

**MILL CITY
MINUTES OF THE CITY COUNCIL
Tuesday, January 23, 2024**

Mayor Kirsch opened the meeting at 6:30 PM with the flag salute. Councilors present were Janet Zeyen-Hall, Dawn Plotts, Misty Strasser, Mike Van Atta and Steve Winn. Staff members in attendance were City Recorder Stacie Cook and City Clerk Tree Fredrickson.

Citizens in Attendance Ann Carey, Lt. Brian Hardy, LCSO, Lynda Harrington, Don Strasser, Julie Strasser, and Zach Zinda.

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 Plotts moved and was seconded by **Councilor Zeyen-Hall**, to approve items a; Approval of Minutes of Regular City Council Meeting of December 26, 2023, b; Approval of Minutes of Special Council Meeting of January 16, 2024, c; Ratification of January 9, 2024 Email Approval of Accounts Payable, d; Approval of Accounts Payable, e; Acceptance of Monthly Revenues and Expenditures Report, December 2023, f; Acceptance of 2024-2025 FY Budget Calendar, g; Ratification of January 10, 2024 Email Approval of Keller Associates Task Order No. 006 - Mill City Falls Emergency Wall Repair, and h; Approval of OLCC Liquor License Renewals for the Following Businesses:

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| 1. Dollar General Store #17506 | 250 NW Santiam Blvd |
| 2. Giovanni's Mountain Pizza | 146 NE Santiam Blvd |
| 3. Stop N Save 6 | 250 NW 9 th Ave. |

Mrs. Fredrickson polled the Council. The motion passed unanimously, (6:0).

CITIZEN COMMENTS/QUESTIONS: None.

LINN COUNTY SHERIFF'S REPORT: Lt Brian Hardy, LCSO, gave a report for December and provided stats for the year.

Mayor Kirsch asked about homelessness in Mill City. Lt. Hardy said that no encampments have been reported in the area.

Councilor Strasser asked if LCSO has a plan for when encampments arrive. Lt. Hardy said that a 72-hour notice must be posted at an illegal encampment and available services provided. If the people do not leave, their possessions must be stored in an accessible location for 90 days.

Councilor Plotts stated that January 9 was Law Enforcement Appreciation Day, however, there was not a meeting to express the City's thanks so doughnuts were brought this evening. Mayor Kirsch thanked Lt. Hardy and asked that the sentiment be passed along to all of the LCSO.

RECOGNITION OF CONTRIBUTION TO MILL CITY BEAUTIFICATION – ZACH ZINDA: Mayor Kirsch thanked Zach Zinda, Pacific Power Lineman, for his contribution to the beautification of Mill City and presented him with a certificate of appreciation and a small gift. Mr. Zinda assisted with SW Broadway lighting issues and Christmas decorations. Mayor Kirsch said that Mrs. Cook has drafted a letter of appreciation for Mr. Zinda's generous donation of time and will forward it to his supervisor at Pacific Power.

Lynda Harrington, Santiam Pointe Lp, presented Mr. Zinda with a gift on behalf of the Ad-hoc Christmas decoration committee, thanking him for his dedicated service to Mill City. Mrs. Harrington went on to say that Mr. Zinda generously gave his free time to install electric plug-ins for the new Christmas decorations, hung Christmas decorations along S. 1st Ave. and Broadway St and decorated the City's tree, all at no cost to the city. Mr. Zinda also researched lighting options for SW Broadway St, presented the City with a fix and installed the light boards that control the brightness. Mrs. Harrington said that we should remember that big corporations are made up of individual people and that some of them work, live and raise families in our communities. This is Mr. Zinda.

Mr. Zinda noted that several of the Broadway St. lamp post plug-ins failed this winter as they are not rated for outside elements. The rest of the plug-ins will eventually fail and should be replaced with all-weather plug-ins for future use. The cost for this type of plug-in is approximately \$35 each.

Councilor Zeyen-Hall recommended that this be included in the upcoming budget.

Mrs. Harrington said that LED lighting is being explored to outline the super-structure of the railroad bridge.

AMENDMENT NO. 01 TO IGA FOR PROJECT MANAGEMENT, ENGINEERING SERVICES, AND CONTRACT ADMINISTRATION BETWEEN LINN COUNTY AND MILL CITY – CEDAR CREEK BRIDGE: Amendment No. 01 to the IGA for Project Management, Engineering Services and Contract Administration for Cedar Creek Bridge extends the completion deadline from December 31, 2023 to December 31, 2024.

