art Jamboree in Kimmel Park, Subject to Submittal of Certificate of Liability Naming City as an Additional Insured, and f; Approval of Leak Adjustment to the Highest Consumption in the Previous Twelve (12) Months for Klagge, Billy & Kathy; NE 4th Avenue. Mrs. Fredrickson polled the Council. The motion passed unanimously, (5:0).

LINN COUNTY SHERIFF'S REPORT: Lt. Brian Hardy gave the LCSO report for June stating that they have received multiple calls regarding an older gentleman offering rides to people, including women and children. Lt. Hardy explained that this person has been spoken with dozens of times over the last two years. However, he is not a sex offender and has not done anything that is against the law. The deputies are aware of the situation and are watching for anything that would be illegal.

Councilor Katlong arrived.

PUBLIC WORKS REPORT:

Pump Report: Mr. Foltz said that a leak was found on the northeast side of town. It looks to be going into a creek, which would explain why it hasn't been found before. Mr. Foltz said that he believes it is leaking at a rate of 50,000 gallons per day. A leak detection company is scheduled to pinpoint the exact location and Public Works will try and fix it themselves.

Mr. Foltz said that he will be attending the OAWU conference in Seaside in August.

SW 2nd Avenue Street Overlay Project: The SW 2nd Avenue Street Overlay Project is scheduled to begin the week of August 22nd.

Phase 2 - Waterline Project: Engineering plans for the Phase 2 waterline project have been submitted to OHA for review. Once a letter of approval has been received from OHA the RFP and contract documents will be provided to IFA for their review then the RFP will be issued.

Mr. Foltz said that it has been three years since he has had a review and asked that one be completed.

CITIZEN COMMENTS/QUESTIONS: Gary Olson, SW Spring Street, thanked the City for mowing and weed eating the yard of the a burned home on his street and noted an overflowing trash can located at the end of the railroad bridge.

PUBLIC HEARING: None Scheduled.

PRESENTATIONS: **Ryan Vogt, Executive Director, Oregon Cascades West Council of Governments – General Organization Overview/Linn County Work Update:** Mr. Vogt introduced himself and explained the services that are offered through OCWCOG. This work is offered in the Linn/Benton/Lincoln counties region.

Some of the services offered are Senior and Disability Services, Community Service Programs including Meals on Wheels, Community and Economic Development and Technology Services to member agencies.

OLD BUSINESS:

Legislative Priorities: Mrs. Cook reminded Council that the League of Oregon Cities legislative priorities ballot needs to be turned in. Each Councilor should provide their top four items of importance from the list, which will be tallied to determine which four Mill City will return. The deadline to return the City's top four items is August 5, 2022.

Mayor Kirsch requested Councilors peruse the different priorities mentioned in the provided packet and bring their four choices to the next meeting.

SW 2nd Avenue Overlay Project – Revised Project Schedule: Discussed above.

Roel Lundquist, SW Linn Boulevard, asked if sidewalks are planned along in the project. Mrs. Cook said sidewalks were originally included, however, due to cost they had to be removed.

Water Project Update: Discussed above.

Storm Water Project Update: Mrs. Cook said that interviews with the top two engineering firms were held in the past two weeks. Additional information is being sought from one of the firms so a recommendation will not be made until the next meeting.

RV Site Utility Removal: Mayor Kirsch said that the property owner of the RV site has been very patient in allowing whatever time is needed to complete the removal and property clean up. However, he is waiting for this work to be completed in order to fence the property.

Councilor Katlong said that he has been busy with his business but still wishes to volunteer his services to put the site back to its original condition, stating that he has a few days open during the next week that he can schedule the work for. Councilor Katlong also noted that he spoke to a local trucking company who said they would be willing to donate time to assist.

Councilor Winn said that he will approach his employer about providing a front-end loader to help load the debris for removal.

Mr. Rada advised Mrs. Cook that any excess dirt can be placed on his property across the highway from the RV site.

NEW BUSINESS:

Budget Committee Recommendation – Sewer Rate Increase: During the last budget process, the Budget Committee discussed the need for a sewer rate increase to help with covering increasing costs within the fund, ultimately passing a motion to recommend a 10% rate increase for the current FY.

Mayor Kirsch said that Mill City's sewer rates are low compared to other communities, adding that the Sewer Fund is in need of additional revenue.

If the Budget Committee recommendation of 10% is accepted, this would increase the base residential rate from \$45.64 to \$50.20.

Council consensus to draft a resolution to increase the sewer rate by 10%, effective October 1, 2022.

