



Approved: June 11, 2024

CITY COUNCIL REGULAR MEETING MINUTES

May 14, 2024 @ 6:30 p.m.

A. CALL TO ORDER Meeting called to order by Mayor Scott Cowan at 6:30 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Councilors Present: Mayor Scott Cowan, Councilors Dave Harms, Mike Hickam, Mark Raum and John Sullivan.

Staff Present: Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; Matt Straite, Community Development Director; Alan Sorem, City Attorney; Sheena Dickerman, City Recorder

D. CHANGES AND ADDITIONS TO THE AGENDA **6:30 p.m.**
None

E. CONSENT AGENDA **6:30 p.m.**
1) Approval of April 9, 2024, City Council Regular Meeting Minutes
2) Approval of AKS Contract Amendment
3) Approval of Jacobs Contract Amendment

Action: **Motion to adopt the consent agenda as presented made by Councilor Mark Raum; seconded by Councilor Dave Harms.**

- Mayor Scott Cowan: Aye**
- Councilor Dave Harms: Aye**
- Councilor Mike Hickam: Aye**
- Councilor Mark Raum: Aye**
- Councilor John Sullivan: Aye**

Motion PASSED: 5/0

F. GUEST PRESENTATIONS **6:32 p.m.**

1.) Linn County Sheriff's Office Monthly Report
Sergeant Colin Pyle reviewed the LCSO report in the agenda packet*. He said there were a lot of false alarms at residences, business checks and four to five fender benders at Love's. He added that when he saw there were some vehicle break-ins, he looked into them, and one had a shotgun taken. He reminded everyone to lock up their vehicles and especially lock up valuables and firearms in their residence. He commented that there was a hit and run at Love's, a courtesy call for smoke at Wah Chang, and someone arrested on their warrant. Mayor Scott Cowan commented that the report felt light. Councilors agreed.

Pyle shared that he supervises Mountain and Marine patrol programs. LCSO has one full time marine deputy and a seasonal deckhand. He stated that the water is still very cold and there are lots of hazards in the water during this time of year.

He encouraged everyone to wear life jackets and take proper safety precautions for waterways.

Pyle said that since 2020 the County has been busier on wildfires. This takes a lot of time and resources for the summer.

Pyle said part of his duties of Mountain Patrol is search and rescue, he praised the volunteers that he works with. He said if people are hiking or camping to let someone know where they are going. He encouraged that if there is a trail log to sign it and take lots of water. He shared that LCSO is always up at Blue Pool for rescues. People don't realize there is a rock cliff and jump off and hit the rocks. He said cell phones have helped in rescues versus the need for actual searches.

Cowan asked what waterways he patrols. Pyle responded that LCSO covers areas from Willamette River to the Pacific Crest trail, which has a lot of waterways. He stated that the Willamette River is actually covered by Benton County Sheriff's Office, they have the contract with the Oregon State Marine Board. He said that LCSO's most active waterways are Foster Lake and Green Peter Reservoir. He said Clear Lake is also in Linn County and they see a lot of unmotorized traffic.

Cowan asked if Marion County covered Santiam River. Pyle replied that from the Willamette River up to Jefferson is covered by Benton County. He said that past Jefferson it depends on who is available to respond, it usually is LCSO or a fire agency if it is a rescue situation on the north and south end of the Santiam Rivers. Cowan asked what Marion County covers. Pyle replied that Detroit Reservoir takes a ton of Marion County's time. He said that technically half of Detroit is in Linn County but there are contracts in place for Marion County to patrol there. He added that anything on the water at Detroit Reservoir is Marion County's responsibility and anything on the south side, on land, is LCSO's responsibility.

Michael Mattingly, LCSO Community Services Specialist, introduced himself. He said any events such as Neighborhood watch, school events, or any events that someone wants LCSO at, he is the coordinator. Pyle added they have done a lot of events at schools and water safety events. City Manager Kevin Kreitman added that Mattingly also schedules the radar speed trailer.