The agreement also increases the total reimbursement amount from \$235,000 to \$292,000 due to the increased costs related to the additional time and labor to deal with the footing removal requirement as well as overall increases in general construction costs. Funds are available from the City's insurance payout and FEMA disaster reimbursement.

Councilor Zeyen-Hall moved and was seconded by **Councilor Winn**, to Approve Amendment No. 01 to IGA for Project Management, Engineering Services, and Contract Administration Between Linn County and Mill City – Cedar Creek Bridge. The motion passed unanimously, (6:0).

MISC. CITY RECORDER ITEMS:

January 9, 2024 - Law Enforcement Appreciation Day: Discussed prior. THANK YOU LINN COUNTY SHERIFF'S OFFICE!

Request for Reduction of Water Charges; 268 SW Kingwood Ave: The City has received a request from the owner of 268 SW Kingwood for a reduction of water charges. The owner requests assistance with the November and December water bills, stating that she has been in the hospital and rehabilitation as well as required home care out of state and during the time she was away her toilet was running. The toilet has since been fixed.

The November water usage was six units and December three units. The rate schedule includes the first two units in the base fee, which would leave four units of water in November and one in December that were billed in excess. The owner averages less than one unit per month.

Councilor Plotts moved and was seconded by **Councilor Winn**, to Approve Request for Waiver in the Amount of Five Units. The motion passed unanimously, (6:0).

Mill City Falls Park Project – Phase 2 / Retaining Wall Update: Mrs. Cook stated that she and Planning Advisor Dave Kinney met with Mark Cowen of Oregon State Parks seeking advice on how to proceed with the City's grant award considering the failure of the retaining wall and the

impact that it will have on timing. Mr. Cowen confirmed options that were already outlined, including returning the grant award and reapplying in the next cycle or two. If the City chooses to keep the grant and must remove elements to accommodate the bank repair, the grant may decrease accordingly.

A meeting with the various agencies that will need to be involved in permitting and review has been requested to assist in a decision as to how to proceed with the park project and grant.

Councilor Zeyen-Hall asked if there will be a penalty if the grant is returned. Mrs. Cook said there is no penalty.

Councilor Winn asked if the failed wall is a danger for river users and who is responsible if something were to happen. Mayor Kirsch said there could be a danger to river users; the City would likely be responsible as the retaining wall is part of the City property.

Councilor Strasser asked when the next grant cycle will begin. Mrs. Cook said that the current cycle closes April 1.

Councilor Van Atta suggested placing caution tape or a barrier to prevent river users from coming into contact with the slab. Mrs. Cook said that the City cannot place anything in the without proper permitting and review. Councilor Van Atta then suggested a sign at the boat launch warning river users of the danger. Councilor Zeyen-Hall noted that placing a sign could potentially add liability to the City, recommending that staff discuss this with legal counsel before doing so.

Electronic Speed Signs: The electronic speed signs loaned to the City by Marion County have been removed. Mrs. Cook was advised that the signs, placed in August, did what was intended for eastbound traffic. The 85th percentile for speed when initially noted was between 25 and 27 mph. By December this changed to 20-22 mph. However, the westbound traffic proved to be an anomaly as the August speed was 27-28 mph and the December speed increased to 29-30 mph.

Councilor Strasser noted that the information gathered may be skewed due to loss of data on cloudy days when they may not work properly.

NSSA Letter to Property Owners: Mrs. Cook advised that letters were sent to affected property owners along the old railroad right-of-way parallel to Hwy 22 notifying them of upcoming vegetation removal for survey work related to a potential sewer line installation.

Councilor Strasser asked about the status of the sewer system. Mayor Kirsch said that the 'Maui Decision' has triggered groundwater rule changes, which has created a bump in the process. Marion County is speaking with legislators to determine the best route to ensure the project moves forward smoothly, including the possibility of a legislative waiver. DEQ will be required to sign off on any modification.

ADJOURNMENT

The meeting was adjourned at 7:35PM.

Prepared by:

Approved by:

Stacie Cook, MMC
City Recorder

Tim Kirsch
Mayor