

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, September 13, 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 arrived at 6:40 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, Lt. Brian Hardy, LCSO, Matt Lawyer, Marion County, Roel Lundquist, Donovan Strasser, and Kelli Weese, Marion County.

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 August 23, 2022, b; Approval of Accounts Payable, c; Approval of Monthly Revenues & Expenditures Report, August, 2022, and d; Ratification of Planning Commission Approval of Site Plan Review for SCSD Industrial Education Shop Building, 252 SE 4th Ave; File No. 2022-05. Mrs. Fredrickson polled the council; the motion passed unanimously, (5:0).

LINN COUNTY SHERIFF'S REPORT: Lt. Brian Hardy gave the LCSO report for the month of August. Lt. Hardy said that the Sheriff's Office has hired a number of officers in recent months who are in various levels of training at this time.

Councilor Katlong joined the meeting.

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

Pump Report: The unmetered water loss is slowly dropping as leaks are identified and fixed.

NE Leak Update: After repairing several leaks, the northside water loss has dropped from 65gpm to 24gpm, saving the City approximately 1 million gallons of water per month. There are one or two more leaks in this line to be repaired, however, materials are getting harder to obtain. The City's supply of repair bands has been used. Replacement parts are approximately a month out.

SW 2nd Ave. Paving Update: Mr. Foltz said that the SW 2nd Street Overlay Project went well. There will be a slight cost overage for extra excavation and fill. Mr. Foltz and City Engineer John Ashley will complete the final walk-thru inspection next week.

Water Test Results: The water quality tests that the City is required to do have all come back with no detection of microorganisms.

Spring St. Pump Station: The Spring St pump station lost a water pump during the scheduled power outage. Public Works had to keep the pump running for approximately 11 hours during this time. Mr. Foltz said that he contacted company that services the generators and was advised that a replacement pump is not available. Mr. Foltz is looking for an after-market pump to replace the failed part.

Mayor Kirsch asked if the water plant generator was used during the outage. Mr. Foltz said that it was not needed. The reservoir pump kicks on when the water level drops to 25 feet but the water did not drop enough to activate the pump before power was restored. It was noted that the transfer switch needs to be installed so that this generator can be used during power outages.

Mrs. Cook said that the bid for Phase II of the waterline project came in below the engineer's estimate. This may allow for available dollars to add the transfer switch into the project. Approval from Business Oregon will be needed.

Councilor Trout asked what happens if the city were to run out of chlorine. Mr. Foltz said that OHA does not require the city to chlorinate its water, however, it is done as residual maintenance, which keeps any bacteria from damaging pipes.

Roel Lundquist, SW Linn Blvd., asked if the material shortages will affect the installation of the new auto read meters. Mr. Foltz said that all parts for installing the meters are on-hand.

Ann Carey, SW 1st Ave., asked for an update on the sewer actuators. Mr. Foltz stated that ordering the actuators has been delayed several times as additional information was requested from the supplier. The order has been authorized with the actuators are scheduled to arrive in the next week or two. The electrician completing the work at the WWTP has also been scheduled.

Donavan Strasser, NW River Rd, said that he is concerned with the generator at the River Rd Pump Station, stating that it has been turning on and off every hour and getting increasingly louder. Mr. Strasser said that he has requested the City deal with the issue and he was told to come to Council.

Mayor Kirsch said that the River Rd Pump Station has a three-phase voltage system and automatically turns on when there is low power. This can happen with 'dirty' power supplies.

CITIZEN COMMENTS AND QUESTIONS: None.

PUBLIC HEARING: None scheduled.

PRESENTATIONS: Santiam Rail Trail Project – Kelli Weese, Marion County Economic Development: Kelli Weese, Marion County Economic Development, gave a brief presentation on the Santiam Rail Trail Project. Ms. Weese said that the concept of a canyon-wide trail system to provide a safer, non-motorized travel alternative to Hwy 22 has been explored many times over the years, culminating with The Canyon Journeys Trail System. Marion County is revisiting this concept with a proposed 1.5-mile paved bike path running from Minto Park, west to the Gates city limits, named the 'Santiam Rail Trail'. Additional phases of the trail development will be looked at in the future.

Ms. Weese said the trail is a community-based project, which needs broad support to be a success, stating that Marion County is seeking a letter of support from the City for this project. September.

The first section of trail will be completed using \$2 million from Opal Creek Promise Dollars. The letter of support is for a federal grant application, which if successful, will be used for the next section of trail. Groundbreaking for the Minto Park section is tentatively set for 2024.