G. PUBLIC HEARING

1. **Files:** DC 24-01 & SP 24-02

DC 24-01 proposes to change the zoning of Tract A of the Transition Parkway Industrial Park subdivision from General Industrial (GI) to Public Facilities (PF).

SP 24-02 proposes a new linear park that will be located between the existing Conser Road and the new street, Transition Parkway (to be built in tandem with the park). The park will be a passive/active park comprised primarily of landscaping, a 12-foot-wide multi-use path, and sidewalk connections to nearby roadways. The park will include a retaining wall and a vegetated berm that will provide a buffer between residentially zoned lands to the north and industrial lands to the south.

Mayor Scott Cowan opened the public hearing at 6:41 p.m.

City Recorder Sheena Dickerman read the disclosure statement.

None of the Councilors had a conflict or site visit. No one challenged the Councilors.

Community Development Director Matt Straite acknowledged that the Councilors were familiar with the project. This is only the park portion of the larger Transition Parkway project. There are two applications. One is for a zone change; it is currently in the General Industrial zoning (GI) and needs to be changed to Public Facilities (PF) because GI zone doesn't permit parks. The second application is for a site development review for the linear park. He mentioned a few of the features; a multi-use path, a berm for screening, and seat walls that form three different plazas. He stated the applications are fully consistent with the City's criteria and standards and the staff report goes through them in great detail.

Straite said that the Parks Commission and Planning Commission reviewed the applications. Staff and the Planning Commission recommend approval. Kreitman added that anyone wanting to see or hear the full report can review the Planning Commission recording (May 7, 2024).

There was no public in the audience or online for public testimony. No Councilors had questions for staff.

Mayor Scott Cowan closed the public hearing at 6:46 p.m.

Action: **Motion to approve DC 24-01 and SP 24-02 and adopt Ordinance 211-24 for the Zone Change made by Councilor Dave Harms; seconded by Councilor Mark Raum.**

Mayor Scott Cowan:	Aye
Councilor Dave Harms:	Aye
Councilor Mike Hickam:	Aye
Councilor Mark Raum:	Aye
Councilor John Sullivan:	Aye

Motion PASSED: 5/0

H. PUBLIC COMMENT

None

6:47 p.m.

I. COUNCIL MEMBER AND STAFF COMMENTS

1. Strategic Plan Update –

Cowan said that the City's Strategic Plan needs to be updated. He recommended that the Council review the Strategic Plan and discuss it at the July Council meeting. The Council needs to make decisions on where the Council wants to go as these are the guiding principles and it helps guide staff on what the Council is trying to accomplish for the citizens and community. In the past staff and Council worked on the Strategic Plan together. There are

6:47 p.m.

consultants that could be hired to work on it with Council if Council wanted. Working through the Strategic Plan would probably be done in a work session(s). He said staff thinks Council and staff can update the Strategic Plan unless Council would like to do something above the capacity of City staff. He said he had gone through it and there are some things that need to change.

Councilor Mark Raum asked if any public comment was received over the years. Kreitman replied that the only comments have been to appreciate referencing the Strategic Plan in budgeting.

Cowan reiterated that the Council would discuss it at the Council meeting in July.

J. CITY MANAGER'S REPORT

6:50 p.m.

- 1) Projects Update- Assistant City Manager Janelle Booth mentioned the street maintenance projects for the summer. She said there would be crack sealing and the streets are listed in the project update memo*. Crack sealing will be done in the City's parking lot and walking path at Millersburg Park. Staff is looking at West Park, Becker Ridge Phase I, and Hoffman Estates neighborhoods for surface treatment, it would depend on the price staff receive from contractors. Staff's goal is to complete as much as possible within budget. There are some other considerations with slurry seal on residential streets, because of closures required for 12-hour periods.

Booth said the Waverly Drive/ Cox Creek Bridge grant, to replace the bridge, is Federally funded and must be delivered by a certified agency. Linn County is certified and has agreed to manage the project. They will be hiring a consultant. The consultant selection will most likely be in June. Staff will be involved in evaluating and selecting the consultant. The current grant portion is for design and not construction. The award will be later in the summer. The remaining construction grant will follow once design is complete.

Booth said some other projects are the Woods Road multi-use path, the Old Salem AC waterline abandonment, and the sewer feasibility study. They are in various stages. The first two are getting restarted. The sewer feasibility study needs to be completed by August.

- 2) Transition Parkway Design Update- Booth said the bid advertisement will be at the end of this month, the bid opening at the end of June, awarded in July, contracting in August and notice to proceed in September. Currently, that is the plan, but the dates can be modified if necessary.
- 3) Council start time change for the *JUNE 11, 2024*, meeting to 5:30 p.m. – Kreitman said staff has a goal exception hearing with the County that begins at 7 p.m. on June 11, 2024. Staff is asking for Council to consider a one-time change of the June 11 Council meeting start time from 6:30 p.m. to 5:30 p.m. He was unsure if

any Councilors wanted to attend but staff would need to research it. City Attorney Alan Sorem said that any Councilor could attend and listen, but if multiple Councilors wanted to speak on behalf of City business to coordinate with Kreitman or him because of limitation with public meeting laws.

Kreitman asked for concurrence from the Council about the change in meeting time.

Raum asked for the purpose of the County meeting. Kreitman explained it is for the goal exception for the new road, for access to City's property. The process will be before the Linn County Planning Commission on June 11, 2024, at 7 p.m. and the following Tuesday, June 18, 2024, at 10 a.m. it will go to the County Board of Commissioners. Sorem said that the County is prepared to go that quickly. He added there are things that are out of anyone's control that could cause delays.

- 4) Joint Millersburg and City of Albany Council Meeting and Executive Session June 10, 2024, 4:00 p.m. at the City of Albany - Kreitman said that on June 10, 2024, there will be a joint meeting with City of Albany, it will move into an Executive Session to talk about Talking Water Garden. Staff will send an update to be added to the Councilors calendars. Kreitman said that the meeting is planned to go from 4 p.m. to 6 p.m.

Cowan confirmed that the Councilors were good with the June 11, 2024, 5:30 p.m. start time. He reiterated that if any of the Councilors planned to attend the Linn County Planning Commission meeting or the Board of Commissioners to let Kreitman or Sorem know.

K. CITY ATTORNEY'S REPORT

6:57 p.m.

- a. Westside Access Update – Sorem said Timberlab came to the last meeting to share who they are and why they want the property. He said Timberlab is moving quickly. He said the meeting with the Linn County Planning Commissioners is the primary open-ended to-do item they need to do before closing and is outside of the control of the City, the seller. Everyone is working hard and is positive that they have all the evidence needed to have a good outcome later in June. Technically, Timberlab's due diligence period extends into September but they are motivated to move forward once this big issue is addressed. He said Timberlab is eager to close. He will keep Council updated.

L. UNFINISHED BUSINESS

6:59 p.m.

None

M. NEW BUSINESS

6:59 p.m.

- a. COLA- Kreitman said the request is for the adoption of a Cost-of-Living Increase (COLA) for fiscal year 2024-2025 to go into effect on July 1, 2024. He said based on Council's adopted Benefits and Compensation Policy staff look at the annual wage adjustments effective July 1 based on the consumer price

index period from January to January. Typically, the City uses the lowest of the three CPI-W classes. He said the lowest was 2.9 percent and the highest was 3.7 percent. Staff calculated the proposed budget at three percent based on what they thought it would come in at. He said Council does have the authority to elect an amount lower or higher. He said last year the COLA was a low of 5.9 percent and a high of 6.3 percent and Council provided a 5-percent increase last year. He added that this adoption excludes executive staff positions, Kreitman, Booth and Straite. Councilor Hickam asked for clarification that this didn't include executive staff. Kreitman explained that the executive staff COLAs were addressed in February.