Budget Committee Recommendation – Sewer SDC Rate Review: The need for a sewer SDC study/rate review was also discussed by the Budget Committee. The sewer SDC was last in process for a potential increase in 2010 but, due to the fire that burned the old City Hall, this process was never completed. The Budget Committee passed a motion to recommend to the Council that the sewer SDC be reviewed to make sure that it is covering actual costs for connection and repayment to the system.

Mayor Kirsch said this is a perfect opportunity to get the SDC rates where they should be as Mill City is pursuing a sewer capacity expansion and looking at significant development.

Mrs. Cook said that a full rate study will need to be done after the sewer interim project is complete as SDC's must be justifiable. However, the current sewer SDC is much lower than it should be for current connections and it may make sense to complete an interim increase to. If the Council would like to pursue an interim increase Mrs. Cook would like to research the process to ensure that it is done legally.

Council consensus to move forward with an interim increase.

Psilocybin Measure 109: Mrs. Cook provided the Council with an OHA presentation and an LOC model ordinance, both discussing Measure 109, which allows for the manufacturing, delivery, and administration of Psilocybin at supervised, licensed facilities. The Measure was approved in the November 2020 election and becomes effective January 1, 2023. Psilocybin comes from a wild or cultivated mushroom and is a naturally-occurring psychoactive and hallucinogenic compound.

Measure 109 allows cities and counties to place referendums on local ballots to prohibit or allow Psilocybin-product manufacturers or service centers within their jurisdictions. This must be done during a statewide general election with the next one coming up on November 8, 2022.

If Council wishes to refer the issue to the voters, an ordinance for either a permanent ban or a two-year moratorium will need to be drafted immediately and will need to include an emergency clause to ensure that the ordinance has been enacted and reaches the county for placement on the ballot by September 8, 2022.

Councilor Zeyen-Hall said that she may have a conflict of interest as she works for OHA and assists with addiction services. City Attorney Jim McGehee said that a true conflict of interest has a financial benefit or detriment. The appearance of impropriety may also be construed as a conflict. However, Mr. McGehee said that he does not see either scenario here.

Councilor Trout said that he would like to hear what the community thinks on this matter and would like to put the issue on the ballot for voters to decide.

Mr. McGehee said that Council has an obligation from a legal standpoint to put the issue before the voters.

Council consensus to refer the issue of a psilocybin ban to the voters.

STAFF/COMMISSION REPORTS:

City Recorder Report:

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

Out-of-Office, July 18-22, 2022: Mrs. Cook will be out of the office July 18-22, 2022 for vacation.

City Attorney Report: Mr. McGehee said he had a staffing turnover, which put him behind on nuisance issues but that he dictated a number of nuisance complaints today and filed another in circuit court.

BUSINESS FROM MAYOR & CITY COUNCILORS:

Councilor Winn said that he received an extremely large water bill this month. After speaking with Utility Billing Clerk Kimberley Johnson, it was found to be a clerical error. Councilor Winn expressed his appreciation for the quick and calm response to the issue.

Councilor Winn said that more picnic tables are needed at Kimmel Park and others are in need of repair.

Councilor Zeyen-Hall said that the 4th of July celebration went smoothly and that she felt the Committee did a great job.

Councilor Plotts said that she heard several comments from citizens concerning the 'burn-outs' from several 4th of July parade cars. Mrs. Cook said the parade chairman had noted this after the event and plans to advise those entering next year's parade this type of behavior will not be tolerated.

Councilor Plotts thanked Joanne Olson for all her work in organizing Mill City's first annual Clean Up Day, as well as the volunteers people who showed up to help.

Councilor Katlong thanked those who volunteered their time to drive luggage and youth to Younglife and Wyldlife camp, stating that he appreciates community members who invest in their youth.

Councilor Trout suggested that the RV site be mowed a final time after the infrastructure is removed before turning the property back over to the owner.

Mayor Kirsch said that he will be attending a Marion County Commissioners meeting for the NSSA on July 15th, where an IGA will be solidified with the County. Marion County will also be presenting the NSSA with \$150,000 to hire a project manager. The NSSA is also in the process of bringing on an engineering consultant for the project.

EXECUTIVE SESSION: None scheduled.

ADJOURNMENT

The meeting was adjourned at 8:07 PM.

City of Mill City
Minutes of the City Council
July 12, 2022

Prepared by:

Stacie Cook, MMC
City Recorder

Approved by:

Tim Kirsch
Mayor