Mayor Kirsch said that people have been anticipating this trail for 30 years, adding that this is a golden opportunity to make it happen.

Councilor Trout moved and was seconded by **Councilor Winn**, to Sign a Letter of Support for the Santiam Rail Trail Grant Application. The motion passed unanimously, (6:0).

OLD BUSINESS:

Water Project – Phase II Recommendation of Award: Bids for the Phase II Waterline Improvements were opened on Thursday, September 1, 2022 at City Hall. Nine bids were submitted. D & I Excavating, Inc. was the lowest responsible bidder at \$1,350,322. Notice of Intent to Award was issued on September 6, 2022 notifying all bidders of the City’s intent to award a contract.

The final completion date for the project is October 4, 2023.

Councilor Katlong moved and was seconded by **Councilor Plotts**, to Award Mill City Waterline Project - Phase II to D & I Excavating, Inc. in the Amount of \$1,350,322.00. The motion passed unanimously, (6:0).

WWTF Agreement Amendment – Keller Associates: Amendment No. 1 to the Keller Associates WPCF Improvements Agreement was provided for review. The amendment reduces Task #2 Site Evaluation by \$26,735 and Task #3: Hydrologic Groundwater Site Assessment by \$8,775 and creates Task #4, Infiltration and Inflow Investigations (I&I) in the NE quadrant of the City for the 1st Avenue pump station basin in the amount of \$46,780.

Councilor Trout moved and was seconded by **Councilor Zeyen-Hall**, to Approve Keller Associates Contract Amendment No. 1 to the WPCF Improvements Agreement. The motion passed unanimously, (6:0).

Storm Drainage Project – Agreement to Furnish Engineering Services: The Agreement to Furnish Engineering Services for the Storm Drainage Master Plan between the City and Keller Associates was provided for review along with Exhibit ‘A’ – Scope of Services, Exhibit ‘B’ – Compensation, and Task Order No. 001, authorizing the work to commence.

The scope of services includes Project Management & Meetings, Data Acquisition & Facility Tour, and Planning Criteria. This portion of the project shall be done as a lump sum of \$43,170.

Mrs. Cook said that Business Oregon has required additional clauses because the funding is ARPA. City Attorney Jim McGehee has reviewed the document, including the ARPA clauses and has no major concerns.

Councilor Plotts moved and was seconded by **Councilor Trout**, to Approve Storm Drainage Master Plan Agreement to Furnish Engineering Services and Task Order No. 001 with Keller Associates in the Amount of \$43,170. The motion passed unanimously, (6:0).

NEW BUSINESS:

Reid House Property Excavation Project Recommendation of Award: Bids to complete clearing and grubbing, grading and excavation and placement of topsoil and seeding for the Reid House property were due September 8, 2022. One bid was received for the work, which came in at a cost which would require that a full bidding process be used. Staff will be looking at other options to get this work completed.

Councilor Winn said that he fell the damaged trees on the property and will remove the logs in the next week or so. Councilor Winn said that he believes that the clean up of this property can be done for a fraction of the bid amount.

FEMA Trailer Site – Request for Use; Marion County: Matt Lawyer, Marion County, handed out a letter from the Marion County Commissioners and tiny home schematics to the Council, stating that there are approximately 135 households displaced by the fire that are still not in permanent housing. Marion County has spent the last year working to put in a temporary tiny home

development in Gates. However, the original \$1.2 Million engineers estimate for infrastructure swelled to double, making the development too costly. At the same time, a development at the Santiam State Park was being designed. This project is still moving forward. With the loss of the Gates project, Marion County is looking for another possible site to located a temporary tiny home development. The FEMA trailer site came up as a viable opportunity as it is fairly shovel ready.

Councilor Zeyen Hall asked how long Marion County would need the site. Mr. Lawyer said the intent would be use the site until the apartments on the west end of the city become available and the new sewer system is installed. This may be five years at the outset.

Councilor Katlong asked what would happen if the apartments are not built. Mr. Lawyer said that Marion County would look at their property development and potentially create more rentals.

Councilor Trout declared a conflict of interest as he is still involved with the real estate transaction on the property for the proposed apartments.

Mayor Kirsch said that City code requires a garage or carport and it would be nice to see a storage shed and CC&R's implemented, adding that the tiny house development could be aesthetically pleasing to the community.

An on-site manager is proposed for the tiny homes. Tenants will be required to sign a use agreement outlining the rules. Each unit will come with a 10'x10' storage shed approved by the city. If the City agrees to move forward with allowing the use of the FEMA trailer site, a potential paid lease agreement between the Housing Authority and the City is possible.