Action: **Motion to adopt the COLA as budgeted made by Councilor Mark Raum; seconded by Councilor John Sullivan.**

Mayor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Mike Hickam: Aye
Councilor Mark Raum: Aye
Councilor John Sullivan: Aye

Motion PASSED: 5/0

- b. Engineering Services Director/City Engineer Position-
Booth said this was discussed in the Budget meeting last week. It is part of the overall succession plan. She said what wasn't discussed was the actual job description. The job description is included in the agenda packet*. The job description is based on her current job description and removal of the Assistant City Manager piece. Staff decided to name it Engineering Services Director/City Engineer and make it equivalent to the other Director position in the City. The funding was budgeted. Staff requests approval of the position and to move forward with the process of finding an applicant.

Cowan asked how the market was for hiring Engineers. Booth replied that there is a lot of competition at the entry and mid levels. She said what was approved in the budget for wages is competitive and will put the City in a good position. She said she knows there is interest already and there are others in municipalities that may be looking for an opportunity to advance.

Raum noted that the position is exempt and asked if it would be part of the executive team. Booth affirmed.

Action: **Motion to approve the Engineering Services Director/City Engineer position made by Councilor John Sullivan; seconded by Councilor Mike Hickam.**

Mayor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Mike Hickam: Aye
Councilor Mark Raum: Aye
Councilor John Sullivan: Aye

Motion PASSED: 5/0

Kreitman added that the move to hire Saalfeld Griggs to represent the City has been beneficial because of the many abilities it gives the City. He said that with the developing the job description, Attorney Jennifer Paul's, Saalfeld Griggs, area is with Human Resources, and she is the City's HR representative. She reviews all the City's policies. He said Sorem is the primary contact but points to other colleagues as needed. Straite added that the City has a separate attorney that attends Planning Commission, in order not to burn out Sorem.

Sorem said part of the firm's policy is they want to build relationships with clients so that they are not beholden to one attorney, and the client gets the right person for the right job.

Cowan said that the question had come up about not having someone local and losing the personal touch, but Sorem has taken care of the City well.

N. CLOSING COUNCIL COMMENT

7:07 p.m.

Cowan said the City held a recycling event recently that he, Hickam and a community member attended. It was a good presentation as far as information is concerned, and the information is on the website.

Cowan said over the past few weeks, the Council has spent two evenings together with the budget committee going over the 2024-2025 budget. He wanted to thank the members of the Budget Committee, Council, and staff. He said it was a very comprehensive, easy to read document and the meetings were structured and went smoothly. Raum said staff makes it easy. Cowan thanked the community members that are a part of the Budget Committee; Doug Iverson, Kevin Hackstedt, Lorri Headrick, Rob Yencopal and Dick Perdue. He thanked staff for the great document.

Kreitman mentioned that there is an opening on the Planning Commission. He said Commissioner Monte Ayers has stepped aside at this time but may reapply in the future.

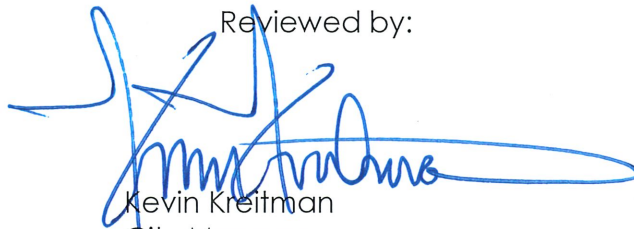
O. ADJOURNMENT Mayor Scott Cowan adjourned the regular meeting at 7:09p.m.

Respectfully submitted:



Sheena Dickerman
City Recorder

Reviewed by:



Kevin Kreitman
City Manager

*Presentation materials or documents discussed at the meeting that are not in the agenda packet are archived in the record. Documents from staff are posted to the website after the meeting. Documents submitted by the public are available by emailing cityclerk@millersburgoregon.gov.