Councilor Katlong noted his concern with surrounding property values if this development were to be put in. Mr. Lawyer said that he does not know the effect on property values but will look into it.

Councilor Katlong said he has been approached by numerous citizens asking if the City's annual clean-up day will resume on this site so that is something that needs to be taken into consideration as well.

Ann Carey, SW 1st Ave., asked for how the City is handling new development applications since the sewer system is close to capacity. Mayor Kirsch said that adding another, smaller drain field has replaced building a newer larger drain field. Repairing the actuators will help with capacity and Public Works is working hard to identify I & I issues. The FEMA trailer site infrastructure is already there, therefore, additional capacity from this site should not be an issue.

City Attorney Jim McGehee said the city may have to place a moratorium on any new construction if the sewer is at maximum capacity, however, development must keep moving forward until capacity is either reached or another option becomes available.

Councilor Plotts asked if the tiny homes will only be for canyon wildfire survivors. Mr. Lawyer confirmed these homes will only house canyon people.

Mid-Willamette Valley Community Action Agency LIHWA Vendor Agreement: In February, the Council approved a Contract for Water Assistance Provisions from CSC for the Low-Income Household Water Assistance Program (LIHWA), which provides water and wastewater utility payment assistance through grant dollars.

The Mid-Willamette Valley Community Action Agency contacted the city about entering into the same agreement, which enables utilities to share residential customer billing information so that the agency is able to submit payments on behalf of the customer. Mrs. Cook said that considering the number that have already taken advantage of the program through CSC, the City should move forward with this vendor agreement as well.

City Attorney Jim McGehee reviewed the agreement with CSC and found no issues.

Councilor Katlong moved and was seconded by **Councilor Trout**, to Approve Contract for Water Assistance Provisions Between Mid-Willamette Valley Community Action Agency and City of Mill City Water Department. The motion passed unanimously, (6:0).

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.

November 8, 2022 Election Update – Council Positions: The filing date for the vacant council positions has passed. There are three Councilor positions and the Mayor's seat which are open. The following people submitted the necessary paperwork and have been qualified to run for office:

- Tim Kirsch – Mayor
- Janet Zeyen-Hall – Councilor
- Jason Saari – Councilor
- Steve Winn - Councilor

OAMR Conference – September 28-30, 2022: Mrs. Cook will be attending the annual OAMR conference in Newport September 28-30, 2022.

SCA Grant Submitted: The SCA grant application was submitted at the end of August for the SW Ivy St improvements. The application also includes SW Hall Ave and a large sinkhole on SW High Ave. The total grant amount is \$250,000. The estimated cost for the SW Ivy Street Improvement Project is \$350,000.

Public Hearing – September 27, 2022: The Planning Commission held a public hearing on a Comprehensive Plan Map and Zoning Amendment for a piece of property located outside the city limits owned by Bob and Vicki Ward. This application must also come before the Council for consideration. A Public Hearing has been set for the September 27, 2022 Council meeting. Mrs. Cook reminded Council because this land use issue will be heard during a hearing by the Council, there must not be any discussion on this subject with the public.

Mr. Lundquist asked if Linn County will also hold a hearing as this property is located in the City's UGB. Mrs. Cook said if this land use application is approved by Council, an Ordinance will need to be passed and will then be forwarded to Linn County.

Mr. Lundquist asked the status of the Mill City Falls Park Project. Mrs. Cook said she does not have a start date for the project at this time. Staff has contacted Bev Redding to see if she can secure the plants needed. The Canyon Catalysts have volunteered to complete the planting.

City Attorney Report: None.

BUSINESS FROM MAYOR & CITY COUNCILORS

Mayor Kirsch said that last NSSA meeting was cancelled due to the Labor Day holiday. The next meeting will be held on September 19, 2022. Councilor Zeyen-Hall noted that this meeting will be held at Gates City Hall.

Councilors Zeyen-Hall said that the Canyon Catalysts are prepping the wood for the main shelter painting.

Councilors Katlong and Trout had nothing to report.

Councilor Plotts said that the siding for the east and west walls of the Kimmel Park main shelter was donated by Frank Lumber and requested a letter of appreciation be sent for their generous donation. The south wall plywood be replaced after the electrical issues have been addressed. The winner of the color palette review was a dark red.

Councilor Winn said that Crawford Electric will be repairing the main shelter as well as the outlet box behind the baseball diamond and installing flagpole lights.

EXECUTIVE SESSION: None scheduled.

INFORMATIONAL ITEMS: None.

ADJOURNMENT

The meeting was adjourned at 8:45 PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor